

COMPREHENSIVE PLAN MAP AMENDMENT
CASE NUMBER(S): LRN2022-00002/SEP2022-00004
STAFF REPORT
DRAFTED BY: Noelle Madera
October 26, 2022

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Applicant:	Granite Northwest Inc. (Group A), Granite Construction Company (Group B), and Rowley Family Trust (Group C)		
Representative:	James Essig		
Request:	Type of Amendment:	Comprehensive Plan Map Amendment	
	Land Use Designation	From:	Rural Self-Sufficient
	Zoning	To:	Rural Self-Sufficient
		From:	Mining/R-10/5 with MRO
		To:	R-10/5
Parcel No(s):	191306-12401, -12402, 12403, & -12404 (Group A)		
Parcel Size:	29.15 acres (for all four parcels)		
Location:	The subject properties are located at the intersection of East Selah Road and Elton Road, approximately 826 feet east of the I-82 off-ramp, and approximately ½ mile east from the City of Selah.		

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#### A. SUMMARY OF RECOMMENDATIONS

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5 Staff recommends **Approval** of the requested comprehensive plan map amendment to  
6 remove the Mineral Resource Overlay (MRO) from Area 2 and maintain the Rural Self-  
7 Sufficient land use designation. Additionally, the staff recommends **Approval** of the  
8 concurrent rezone from Mining to Rural-10/5 (R-10/5). (See Attachment B)

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#### B. SUMMARY OF REQUEST

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12 There are two main areas of this request: Area 1 (Parcel B and Group C parcels) will reconfigure  
13 all parcels with the MRO and Mining (MIN) zoning districts being located on the eastern portion  
14 of the proposed area. The land on the western portion of these parcels will be removed from the  
15 MRO. The land use designation will remain Rural Remote/Extremely Limited Development  
16 Potential (RR/ELDP) (See Appendix B for maps).

17

18 Area 2 (consisting of Group A parcels) will be removed from the Mineral Resource Overlay (MRO)  
19 and the Mining District. The underlying land use designation will remain Rural Self-Sufficient, but  
20 the zoning will change to Rural – 10/5 (from MIN). **This staff report is addressing Area 2.**

21

1 The application states the intent of the rezone from MIN to a rural designation is to allow for the  
2 continued existing limited residential use while precluding future pursuits of mining activities  
3 within Group A parcels. Three of the four parcels in this area have residential uses. Residential  
4 uses in the MIN zoning district are not allowed, so these residences are considered  
5 nonconforming uses (meaning they are not currently allowed in that zoning district but were  
6 legally established prior to the change in code). Therefore, a nonconforming use permit is  
7 required for any residential expansions related to those uses and limited to expanding up to 50%  
8 in size.

9  
10 The application also states that the successful implementation of this proposal will eliminate a  
11 split zoned parcel, remove the MRO, and protect cultural resources. Currently, parcel 191306-  
12 12404 is split zoned between MIN (MRO) and R-10/5. Split zoned lots tend to be problematic,  
13 especially in an instance like this where the two different zoning districts allow for vastly different  
14 land uses. Yakima County prefers parcels to be in one zoning district. Since the applicants are  
15 proposing to remove this property from the MIN district and the MRO, these properties will no  
16 longer be eligible for a mining permit in the future while in the R-10/5 zoning district.

## 19 C. SUBJECT PROPERTY HISTORY

20  
21 Area 2 was zoned General Rural (GR) prior to adoption of the Yakima County comprehensive  
22 Plan in 1997, which designated the subject property Rural Self-Sufficient (RSS). In February  
23 2000, it was rezoned from General Rural to Valley Rural to be consistent with and implement  
24 the Comprehensive Plan. Later in 2000, a comprehensive plan map amendment was applied  
25 for and approved to designate the property a mineral resource site (Mineral Resource  
26 Overlay) and to rezone the property from Valley Rural to Mining (only a portion of 191306-  
27 12404 was approved). In February 2000, it was re-zoned from Valley Rural to Mining and the  
28 property was included in the MRO. In May 2015, the portion of 191306-12404 zoned Valley  
29 Rural was rezoned to Rural-10/5 as part of the development of the new YCC Title 19 – Unified  
30 Land Development Code.

31  
32 Parcel 191306-12404 was part of a proposal for the expansion of the existing mining  
33 operation to the southwest, which was approved in April 2017 (CUP2015-00037). That  
34 approval is still under appeal. Removing parcel 191306-12404 from the MIN zoning district  
35 and the MRO will mean it no longer has approval to mine under CUP2015-00037.

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		Existing			Proposed		
		Acres	Zoning	MRO	Acres	Zoning	MRO
<b>Group A</b>	191306-12404	27.01	Mining/R-	Y	25	Rural-	N
	191306-12403	0.63	Mining	Y	0.63	Rural-	N
	191306-12402	0.57	Mining	Y	0.57	Rural-	N
	191306-12401	0.94	Mining	Y	2.95	Rural-	N
	<b>Total</b>	<b>29.15</b>		<b>29.15</b>	<b>29.15</b>		<b>0</b>
<b>Parcel B</b>	191306-32402	9.53	R/ELDP	N	2.53	Mining	Y
					7	R/ELDP	N
<b>Group C</b>	191306-23002	3.1	R/ELDP	Y	3.1	Mining	Y
	191306-23003	18.1	R/ELDP	Y	8	Mining	Y
					10.1	R/ELDP	N
	191306-23004	3.37	R/ELDP	Y	2.37	Mining	Y
					1	R/ELDP	N
<b>Staff Recommended</b>	191306-24003	3.29	Rural-10/5	N	3.29	Mining	Y
	Total R/ELDP + R-10/5	37.39			18.1		
	Total MRO			24.57			19.29
	Total Mining	0			19.29		

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#### 3 D. CURRENT COMP PLAN DESIGNATIONS, ZONING AND LAND USE

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5 The current Yakima County Comprehensive Plan – **Horizon 2040** designations, zoning, and  
6 land uses for the subject property and adjoining parcels are indicated in table below:

Location	Zoning	Comp Plan	Acres	# of Parcels	Land Use
Subject Properties	MIN/R-10/5	RSS/MRO	29.15	4	Residential on 3 of the 4 parcels
North of the subject properties	R-10/5	RSS/MRO	17.27	2	Residential/Agricultural
South of subject properties	R/ELD P	RR/ELD P/MRO	153.93	4	Vacant (Mining Operation under appeal)
East of subject properties	R-10/5	RSS	14.27	1	Vacant

West of subject properties	R-10/5	RSS	5.26	1	Vacant
Northeast of subject properties	R-10/5	RSS	7.62	2	Vacant/Power Substation
Northwest of subject properties	R-10/5	RSS	6.76	2	Residential/Agriculture Market
Southeast of subject properties	R/ELD P	RR/ELD P	13.03	1	Vacant
Southwest of subject properties	R/ELD P	RR/ELD P /MRO	120.85	1	Vacant (Mining Operation under appeal)

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## 2 E. INTENT OF PLAN DESIGNATIONS AND ZONES (CURRENT AND PROPOSED)

### 4 • Current Land Use Designation – Rural Self-Sufficient RSS:

5 The intent of the Rural Self-Sufficient (RSS) land use category is to implement Growth  
 6 Management Act Goals related to reducing sprawl, protecting the environment and  
 7 providing adequate facilities and services commensurate with the density of  
 8 development. The Rural Self-Sufficient category provides a broad choice of areas within  
 9 rural Yakima County where an independent and private lifestyle can be sustained on  
 10 acreage homesites. This category is intended to maintain rural character by establish lot  
 11 sizes which will make feasible individual wells and septic systems on each parcel, and by  
 12 minimizing conflicts with adjoining or nearby resource land uses through buffers and  
 13 special setbacks that will permit farm, forestry and mineral resource uses to continue.  
 14 The category provides density incentives to encourage development where fire  
 15 protection services and hard-surfaced County Road or State Routes are available. The  
 16 Rural Self-Sufficient category also provides for flexible parcel sizing or clustering to  
 17 encourage development that more effectively uses the site to reduce infrastructure and  
 18 service costs. These lands are generally found at the periphery of Urban Growth Areas  
 19 and Rural Transitional areas separating designated farm or forest lands and the remote  
 20 rural and developmentally constrained lands.

### 22 Mineral Resource Overlay (MRO):

23 The intent of the MRO land use category is to implement the Growth Management Act  
 24 planning goal related to maintaining and enhancing natural resource-based industries,

1 which includes commercially viable mineral resource industries. This category is intended  
2 to identify, preserve and protect the mineral resource land base, which is intended to be  
3 used for, or offers the greatest potential for, the continued production of aggregate  
4 products such as concrete or asphalt, while allowing the underlying land use to provide  
5 interim land use direction until such time that mineral extraction is permitted. The MRO  
6 land use category carries out this goal by establishing a Mining zone, which identifies  
7 review criteria, allowed uses, lot sizes, standards of operations and provisions for  
8 revisions.

9  
10 Yakima County's economic well-being depends upon the availability of mineral resource  
11 products specifically sand, gravel, and bedrock materials. To keep pace with the market  
12 demand it is important for the residents and the economy of Yakima County that at least  
13 a fifty-year supply of mineral resource areas be identified and protected with the MRO  
14 designation.

15 • **Current Zoning – Mining - MIN:**

16 The Mining (MIN) zoning district is established to provide long-term sites for heavy  
17 industrial uses in conjunction with a mining site/operation. Uses within this zoning district  
18 are likely to cause smoke, noise, odors, dust, fumes, visual impacts, and heavy equipment  
19 traffic. In order that this zoning district shall promote the general purpose of this Title,  
20 the specific intent of the MIN zoning district is to:

- 21     ○ Provide the development and utilization of deposits of sand, gravel, aggregate,  
22         rock, clay, soil, and other earth resource materials.
- 23     ○ Provide for the protection and utilization of these resources in a manner that  
24         does not conflict with other land uses and safeguards the environment.
- 25     ○ Assure economy in handling and transportation costs by location removal,  
26         processing, and storage activities in as close proximity to the point of end use  
27         as feasible.
- 28     ○ Provide operation standards that will enable the industry to operate with  
29         public confidence that environmental protection measures are being met.
- 30     ○ Ensure that mining stie/operations are conducted consistent with the public  
31         health, safety, and welfare.
- 32     ○ Establish a level of certainty for the mining industry by maintain at least a ten  
33         year inventory of zoned areas where a full array of mineral extractions,  
34         processing and manufacturing activities is allowed.

35 • **Proposed Land Use Designation – Rural Self-Sufficient - RSS:**

36 See description above.

37 • **Proposed Zoning – Rural 10/5 - R10/5:**

38 The rural districts are intended to serve as a buffer between urban lands and resource  
39 lands, provide non-resource areas for future urban expansion, limit the costs of providing  
40 services to remote or underdeveloped areas, and retain the rural/agrarian character of

1 the County while offering a variety of lifestyle choices for the residents of Yakima County.  
2 The R-10/5 zoning district is intended to maintain rural character and provide density  
3 incentives to encourage development where fire protection services and access to roads  
4 with a paved or other hard surface are available.

5

6 **F. PLAN MAP AMENDMENT AND MAJOR REZONE APPROVAL CRITERIA**

7 The approval criteria set forth in YCC 16B.10.095 shall be considered in any review and  
8 approval of amendments to Yakima County Comprehensive Plan Future Land Use Map. YCC  
9 16B.10.090 (Major Rezones) are legislative rezones necessary to maintain consistency  
10 between the comprehensive plan policy plan map and the official zoning map and shall be  
11 completed concurrently with the plan amendment process wherever appropriate. Rezones  
12 completed as part of the plan amendment process shall be reviewed against the criteria as  
13 for plan amendments in Section 16B.10.095 of this code, and YCC Section 19.36.040 and must  
14 be consistent with the requested plan designation as indicated in Table 19.36-1.

15

16 • **Consistency with 16B.10.095 Approval Criteria:**

17 (1) The following criteria shall be considered in any review and approval of  
18 amendments to Yakima County Comprehensive Plan Future Land Use Map:

19

20 (a) The proposed amendment is consistent with the Growth Management Act and  
21 requirements, the Yakima County Comprehensive Plan and applicable sub-area  
22 plans, applicable city comprehensive plans, applicable capital facilities plans and  
23 official population growth forecasts and allocations;

24

25 ○ GMA Consistency - This major rezone is consistent with four of the thirteen  
26 GMA Planning goals, RCW 36.70A.020, without any order of priority.

27

28 RCW 36.70A.020(1) Urban growth. Encourage development in urban  
29 areas where adequate public facilities and services exist or can be provided in  
30 an efficient manner.

31

32 Staff Findings: Does not apply. This proposal is not urban development  
33 intended for UGAs.

34

35 RCW 36.70A.020 (2) Reduce sprawl. Reduce the inappropriate conversion of  
36 undeveloped land into sprawling, low-density development.

37

38 Staff Findings: Does not apply. This proposal is not sprawl/low-density  
39 development. This is rural zoning that is not intended for high-density  
40 development.

1                   RCW 36.70A.020 (3) Transportation. Encourage efficient multimodal  
2                   transportation systems that are based on regional priorities and coordinated  
3                   with county and city comprehensive plans.

4  
5                   *Staff Findings:* *Does not apply. Multimodal transportation considerations are*  
6                   *not needed for this proposal.*

7  
8                   RCW 36.70A.020 (4) Housing. Encourage the availability of affordable housing  
9                   to all economic segments of the population of this state, promote a variety of  
10                   residential densities and housing types, and encourage preservation of  
11                   existing housing stock.

12  
13                   *Staff Findings:* *Does not apply. This proposal does not include housing.*  
14                   *Additionally, this zoning is intended for larger lot sizes and infrastructure*  
15                   *needed for high-density housing is not typically available in these zoning*  
16                   *districts.*

17  
18                   RCW 36.70A.020 (5) Economic development. Encourage economic  
19                   development throughout the state that is consistent with adopted  
20                   comprehensive plans, promote economic opportunity for all citizens of this  
21                   state, especially for unemployed and for disadvantaged persons, promote the  
22                   retention and expansion of existing businesses and recruitment of new  
23                   businesses, recognize regional differences impacting economic development  
24                   opportunities, and encourage growth in areas experiencing insufficient  
25                   economic growth, all within the capacities of the state's natural resources,  
26                   public services, and public facilities.

27  
28                   *Staff Findings:* *Does not apply. This proposal is to pull these parcels out of the*  
29                   *MRO and the Mining district to match the zoning with the existing residential*  
30                   *uses of the property.*

31  
32                   RCW 36.70A.020 (6) Property rights. Private property shall not be taken for  
33                   public use without just compensation having been made. The property rights  
34                   of landowners shall be protected from arbitrary and discriminatory actions.

35  
36                   *Staff Findings:* *This proposal is consistent with this GMA goal because no*  
37                   *private property would be taken for public use. The property rights of adjacent*  
38                   *property landowners are intended to be protected from arbitrary or*  
39                   *discriminatory actions of the proposal through the public review process, which*  
40                   *provides a way for adjacent landowners to participate in the decision-making*  
41                   *process.*

1                   RCW 36.70A.020 (7) Permits. Applications for both state and local government  
2                   permits should be processed in a timely and fair manner to ensure  
3                   predictability.

4  
5                   Staff Findings: *This proposal is consistent with this GMA goal because the*  
6                   *application is being processed in accordance with 16B.10, which provides for*  
7                   *fair consideration of comments by affected parties in a manner that is as timely*  
8                   *as possible under GMA's annual amendment requirement. Additionally, if the*  
9                   *zoning changes, any permits for future land uses will be required.*

10  
11                   RCW 36.70A.020 (8) Natural resource industries. Maintain and enhance  
12                   natural resource-based industries, including productive timber, agricultural,  
13                   and fisheries industries. Encourage the conservation of productive forestlands  
14                   and productive agricultural lands, and discourage incompatible uses.

15  
16                   Staff Findings: *The proposal is consistent with this GMA goal to maintain and*  
17                   *enhance mining as a natural resource industry. This proposal will be removing*  
18                   *land from MIN and MRO; however, it is to recognize existing residential uses*  
19                   *and cultural resources, and to correct a split zoning, which is a better use of*  
20                   *the property.*

21  
22                   RCW 36.70A.020 (9) Open space and recreation. Retain open space, enhance  
23                   recreational opportunities, conserve fish and wildlife habitat, increase access  
24                   to natural resource lands and water, and develop parks and recreation  
25                   facilities.

26  
27                   Staff Findings: *The entire site is located within the area identified by Yakima*  
28                   *County's critical area map as Upland Wildlife Habitat Conservation Areas. The*  
29                   *proposal is partially and potentially consistent with this GMA goal in that it will*  
30                   *tend to retain open space for mining rather than being built-out for rural*  
31                   *residential parcels.*

32  
33                   RCW 36.70A.020 (10) Environment. Protect the environment and enhance the  
34                   state's high quality of life, including air and water quality, and the availability  
35                   of water.

36  
37                   Staff Findings: *Consistent. This proposal is subject to environmental review*  
38                   *(SEPA) which will be completed concurrently with this review.*

39  
40                   RCW 36.70A.020 (11) Citizen participation and coordination. Encourage the  
41                   involvement of citizens in the planning process and ensure coordination  
42                   between communities and jurisdictions to reconcile conflicts.

1                   *Staff Findings:* *Consistent. This proposal will be reviewed in accordance with*  
2                   *YCC 16B.10 (Comprehensive Plan and Regulatory Amendment Procedures),*  
3                   *which provides opportunities for agencies and the public to participate by*  
4                   *being informed of the proposal and to comment on environmental and other*  
5                   *considerations.*

6  
7                   *RCW 36.70A.020 (12) Public facilities and services.* Ensure that those public  
8                   facilities and services necessary to support development shall be adequate to  
9                   serve the development at the time the development is available for occupancy  
10                   and use without decreasing current service levels below locally established  
11                   minimum standards.

12  
13                   *Staff Findings:* *Consistent. This proposal is to remove Area 2 from the MIN*  
14                   *zoning district and the MRO and rezone the property to R-10/5, which is*  
15                   *intended for large, rural lots that allow for residential uses (primarily on well*  
16                   *and septic). Three of the four lots in this area are already developed with*  
17                   *residential uses.*

18  
19                   *RCW 36.70A.020 (13) Historic preservation.* Identify and encourage the  
20                   preservation of lands, sites, and structures, that have historical or  
21                   archaeological significance.

22  
23                   *Staff Findings:* *This proposal is located in an area with known and/or potential*  
24                   *archaeological sites. By removing the parcels in Area 2 from the MIN zoning*  
25                   *district and the MRO, these parcels would no longer be in a zone that allows*  
26                   *for mining. Therefore, this action in Area 2 would increase the protection of*  
27                   *cultural resources.*

28  
29                   ○ Consistency with the Yakima County Comprehensive Plan – ***Horizon 2040*** -  
30                   This proposal is consistent with two of the Yakima County Comprehensive Plan  
31                   – ***Horizon 2040*** goals and two policies, without any order of priority.

32  
33                   *Goal LU-R 5:* Provide a variety of residential lifestyles in the Rural area.

34  
35                   *Policy LU-R 5.1:* Designate a variety of rural residential zones based on  
36                   carrying capacity of the land, protection of the area's rural qualities, and  
37                   availability of basic services.

38  
39                   *Goal LU-R 10:* Provide areas where an independent, private lifestyle can be  
40                   sustained.

1                   Policy LU-R 10.1: Low density residential development, establishments  
2                   that provide services to the local area, and rural home occupations should  
3                   be allowed in the Self-Sufficient areas.  
4

5                   Staff Findings: *Area 2 is already within the RSS land use designation and is*  
6                   *already in residential development; therefore, it is already consistent with*  
7                   *Horizon 2040 goals and policies for the RSS land use designation.*

8

9                   ○ Sub-Area Plan Consistency – There is no applicable sub-area plan that affects  
10                  this proposal.

11

12                  ○ Consistency with Applicable City Comprehensive Plan - This proposal is not  
13                  within the City of Selah's Urban Growth Area (UGA) and is 1/2 mile from the  
14                  UGA; therefore, this is not applicable.

15

16                  ○ Capital Facilities Plan Consistency -

17

18                  Staff Findings: *The County's Capital Facilities Plan Element is Chapter 6 of*  
19                  *Horizon 2040.* A review of that Element finds no inconsistencies with this  
20                  request.

21

22                  ○ Yakima County Population Projections and Allocation Consistency

23

24                  Staff Findings: *This application does not affect population projections and*  
25                  *allocations and is therefore consistent.*

26

27                  **(b) The site is more consistent with the mapping criteria for the proposed map**  
28                  **designation than it is with the criteria for the existing map designation;**

29

30                  Staff Findings: *The proposal for Area 2 will not change the existing land use*  
31                  *designation. It will remain in the Rural Self-Sufficient land use designation. This*  
32                  *proposal will just be removing these properties from the MRO. The MRO is an*  
33                  *overlay, but functions as a land use designation because the MIN zoning district is*  
34                  *only allowed when the property is within the MRO. Since the applicants want to*  
35                  *preclude future pursuits of mining activities within Group A parcels, removing the*  
36                  *MRO and just maintaining the existing RSS land use designation is more consistent.*

37

38                  *Additionally, the existing use residential use of 3 of the 4 parcels is more consistent*  
39                  *with the RSS land use designation than the MRO overlay.*

40

41                  **(c) The map amendment or site is suitable for the proposed designation and there**  
42                  **is a lack of appropriately designated alternative sites within the vicinity;**

1                   *Staff Findings:* Since the property is already in residential development, the site is  
2                   consistent with the proposal.

3

4                   (d) For a map amendment, substantial evidence or a special study has been  
5                   furnished that compels a finding that the proposed designation is more  
6                   consistent with comprehensive plan policies than the current designation;

7

8                   *Staff Findings:* No study was provided; however, the applicants have proposed to  
9                   remove the property from the MRO and just remain in the RSS, which allows for  
10                   residential uses. This shows that the site is more consistent with the proposal than  
11                   the existing land use designation with the MRO.

12

13                   (e) To change a resource designation, the map amendment must be found to do  
14                   one of the following:

15                   (i) Respond to a substantial change in conditions beyond the property owner's  
16                   control applicable to the area within which the subject property lies; or  
17                   (ii) Better implement applicable comprehensive plan policies than the  
18                   current map designation; or  
19                   (iii) Correct an obvious mapping error; or  
20                   (iv) Address an identified deficiency in the plan. In the case of Resource Lands,  
21                   the applicable de-designation criteria in the mapping criteria portion of the  
22                   Land Use Element of the Yakima County Comprehensive Plan – *Horizon 2040*  
23                   shall be followed. If the result of the analysis shows that the applicable de-  
24                   designation criteria has been met, then it will be considered conclusive  
25                   evidence that one of the four criteria in paragraph (e) has been met. The de-  
26                   designation criteria are not intended for and shall not be applicable when  
27                   resource lands are proposed for re-designation to another Economic  
28                   Resource land use designation;

29

30                   *Staff Findings:* This proposal is to remove Area 2 from the MRO to better meet the  
31                   needs of the property (existing residential use, potential cultural resources, and no  
32                   future plans to mine the area). Therefore, this section is not applicable.

33

34                   (f) A full range of necessary public facilities and services can be adequately  
35                   provided in an efficient and timely manner to serve the proposed designation.  
36                   Such services may include water, sewage, storm drainage, transportation, fire  
37                   protection and schools;

38

39                   *Staff Findings:* This area is rural, with residential uses, where public facilities and  
40                   services are already available. Additionally, the developed parcels are currently  
41                   served with individual well and septic systems.

(g) The proposed policy plan map amendment will not prematurely cause the need for nor increase the pressure for additional policy plan map amendments in the surrounding area.

**Staff Findings:** No evidence has been identified to indicate that the amendment is likely to cause a premature need for, nor increase the pressure for, additional policy plan map amendments in the surrounding areas.

(2) The following criteria shall be considered in any review and approval of changes to Urban Growth Area (UGA) boundaries:

Staff Findings: Not Applicable. This area is not changing a UGA boundary.

(3) Land added to or removed from Urban Growth Areas shall be given appropriate policy plan map designation and zoning by Yakima County, consistent with adopted comprehensive plan(s).

**Staff Findings:** Not applicable. This proposal is not adding or removing land from a UGA.

(4) Cumulative impacts of all plan amendments, including those approved since the original adoption of the plan, shall be considered in the evaluation of proposed plan amendments.

**Staff Findings:** The cumulative impacts will be addressed as part of the overall process for the 2022 Biennial Comprehensive Plan Amendments.

(5) Plan policy and other text amendments including capital facilities plans must be consistent with the GMA [Growth Management Act], SMA [Shoreline Management Act], CWPP [Countywide Planning Policy], other comprehensive plan goals and policies, and, where applicable, city comprehensive plans and adopted inter-local agreements.

**Staff Findings:** The proposed comprehensive plan amendment is consistent with the GMA and **Horizon 2040** goals and policies as addressed in this staff report under the YCC 16B.10.095 (Approval Criteria) above in (1)(a). The proposed amendment is consistent with the SMA because the site is not within shoreline jurisdiction. The CWPP establishes policies, procedures, and roles for the county and its cities to coordinate in developing their comprehensive plans. A review of the CWPP finds no inconsistencies with the subject application. No other comprehensive plan goals and policies or city comp plans or interlocal agreements are applicable on this site.

(6) Prior to forwarding a proposed development regulation text amendment to the Planning Commission for its docketing consideration, the Administrative Official must make a determination that the proposed amendment is consistent with the GMA, CWPP, other comprehensive plan goals and policies, and, where applicable, city comprehensive plans and adopted inter-local agreements.

**Staff Findings:** Not applicable. This proposal is not a development regulation text amendment.

**Staff Conclusion:** The application to remove Area 2 from the MRO and Mining District, and rezone to Rural-10/5 meets the approval criteria outlined in YCC 16B.10.095, as discussed above in this staff report, and subject to the consideration of the additional information to be provided by the public and agencies.

## **G. Allowable Uses**

The applicant requests a change in the Future Land Use Map on the parcels included in Area 2 to remove the Mineral Resource Overlay (MRO) and retain just the Rural Self-Sufficient (RSS) land use designation. If the comp plan amendment is approved, a concurrent rezone from Mining (MIN) to Rural 10/5 (R 10/5) is also requested. The removal of the land from the MRO and the MIN zoning district means that the property cannot be used for long term mining operations. Examples of uses that would be allowed if the property were rezoned to R 10/5 include:

- As Type 1 (permitted) uses: Agriculture, Agricultural Building, Agricultural Stand, Irrigation distribution, Hunting or fishing services, Family home services, On-site storage of chemicals, Single Family residence, Manufactured home, Minor Home Business, Utility substation (no building), and Bed and Breakfast.
- As Type 2 (usually permitted) uses: Agricultural market, Agricultural Service Establishments, Retail ATO, Ag Related Industry, Aquaculture, Micro Brewery, Craft Distillery, Farm Labor Shelter, Winery, Exercise facilities, Golf Course, Historical Landmark Use, Livestock Event Facility, ORV Facilities, Parks, Playgrounds, Recreational Services, Shooting Range, Indoor Sport Facility, Cemetery, Funeral home, Churches, Crisis center, day care, Safe/Shelter Home, Grange Hall, Group Care Facility, Museums, Library, Police station, Fire station, Public Buildings, Residential Care Facility, School bus garage, Schools, Mining (Temporary Only), Solid waste drop-off, Stockpiling of earthen material, ADU, Building and trade contractors, Gift Shop, Major Home occupation, Kennel, Marina, Retail Nursery, Overnight Lodging Facility, Pet Daycare/Grooming, Veterinary clinic, Airports (Private Use), Impoundment of Water, Linear Transmission Facilities, and Utility substation (with building).

- 1
  - As Type 3 (usually not permitted) uses: Destination ATO, Concentrated Animal Feeding
  - 2      Operation, Farm Labor Center, Forest industries, Livestock Auction, Amusement Park,
  - 3      Campground, Mini-Golf Course, Public or private camp, Community centers, Correction
  - 4      facilities, Fraternal organizations, Halfway house, Health care facility, Schools
  - 5      (Commercial Ed and College), Mineral Batching/Processing (Temporary Only), Hazardous
  - 6      Waste Treatment/Storage Facility, Refuse landfills, Solid waste transfer stations,
  - 7      Petroleum and natural exploration, Ag implements sales, Auto Wrecking,
  - 8      Boarding/Lodging House, Car Wash, Convenience store, Drive-thru food and beverage
  - 9      vender, Mobile Food Vendor, Espresso Coffee Stand, Farm and ranch supplies,
  - 10     Maintenance/Repair Shops, Service Station, Towing Services, Restaurant, Video Sales,
  - 11     Waste Material Processing, Zoo, Airports (public use), Power Generating Facilities,
  - 12     Sewage plants and Wastewater treatment plant, Wastewater Lagoons/Sprayfields, and
  - 13     Mini-Storage.
- 14
- 15     ○ As Type 4 (Quasi-judicial applications) uses: Resort ATO.
- 16

17     Staff Conclusion: The site meets the criteria for rezoning to R 10/5 and therefore is suitable  
18     for the allowable R 10/5 uses. It's important to note that since this area will no longer be in  
19     the MIN zoning district, mining activities will no longer be allowed within those parcels.

## 21     **H. Discussion of Environmental Analysis (SEPA)**

22     An environmental review is being conducted concurrently with this proposal (SEP2022-  
23     00004). Staff will complete an assessment of the potential environmental impacts associated  
24     with the proposed plan and zoning amendment.

## 27     **I. CONCLUSIONS**

- 29     1. The comprehensive plan amendment request meets the approval criteria of YCC  
30     16B.10.050(1) for a plan map amendment. It is consistent with the Growth Management  
31     Act (RCW36.70A) and with the goals and policies of the Yakima County Comprehensive  
32     Plan (**Horizon 2040**), subject to comments from the public and agencies during the public  
33     review process
- 34
- 35     2. Any probable environmental impacts of this proposal will be considered prior to final  
36     approval.

## 39     **J. YAKIMA COUNTY STAFF RECOMMENDATIONS**

Subject to additional comments and information to be received through the public comment periods and at the Planning Commission's public hearing, the Yakima County Planning Division recommends **Approval** of the ***Horizon 2040*** map amendment and rezone request, subject to consideration of testimony from neighbors and interested parties.

## K. YAKIMA COUNTY PLANNING COMMISSION RECOMMENDATIONS

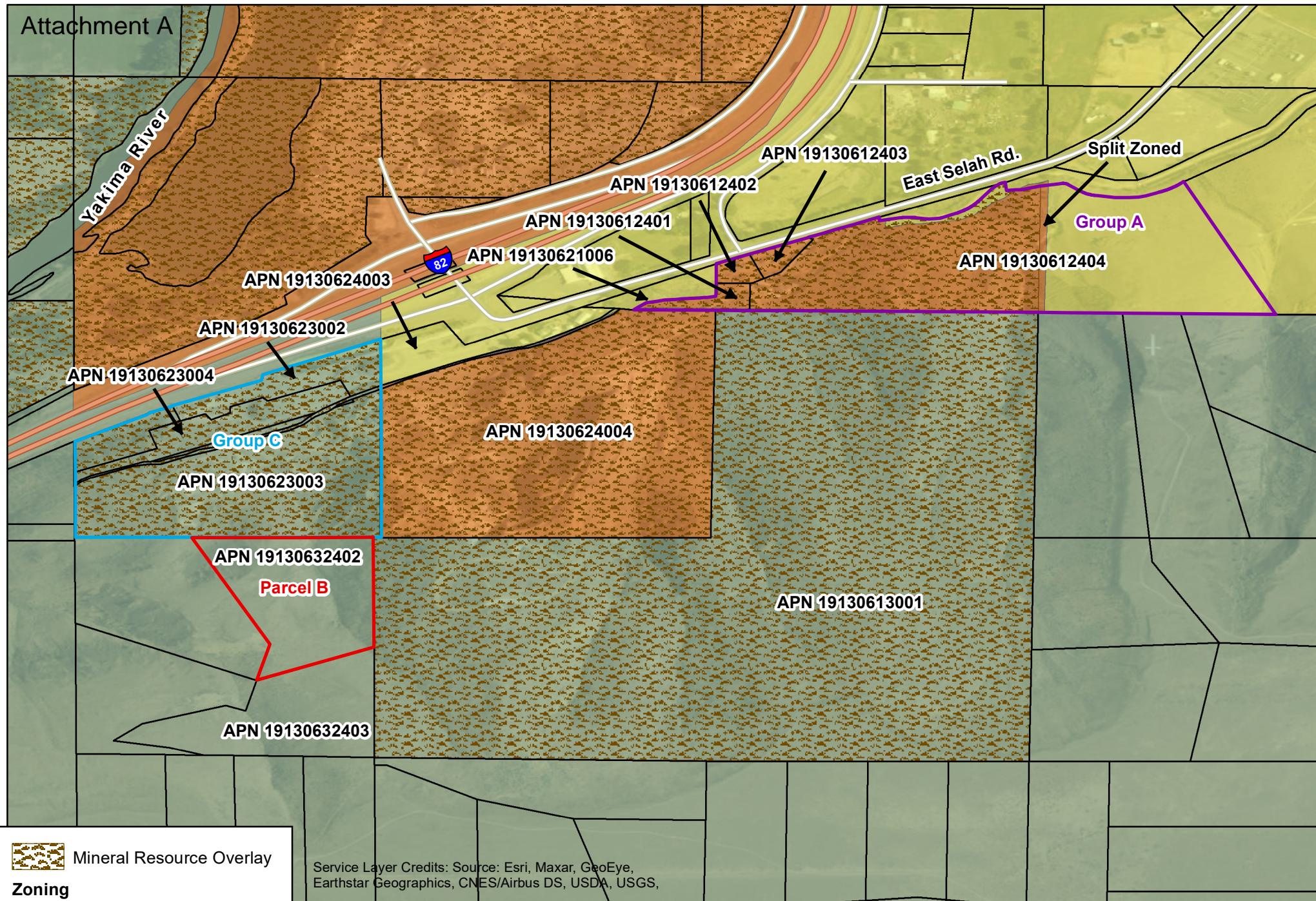
The Yakima County Planning Commission will make a recommendation to the Board of Yakima County Commissioners.

###

**Attachments:** A – Existing Mineral Resource Overlay and Zoning Map  
B – Proposed Mineral Resource Overlay and Zoning Map

\\nt2\Planning\Long Range\Projects\Plan Amendments\2022 Plan Amendments\LRN2022-00002\_SEP2022-00004 Granite rezone\PC\Study Session\LRN22-002\_Staff Report\_Area2\_nm\_tv2.docx

Attachment A



## Existing East Selah Mineral Lands Amendment & Rezone

0 1,000 2,000  
Feet

**GRANITE**™



January 2022

Brett Wong - Market Research Analyst  
D:\GIS\WA\_Files\Rowley\MXD\Rowley\_Scenario35.mxd

Attachment B

