

ZTA-01-23

Supplemental Staff Report

September 18, 2024

The Planning Commission Action:

Following a public hearing on this issue held on August 29, 2024, the Commission made recommendations to modify the text of ZTA-01-23 based on feedback received. The modifications included adding the following:

1. Adding buffers around cities and Urban Growth Areas (UGA) of a half mile for archery and one mile for gun ranges based upon a comment from the City of Airway Heights
2. Adding no alcohol sales or consumption on range sites
3. Adding buffers around public schools, public parks, and public cemeteries of a half mile for archery and one mile for gun ranges

The Planning Department Action:

The Department is also recommending additional text based upon a comment from the Washington State Department of Ecology that suggested that gun ranges that do not recycle their lead could be subject to governmental or citizen lawsuits.

4. The Department has proposed additional text to the amendment which would require gun ranges to produce an operations plan that included an element addressing regular lead removal from their sites following an EPA-published "Best Management Practices for Lead Removal at Outdoor Shooting Ranges".

The Planning Department, in response to the Planning Commission's recommendation to add buffers where ranges were excluded, has asked the County GIS department to produce maps depicting the buffers and calculating the area of allowability and exclusion. A draft of this map can be found in the "Supporting Documents" posted on the Building and Planning website for the amendment.

SEPA

The appeal period for this amendment ended on September 04, 2024, without an appeal being filed.

Notification:

Notification of the September 26, 2024, public hearing on this issue was published in the Spokesman Review on September 10, 2024, mailed or emailed to parties of record and agencies of jurisdiction on September 11, 2024, and posted on the County's Building and Planning webpage on September 10, 2024. The notification has met the County's notification requirements.

Planning Department Findings

The Department has reviewed the proposed changes recommended by the Planning Commission, agency comments, and data from the County GIS Department and finds the following:

- The proposed half-mile buffers for archery ranges may not be necessary because this use is not known to produce noise. Additionally, a site-specific review and opportunity for public comment during the conditional use permit process should be adequate for safety and siting concerns related to archery ranges. Making this change appears unnecessary and may needlessly eliminate a significant number of appropriate sites for this use.
- The Department of Ecology's comment letter regarding lead appears to have prudent recommendations for lead removal and recycling. They provided a source with guidance on best management practices.
- The GIS Department has produced a Range Buffer map that depicts the buffers around cities, UGAs, public schools, public parks, and public cemeteries. This map shows that there were 992 sq. miles of land available for gun and archery ranges before buffers were applied. The entire county has 1764ⁱ sq. miles of area.
- Before any buffers were applied a range was possible on 56% of the county land.
- The proposed buffers reduce the land available by the following:
 - Archery -78 sq. miles to 914 sq. miles or 8% less available land
 - Gun -291 sq. miles to 710 sq. miles or 29% less available land
- After the buffers are applied, ranges are possible on the following percentage of county land:
 - Archery 52%
 - Gun 40%

- Noise concerns were frequently brought up in the public comments received. Noise studies are commonly used with conditional use permits where noise may be an issue.
- Wildfires are a growing concern in Spokane County. Considering this risk and applying preventative measures would appear to be a prudent action.

Planning Department Recommendations:

- The buffers for archery ranges should be removed.
- The Department-proposed condition on lead removal should be included in the Commission's recommendation.
- The Commission may want to consider that only one comment was received from a city requesting a buffer around cities and UGAs.
- The Commission may want to consider that there are many of the rural cemeteries that are in sparsely populated areas.
- The Commission may want to consider that County Conservation Areas and State Parks are being counted as public parks and many of them are located in rural areas with sparse populations.
- The Commission may want to consider adding additional text in the approval criteria that suggests the hearing examiner could ask for a noise study by a qualified professional during range design.
- The Commission may want to consider adding additional text into the approval criteria that instructs the applicant to consult with the local fire district and place a wildfire prevention and mitigation plan into the operation's plan for the conditional use permit.

Attachments:

- Range Buffer Map
- Revised amendment text dated 9-09-24

ⁱ US Census, webpage:

https://data.census.gov/profile/Mount_Spokane_CCD,_Spokane_County,_Washington?g=050XX00US53063