

March 2, 2009

Dear Mr. Harbaugh,

I am writing to protest the statement in your recent TRRC Newsletter that I “made statements at a city hearing expressing her desire to see that the TRRC ceases to exist”.

The hearing that you refer to was NOT about whether Tacoma Rifle & Revolver Club could continue at its present location. It was made VERY CLEAR that night that the TRRC is a LEGAL nonconforming use, and that it can remain in its current location as long as it chooses.

The entire council supported a denial of your request to be allowed outright in a single family zone. However five members of Council did support the Planning Commission alternative that would allow shooting facilities in our residential zone using a “Conditional Use” permit process.

I expressed my skepticism that this process would be effective in addressing neighborhood and council concerns. I do not believe it will sufficiently protect your neighbors from the adverse noise or stray bullet impacts of a more intensive and expanded use of your shooting facilities. My fellow council members did not share my skepticism.

I did not support this proposal for the following additional reasons.

1) The proposal was so narrowly defined that (in my opinion) it constituted a “spot zone” and is by its very nature illegal. (Spot Zoning is defined by the courts as an amendment that is so narrowly drawn that it singles out one lot or small area for different treatment from that accorded to similar surrounding land indistinguishable from it in character, for the economic benefit of the owner of that lot and is an “arbitrary and capricious” action. In this case your request gave your gun club rights that are not available to any other property owner in the R1 zone)

2) I also opposed the “conditional use” proposal because the only thing that would change, if granted, is your ability to EXPAND the number and size of actual shooting platforms. You are located within one of the most densely populated cities in Pierce County. Our planning staff indicated that even with your current configuration, buffering from the adjacent neighbors was not adequate.

I was clear from the record that your status as a legal non conforming use does not prohibit you from making repairs, expanding current buffers, make safety improvements,

or even build facilities such as a club house and restrooms to the site, so long as they did not increase the non-conforming aspects of your use i.e. expansion in the number or size of the actual shooting platforms.

I also protest the inference that I am part of a larger campaign to place “extreme restrictions on ammunition, and many types of hand loading components”. This is totally false and has no basis in fact. My husband and I own guns. I was raised in a family where “hunting season” was a part of our family culture. All five of my children have been taught gun safety and have spent many hours enjoying target shooting with their father. I respect our constitutional right to keep and bear arms and have never publicly or privately taken steps to restrict those rights. I understand and support the need to have safe, well-run facilities for the sport of target shooting.

Your article inaccurately labeled me as “not friendly” to TRRC. I have in the past, attended events at your site, and count many of you as good friends. However, I have never based my decision during a quasi-judicial hearing on whether I was “friends” with the applicant. I am required by law to weigh all zoning changes against the current comprehensive plan policies, and the changes that have occurred in the community that would make it in the public good to change those policies. “Public good” means more than the special benefits from a zoning ordinance that are conferred only upon a few.

“Protection of local neighborhood character and values” forms the foundation of our Comprehensive Plan. I reached the conclusion that a zoning amendment that would allow expansion of outdoor shooting facilities that currently do not have adequate buffering in our most restrictive single-family zone, does not protect local neighborhoods and values.

The issue of your right to continue operating a shooting facility at your current site was settled many years ago in the courts. I respect that right. I have never take any steps publicly or privately to alter your right to remain in University Place. Please, in the interest of fairness, correct your misrepresentation of my position to your membership.

Sincerely,

Linda Bird, Mayor

City of University Place