



STAFF REPORT TO THE PLANNING COMMISSION

ANNUAL COMPREHENSIVE PLAN AMENDMENT 20-CPA-03

BUILDING AND PLANNING DEPARTMENT

Proposal: The applicant requests for a reclassification of the comprehensive plan designation from Rural Traditional to Mineral Land on 167.56 acres.

Applicant: JMAC Resource Incorporated
c/o Ron Cook, General Manager
3151 N. Beck Road
Post Falls, Idaho 83854

Owner: Pronghorn. LLC.
1505 N. Miller Street
Wenatchee, Washington 98801

Site Info: Located on N. Hayford Road adjacent to West Euclid Road to the north and W. Deno Road to the south. The site lies within Section 12, T 25 N, R 41 EWM - Parcel No. 15125.9022, 15124.9006, 15124.0203, 15124.0204, 15124.9006, 15124.9015, 15124.9016 -
Site is approx. 167.56 acres

Existing

Conditions: The subject site is grassy, undeveloped, and generally flat. Hayford is a paved 2 lane rural access road without curbing or sidewalk along the site frontage. Deno Road is a paved 2 lane local collector road without curbing and sidewalk along the site frontage. W Euclid Rd is a paved 2 lane rural access road without curbing or sidewalk. An Avista powerline bisects the parcels. Refer to Appendix I to view the maps for this proposal.

Land Use, Land Use Designations and Project Data

Project Location:	The subject site is within the N ½ of Section 12, Township 25 North, Range 41 East, Willamette Meridian, Spokane County, WA and located northeast of the intersection of Deno Road and Hayford Road, approximately .81 miles north of Northern Quest Casino. The site is accessed by W. Deno Rd. and N. Hayford Rd.
Parcel Number(s)	15125.9022, 15124.0203, 15124.0203, 15124.0204, 15124.9015, 15124.9016
Comprehensive Plan Designation:	Rural Traditional
Zoning:	Rural Traditional (RT)
Existing Land Use:	Undeveloped
Surrounding Comprehensive Plan Categories and Land Uses:	
<ul style="list-style-type: none"> • North: 	To the north lies parcels within the Rural Traditional (RT) designation. Land uses include rural residential housing, undeveloped agricultural land, and small-scale agriculture with parcels.
<ul style="list-style-type: none"> • South: 	To the south lies parcels within the jurisdiction of the City of Airway Height. Land Uses include the Spokane County Raceway and Airway Heights Park and Recreation Center.
<ul style="list-style-type: none"> • East: 	To the east lies parcels within the Mineral Land designation. Land uses include an existing mining operation,
<ul style="list-style-type: none"> • West: 	The parcels to the west are designated as Rural Traditional and Mineral Land by the County Zoning and Comprehensive Plan Maps. Land use includes rural residential
Land Division Status:	The subject property is a Tax Parcel of Record.
Water Purveyor:	City of Airway Heights
Sewage Disposal:	Sewage disposal would occur on-site and would be subject to Spokane Regional Health District approval.
Fire District #:	Spokane County Fire Protection District No. 10
Nearest Arterial and Distance:	North Hayford Road becomes a minor arterial road south of W. Deno Rd.
Neighborhood Association:	Deep Creek Neighborhood Restoration Council, Whitebluff Prairie Coalition

Site Evaluation of Mineral Resources

Comprehensive Plan Policy NR.1.8(e) states that Mineral land designations should have a minimum deposit size of approximately 500,000 cubic yards for sand, gravel and rock, and approximately 200,000 cubic yards for blend sand.

The site consists of five different soil types:

Soil Type	Approximate Acres
Cheney-Alecanyon complex	47.4
Alecanyon	68.7
Cheney ashy silt loam	57.5
Uhlig ashy silt loam	1.5
Northstar-Rock outcrop complex	1.0

The soil groups are productive for sand and gravel extraction.

Governmental Agency Coordination

The application process requires primary service providers to provide initial review comments prior to submittal. Agencies were notified on June 24th, 2020 and Spokane Conservation District on January 26th, 2021. Comments were received from the Spokane County Public Works Department, Spokane County Parks and Recreation, City of Airway Heights, and Spokane Conservation District responded, acknowledging the project, but provided no comment at this phase of project review.

State Environmental Policy Act (SEPA)

An environmental checklist was prepared by the applicant for the proposal. The checklist and application information were circulated to agencies of jurisdiction for initial review and comment on June 20th, 2020 and to Spokane Conservation District on January 26th, 2021. A Determination of Nonsignificance (DNS) for a non-project action was issued for the proposal on June 2nd, 2021 with a comment and appeal period ending on June 16th, 2021. The DNS was circulated agencies of jurisdiction and published in the Spokesman Review on June 2nd, 2021.

Public Notice Requirements

Notice of the public hearing on the proposal was published in the Legal Notice section of the Spokesman Review on June 2nd, 2021. In addition, notice of the hearing was mailed to property owners within 1,000 feet of the proposal and a sign was posted on the subject property at least 15 days prior to the public hearing. A formal notice was sent to state agencies June 24, 2020 and the Spokane Conservation District on January 26,

2021 as required by Washington State Department of Commerce. The public hearing will be held virtually via Zoom on June 17, 2021 at 9:00 a.m.

Public Participation

The applicant and Spokane County Department of Building and Planning have met the following Public Participation Program guidelines for public notice and public hearing(s):

- Circulation of application and SEPA to affected Spokane County agencies and jurisdictions.
- US mail notice to neighboring property owners and taxpayers within 1,000 feet.
- County-wide general circulation of legal advertisement placed in the Spokesman Review newspaper on June 2nd, 2021.
- Circulation of amendment to state agencies for review as required by RCW 36.70A.
- Publication of amendment and map on the Spokane County Building and Planning webpage.
- Circulation to neighborhood groups, business groups and other interested parties.

Guiding Documents

The Spokane County Comprehensive Plan, Zoning Code, and Revised Code of Washington (RCW) provide the framework for consideration of Comprehensive Plan Amendments. The following are relevant goals and policies for consideration of the proposed amendment.

Procedures for Amendment Requests to Mineral Lands

For Comprehensive Plan Amendment requests to Mineral Lands, the Spokane County Zoning Code section 14.402.100 states that these proposals have a two-step process. The first step of the process involves a comprehensive plan map amendment that evaluates the properties compatibility with the goals and objectives of the comprehensive plan. If the comprehensive plan map amendment is approved, the second step is a Zone Reclassification to the Mineral Lands (ML) category that will be presented to the Spokane County Hearing Examiner. It is at the zone reclassification request, where the hearing examiner will have ability to attach specific conditions of approval to the project, in accordance with agency and public comments as well as the development standards for mining uses found in 14.620.240.

The following Zoning Code section illustrates the process:

14.402.100 Amendment Procedures - Zoning Map, Comprehensive Plan/Subarea Plan and relationship to Comprehensive Plan:

1. Applicability

This section shall apply to zoning map amendments to implement a sub-area/neighborhood plan or to implement the adoption/amendment of the Comprehensive Plan. Any changes to land use designations made in the Comprehensive Plan will be reflected in changes to the zoning map so that the zoning implements the Comprehensive Plan. Such zoning map changes will generally become effective upon adoption by the Board of the Comprehensive Plan changes except that changes to Mineral Lands Zone will not become effective upon adoption of the Comprehensive Plan Changes and shall require subsequent amendment to zoning map pursuant to Section 14.402.060.

Existing Comprehensive Plan Designation

The subject parcel is currently designated by the Spokane County Comprehensive Plan as Rural Traditional. The Comprehensive Plan describes the Rural Traditional designations “include large-lot residential uses and resource-based industries, including ranching, farming, mining and forestry operations.”

Comment: The subject site is currently used for agriculture.

Comprehensive Plan Goals and Policies Related to Mineral Lands

Following are applicable Comprehensive Plan Goals and Policies from Chapter 4, Natural Resource Lands, Spokane County Comprehensive Plan:

Mineral Lands

Mineral land areas are primarily devoted to sand, gravel, rock, or clay production. Related products such as concrete, asphalt and brick are also produced. Agriculture and forestry may be conducted on mineral resource lands, but residences are generally limited to caretaker residences associated with mining or related industry.

Goals

Mineral Land Designation Criteria

NR.1.7 Mineral Resource Lands of long-term commercial significance should be designated on official maps and adopted by the Board of County Commissioners through a comprehensive planning process. Mining shall be allowed on lands not meeting natural resource designation criteria if environmental protection and compatibility with adjacent land uses is assured.

NR.1.8 Mineral Resource Lands of long-term commercial significance should meet all the following criteria:

- a. In Spokane County, the commercially important minerals are sand, gravel, rock or clay. Mineral resource land designations should be made where these minerals are known to exist. The Spokane County Mineral Resource Map should be used as a tool to help identify additional sites to help meet future demand.

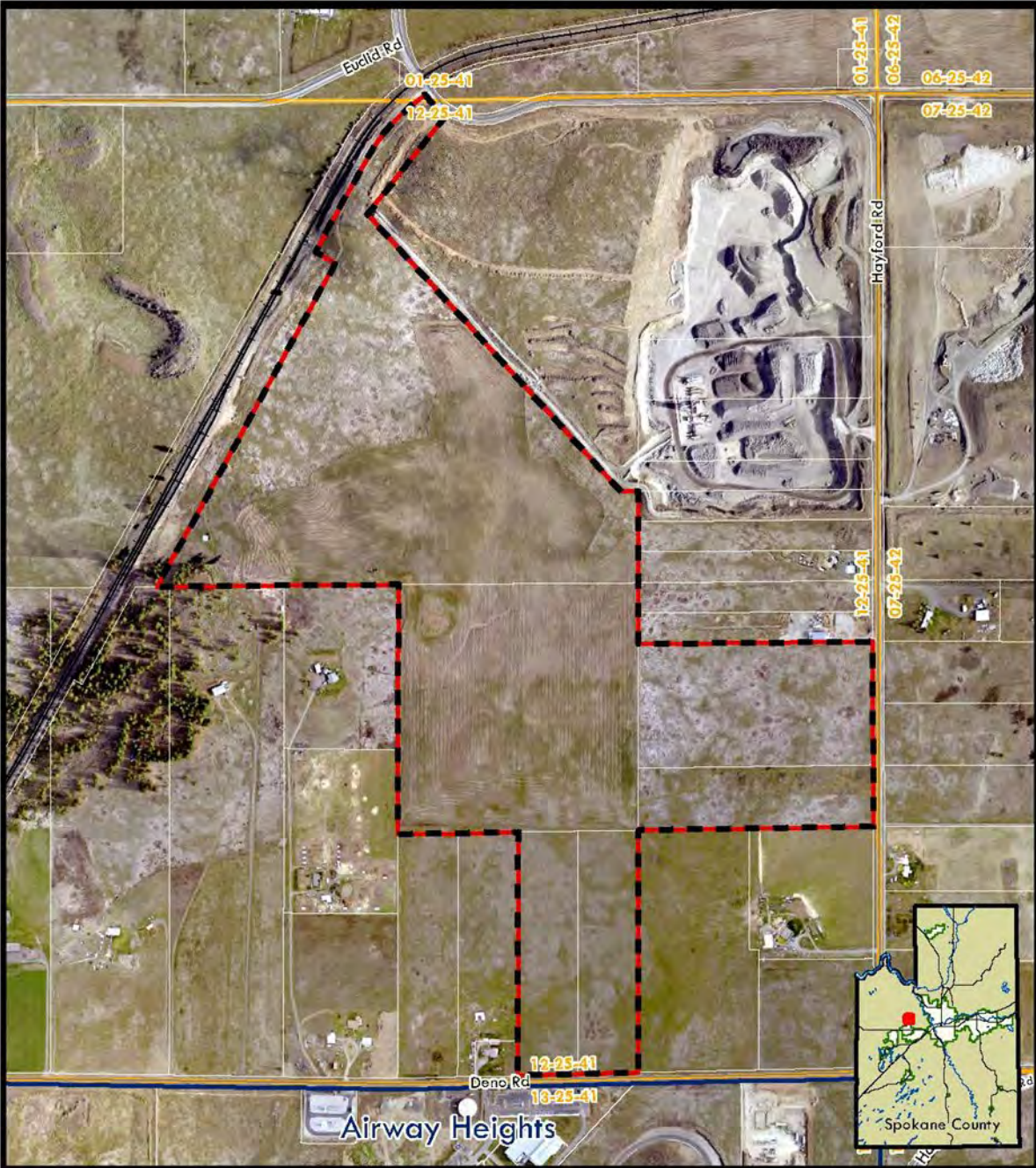
Staff Note: Spokane County adopted Mineral Land mapping categories throughout Spokane County with the initial adoption of the Comprehensive Plan in 2001. Unless the properties had previous mining zone approvals, they were not implemented with Mineral Land zoning until such time as the owner applied for a zone reclassification. This process was designed to assure that mining operations could be fully reviewed and impacts to surrounding properties and roadways could be mitigated through Hearing Examiner conditions of approval.

- b. Mineral resource land designations should be in areas with compatible land uses, such as mining, industry, agriculture, forestry, vacant or large-lot residential (less than 1 dwelling unit per 5 acres). Mitigation of adverse impacts from mining on adjacent property shall be a prime designation criterion.


Comment: The subject site is compatible with the land uses in the area. Shamrock Paving Incorporated is a full-service asphalt contractor currently mining and producing asphalt on the parcel to the northeast.

Appendix I

Maps

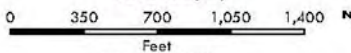


Legend

 Proposed Comp Plan Amendment

**20-CPA-03
Aerial Map**

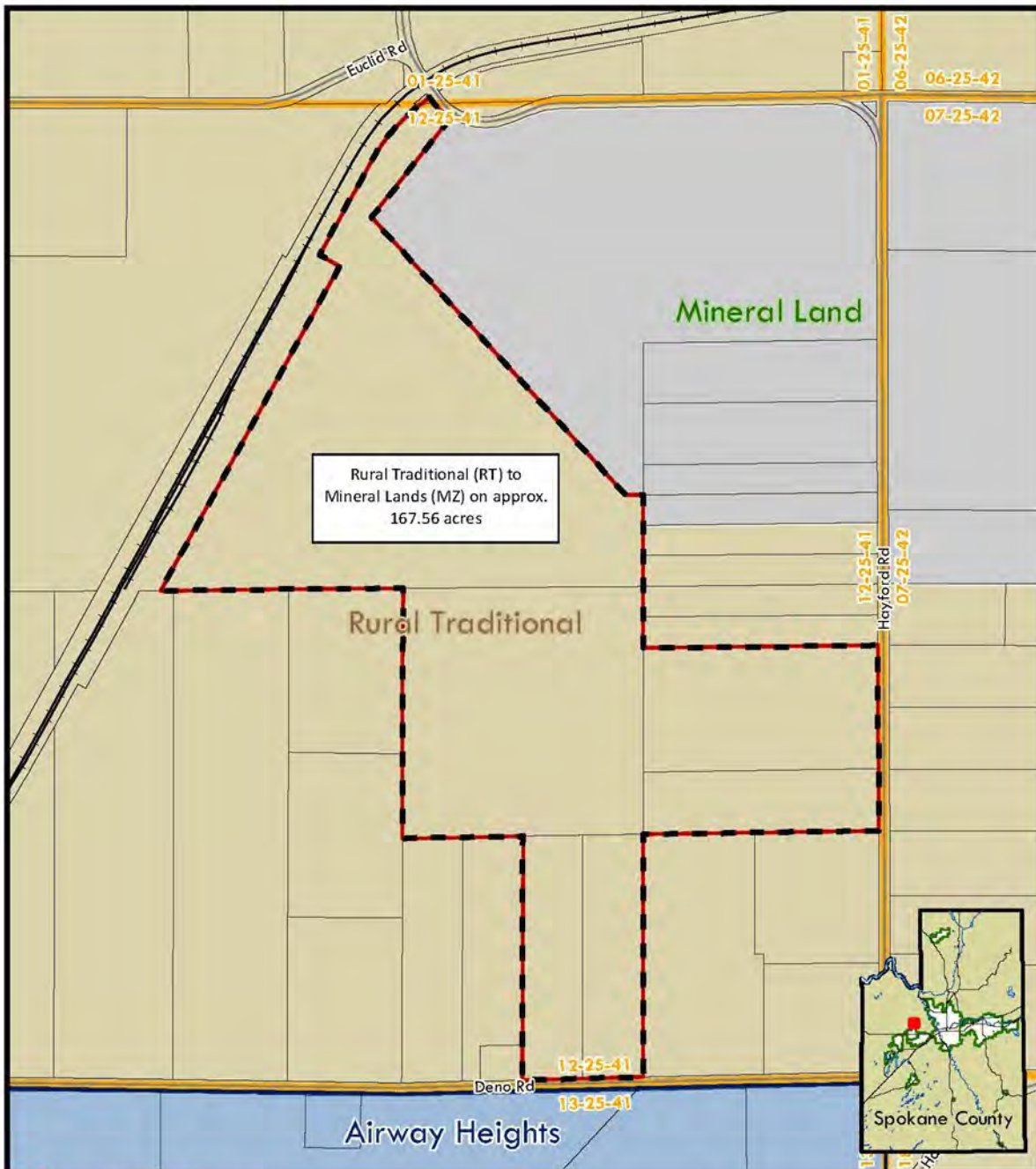
2020 Imagery



1 inch = 700 feet
State Plane WA North

This map was published by the Spokane County Department of Building and Planning as a general planning tool. Due to the differing quality of source documents, the Department cannot accept responsibility for errors or omissions, and therefore, there are no warranties which accompany this material.

Map produced: January 2021
Spokane County GIS



Rural Traditional (RT) to Mineral Lands (MZ) on approx. 167.56 acres

Rural Traditional

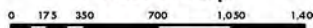
Airway Heights



Proposed Comp Plan Amendment			
UGA	R-5	LDR	Mixed Use
Resource Lands	RC	MDR	MU
LTA	UR	HDR	CAC
STA	RAC	Commercial	UAC
FZ	LDAR	NC	Industrial
MZ	LDAC	CC	LI
Rural	Residential	RC	HI
RT	LDR+		

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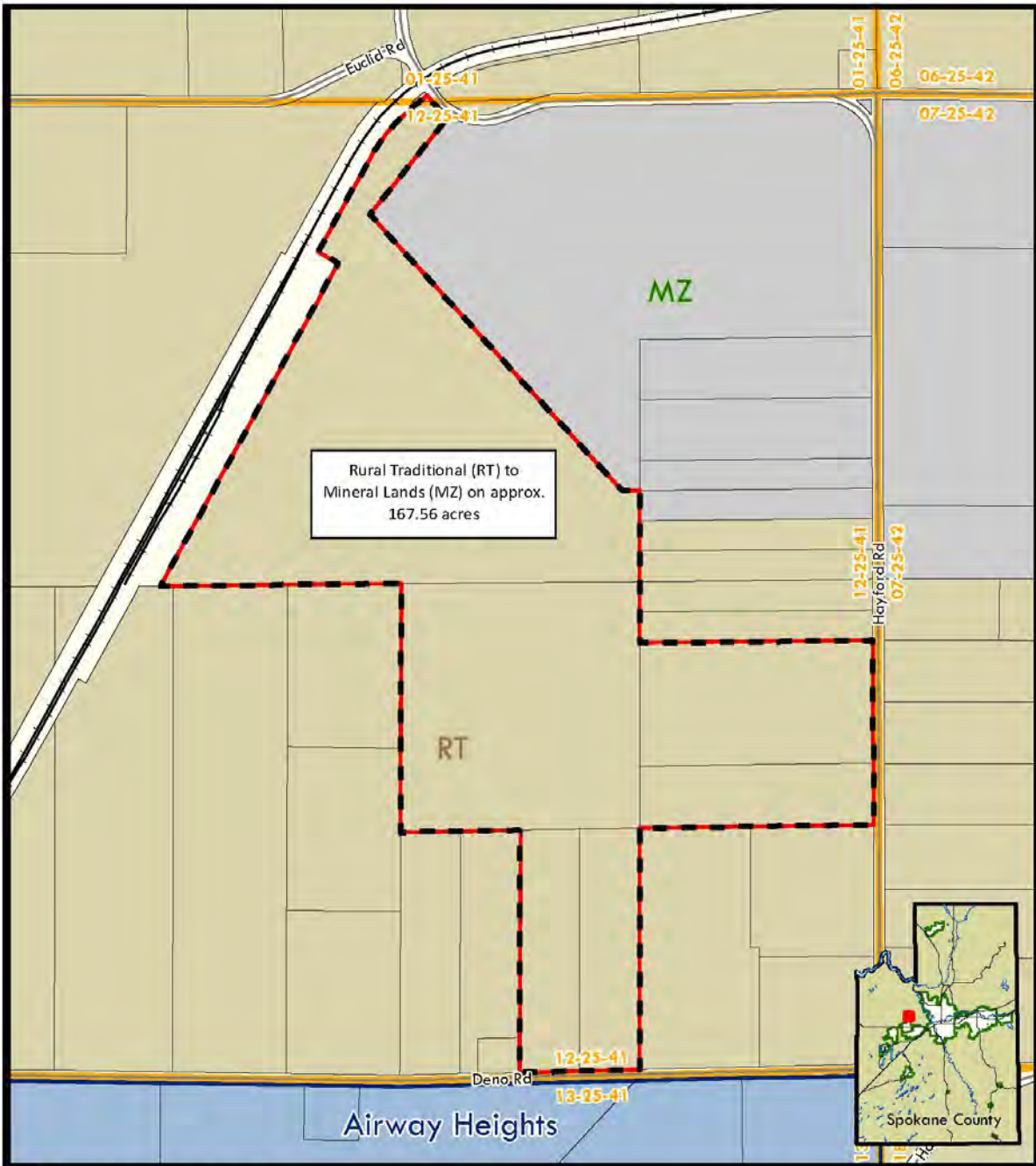
Comprehensive Plan Map



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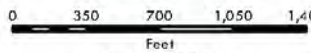


Rural Traditional (RT) to Mineral Lands (MZ) on approx. 167.56 acres

20-CPA-03

Zoning Map

- Proposed Comp Plan Amendment**
- | | | | |
|-------------|-----------|------------|----------------|
| Residential | NC | Industrial | UR |
| LDR-P | CC | LI | RAC |
| LDR | RC | HI | Resource Lands |
| MDR | Mixed Use | Rural | LTA |
| HDR | MU | RT | STA |
| Commercial | | R-5 | FZ |
| LDAC | | RCV | MZ |



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State Plane WA North

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