

Ordinance No. _____

Ordinance of the Council of the City of Palo Alto Amending Chapter 18.42 (Standards for Special Uses) to Require a Conditional Use Permit for Firearms Dealers

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. Findings and Declarations. The City Council finds and declares as follows:

A. On June 21, 2022, the City Council adopted Ordinance No. 5559 on an interim, urgency basis. Ordinance No. 5559 was adopted pursuant to Palo Alto Municipal Code Section 2.04.270 based on the need to protect the public safety, health, and welfare, as set forth in the findings and declarations of that ordinance. Ordinance No. 5559 was also adopted in compliance with Government Code Section 65858, to the extent that section was applicable, as an interim urgency measure to address a current and immediate threat to the public health, safety, or welfare, for the reasons forth in the findings and declarations in that ordinance.

B. On August 1, 2022 the City Council adopted Ordinance No. 5560, extending Ordinance No. 5559 for a period of 10 months and 15 days.

C. The conditions that gave rise to the need for Ordinance No. 5559 still exist and the City Council now wishes to adopt a permanent ordinance to amend the zoning code in accordance with section 18.80.080 of the Palo Alto Municipal Code.

SECTION 2. Section 18.42.210 (Firearms Dealers) is added to Chapter 18.42 (Standards for Special Uses) of Title 18 (Zoning) of the Palo Alto Municipal Code as follows:

18.42.210 Firearms Dealers

(a) Purpose

The purpose of this section is to protect the public health, safety, and welfare by imposing reasonable land use regulations on the sale of firearms within the city.

(b) Definitions

In addition to the definitions in section 18.04.030 of this code, the definitions in section 4.57.010 of the Palo Alto Municipal Code, as may be amended from time to time, shall apply to this section, unless the context indicates otherwise.

(c) Conditional Use Permit Required in Tandem with Firearms Dealer Permit

A conditional use permit shall be required to operate a firearms dealer business in any district where such use is permitted. This requirement shall apply in addition to the

requirement for a firearms dealer permit issued by the chief of police in accordance with Chapter 4.57 (Firearms Dealers).

SECTION 3. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion or sections of the Ordinance. The Council hereby declares that it should have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 4. The Council finds that this project is exempt from the provisions of the California Environmental Quality Act ("CEQA"), pursuant to Section 15061 of the CEQA Guidelines, because it can be seen with certainty that there is no possibility that the ordinance will have a significant effect on the environment.

SECTION 5. This extension ordinance shall take on the thirty first (31st) day following its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Assistant City Attorney

City Manager

Director of Planning and
Developmental Services

Director of Administrative Services