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Sunday, September 29, 2019

MAIN MENU



County enacts 2nd moratorium on shooting ranges

Posted Wednesday, September 25, 2019 3:00 am

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After about three hours of closed-door sessions, the Jefferson County Commission declared a moratorium on commercial shooting range development while it revises related ordinances a state appeals board has invalidated.

"This is the second time we have had to do a moratorium like this," said commission chair Kate Dean. "I don't relish having to do a moratorium nor having to revisit code, but it is an opportunity to look at it again and see if we can get it right in the eyes of the Growth Hearings Board and maybe find some commonality within our constituents too."

The Washington Growth Management Hearings Board, which rules on appeals of local zoning decisions, decided Sept. 16 to toss out ordinances the county enacted last December, saying the regulations did not meet the standards of the State Environmental Policy Act in regulating safety and public health.

The board was responding to an appeal filed by the Tarboo Ridge Coalition, a citizen group that argued Jefferson County's shooting range rules were inconsistent with the county's comprehensive plan goals and don't adequately protect citizens' expectations of peaceful rural life in Jefferson County.

The county's six-month moratorium became effective immediately, but there will be a public hearing on the moratorium within 60 days. It stops "the submission, acceptance, processing, or approval of any Jefferson County permit applications for any proposed use, development, proposal or project for the siting, construction or modification of any commercial shooting facility."

A moratorium was necessary to preserve the status quo while the county reviews the Growth Management Hearings Board's decision, wrote county administrator Philip Morley in a press release sent out on Sept. 23. It gives the county time to consider changes to address the state board's concerns, he wrote.

The executive session that preceded the vote on the moratorium included commissioners Kate Dean, David Sullivan and Greg Brotherton, as well as county administrator Philip Morley, civil deputy prosecuting attorney Philip Hunsucker, development director Patty Charnas and deputy prosecuting attorney Austin Watkins. Members of the public are locked out of executive sessions.

The Leader has filed an objection against the executive session and requested a full recording of the proceedings (see page A5).

As part of its decisions, the elected Jefferson County Commission also submitted a letter to the Jefferson County Planning Commission, an advisory board, asking it to recommend regulations that comply both with the board's decision and with state and federal law.

Last December, when taking a vote on the Title 18 ordinance, the county commission did not add any of the Planning Commission's suggested edits to the ordinance language.

These suggested amendments included prohibiting military and law enforcement training at commercial shooting facilities, requiring shooting hours to be restricted to 8 a.m. to 5 p.m., prohibiting landing an aircraft or discharging firearms from an aircraft or drone at a commercial shooting facility, requiring a 500-yard setback of shooting areas around any lake greater than 20 acres, requiring a 16-foot-high noise barrier above grade at shooting ranges, and requiring all shooting areas to be fenced to a minimum height of 8 feet.

Despite asking the planning commission to recommend regulations to comply with the board's decision, there is still a chance that the county will appeal the state hearing board's invalidation of the ordinance.

A potential appeal by the County of the Growth Board decision would not stay the effect of the Growth Board decision during the appeal, so the work on amending the ordinances needs to be done in the next six months while the moratorium is still in effect, even if the County decides to appeal the Growth Board decision," wrote Morley in the press release.

After receiving the Planning Commission's recommendations on the commercial shooting facility ordinances, the commissioners will review the recommendations, and will likely hold a public hearing in early February, before deliberating and adopting amended commercial shooting facility ordinances to comply with the Growth Board's March 2 deadline.

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County enacts 2nd moratorium on shooting ranges

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