

STAFF REPORT TO THE PLANNING COMMISSION
PUBLIC HEARING AUGUST 29, 2024
PROPOSED AMENDMENT TO THE SPOKANE COUNTY ZONING CODE
FILE NO: ZTA-01-23

SPOKANE COUNTY
DEPARTMENT OF BUILDING AND PLANNING

Proposal:

This is a citizen-initiated amendment to the Spokane County Zoning Code that would modify Chapters 14.300, 14.616.240 (8), and 14.618.240 (10) related to the definition and the conditional use permit criteria for gun and archery ranges.

Purpose:

The applicant is requesting this amendment to further define the use of gun and archery ranges and to specifically add accessory uses they feel are critical to sustainable gun and archery range operations. Staff has added text to the amendment with the goal of allowing this cultural activity to occur while protecting public safety, the environment, and mitigating any noise that may be associated with the use.

Background:

The Spokane Gun Club, which was founded in 1892, is in search of a new home. They gave up their 100-acre site in Spokane Valley in 2019 to accommodate the Central Valley School District's pressing need for a school site and have been searching for a replacement site since. In 2019, the Gun Club purchased property northwest of Fairchild AFB and applied for a Conditional Use Permit (CUW-06-19) for a gun range. The site was within Fairchild's Airbase Overlay and close to Veterans Memorial Cemetery. After significant public feedback, the hearing examiner applied very restrictive operational conditions. The club determined the conditions were too restrictive to pursue the use of the site as a gun range. During the process, the club also discovered that the zone code did not specifically provide for some of the accessory uses that they had traditionally enjoyed.

In August of 2023, the applicants proposed a citizen-initiated zone text amendment (ZTA-01-23). The applicants believe the proposed amendment will allow them to find and develop a site that permits them to continue with traditional club activities, which include multi-day target shooting events with overnighting by participants, and limited food and merchandise sales.

The Existing Code:

Gun and Archery Ranges are currently allowed in Spokane County as a conditional use permit (CUP) in the Large Tract Ag (LTA), Small Tract Ag (STA), Forest (F), and Rural Traditional (RT) zones. CUPs are employed in the zoning code when a particular use is seen as potentially compatible but needs in-depth review and consideration. The CUP process requires a public hearing before a hearing examiner, who is empowered to make a land use decision to deny or add conditions of approval to further ensure compatibility with the surroundings.

The current zoning code provides very limited review criteria for allowing gun and archery ranges. In the LTA, STA, and F zones, the minimum site area is 20 acres. In the RT zone, the minimum site area is 40 acres. All zones contain the standard CUP criteria which states "The use shall be subject to restrictions and conditions, as may be imposed by the hearing examiner under chapter 14.404". The Rural Zones adds the criteria, which states, "The hearing examiner may prescribe conditions of approval to assure mitigation of safety and noise impacts."

Conditional Use Permits (CUPs):

Are employed in the zoning code for uses that may be compatible with surrounding uses if special consideration is applied. Spokane County uses a hearing examiner who is empowered by County code to apply conditions to a proposal to make it compatible with the surrounding land uses. CUPs are a Type 2 permit process. These require a pre-conference with a land use planner, a Notice of Application to the surrounding property owners, a notice of application sign posted on the site, a SEPA review, and a public hearing before a hearing examiner. CUPs often require a Technical Review where the agency of jurisdiction meets with the applicant to discuss concerns and provide initial conditions of approval. This meeting typically occurs after at the initial agency circulation of the proposal. During the review process, agencies will often provide suggested conditions of approval, which the hearing examiner may put into the land use decision.

CUPs require public hearings with notice to surrounding property owners. A notice of hearing is posted on the site, mailed to surrounding property owners, published in the Spokesman Review, and posted to the Building and Planning website. The public has many opportunities to provide comments during a CUP process. They may comment by letter, email, or in person at the public hearing. Citizen feedback often results in additional conditions of approval being prescribed by the Hearing Examiner in a formal written land use decision.

Public Participation and Noticing:

This proposal has been before the Spokane County Planning Commission multiple times as a noticed workshop agenda item. The first workshop occurred on August 21, 2023. Subsequent workshops occurred on March 28, 2024, April 11, 2024, April 25,

2024, and May 30, 2024. The public's comments were accepted at all workshops. The comments received to date predominately focused on a site-specific conditional use permit (CUW-06-19) brought forth by the same applicant.

The application materials and subsequent revisions to the proposed text amendment have been posted and updated on the Spokane County Long Range Planning website for code amendments since August 2023. The website has a public comment link.

A notice of the public hearing for the proposed text amendment was published in the legal notice section of the Spokesman Review on August 14, 2024. The notice of hearing was mailed or emailed to the parties of record on August 14, 2024. The proposal was shared with local agencies for review and comment on August 7, 2024, with comments requested by August 14, 2024. The Washington State Department of Commerce was notified, per RCW 36.70A.106, on August 29, 2023.

Environmental Review:

A State Environmental Policy Act (SEPA) checklist was prepared and submitted by the applicant. The checklist was reviewed by Planning Department staff, and a Determination of Nonsignificance (DNS) was issued on August 14, 2024. The DNS was published in the Spokesman Review on August 14, 2024.

Consistency with the Comprehensive Plan:

Chapter 3 Rural Land Use Chapter

In the introductory paragraph of this section, there is a statement: "...Typically, rural areas have received their identity from a rural way of life rooted in history and resource-based industries, including farming and forestry. More recently, recreation and open space use have played an increasing role in rural areas." One could conclude that the historical recreational activity of target shooting with guns and bows in Spokane County is a rural way of life or a cultural activity.

Rural Land Use Categories

Rural Traditional

The opening paragraph that describes this category has the following statement: "Rural-oriented recreation uses will also play a role in this category."

Non-residential and accessory uses

RL.1.4 policy "Nonresidential and accessory uses appropriate for the rural area include farms, forestry, outdoor recreation, education and entertainment, the sale of agricultural products produced on-site, home industries, and home businesses." Outdoor recreation is identified as an envisioned use within the category.

Chapter 11—Cultural Resources

The Importance of Cultural Resources

The introductory paragraph of the chapter contains a sentence that states: “In many ways, Spokane’s historic and archaeological resources are similar to our rich natural resources.” A 132-year-old gun club could be an important cultural resource and may be worthy of protective consideration.

Purpose of plan for Cultural Resources

The introductory sentence in this section states: “The purpose of this plan is to protect and preserve our Cultural Resources, both identified and potential, by establishing public policy that ensures:”

Definition of Cultural Resources

The opening sentence in this section states: “A large part of Spokane County’s special identity and civic pride is derived from its heritage.” Another paragraph under this heading contains the sentence: “Cultural Resources are those buildings, structures, sites, or associations left behind by a group of people and are generally over 50 years old.” A 132-year-old gun club could be considered an association and a cultural resource.

Promotion of Cultural Resources

The introductory sentence of this section states: “Public understanding and support of the diversity of Spokane County’s heritage is essential to cultural resource management. This goal requires education about the importance of historic preservation and a wide variety of involvement in preservation issues.”

Goal CR.4 Promote the appreciation of Spokane’s diverse heritage, as expressed by its cultural resources.

Chapter 8--Economic Development

Goal ED.1 says that “Spokane County will cooperate regionally to: a) Promote a sustainable, strong, diverse, and healthy economy;” Gun and archery ranges would predominately fall into the recreation sector of the local economy, but there may be some tourism aspects to their use when tournaments are considered.

Policies

ED.1.1 Provide for a diverse marketplace that recognizes and encourages a range of cultural, social, and economic opportunities.

ED.1.3 Work with other jurisdictions, community organizations, and business organizations to establish specific evaluation methods that will annually measure the community’s overall quality of life and economic viability. The following issues, among others, should be considered when developing indicators to establish evaluation goals:

- a. Quality of life issues such as crime rate, schools, health care, affordable housing, employment opportunities, and cultural amenities;

Goal ED.2 Capitalize on the community's positive characteristics and improve and enhance areas that may be lacking.

Policies

ED.2. Encourage developments that contribute to community improvements (i.e., contributions to culture, recreation, tourism, public improvements, environmental improvements, business incubator system facilities, open space, and other community projects).

Tourism

The opening sentence of this section states: "The cultural, recreational, and scenic opportunities in the Spokane region make tourism an excellent provider of employment." The introduction also states: "This section provides goals and policies to promote and expand tourism as an economic development tool."

Policies

ED.8.1 Support and promote the natural, historic, and cultural features of the Spokane region as part of our economy and quality of life.

ED.8.2 Promote outdoor recreation opportunities, including, but not limited to, biking, hiking, kayaking, backpacking, fishing, boating, horseback riding, and touring.

Staff Comments:

The existing zoning code provides very limited criteria for planning staff and the hearing examiner to review applications. This leaves staff and the hearing examiner, who has broad discretion to add conditions of compatibility, with little guidance. The proposed revision provides significantly more review criteria and establishes intent to further guide the planning staff and hearing examiner when proposing and establishing conditions of compatibility.

The applicants have made a case that the use has a long history and is culturally important for Spokane County. By further defining the use and appropriate accessory uses, the code revision would allow the possibility of the use while providing staff and the hearing examiner with additional guidance on proposing and prescribing conditions of approval to achieve compatibility with the surrounding environment.

Any proposed shooting range or the expansion of an existing range would be required to go through a conditional use permit process. These are formal public proceedings with the required notice provisions. This CUP process allows agencies and the public to propose conditions of approval, and a hearing examiner prescribes those conditions they feel will facilitate compatibility with the surrounding environment.

Staff Findings:

This proposal is generally consistent with the goals and policies of the Spokane County Comprehensive Plan.

Attachments:

- A. Text Amendment Language
- B. Public comments
- C. Supporting documents

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Attachment A

Attachment B

[Link to comments on webpage](#)

Attachment C

Link to amendment documents on webpage

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