

RESOLUTION NO. 2020 - 25

**A RESOLUTION** of the City Council of Ellensburg, Washington relating to the approval of a request for the siting of an Essential Public Facility, File No. P20-010, on property located in Ellensburg, Washington.

**WHEREAS**, on May 2, 2018 Patti Johnson, Director of Kittitas County Solid Waste, property owner, submitted a request for the siting of a new transfer station, as an essential public facility, to be located on approximately 38.84 acres of property of an existing 50.58-acre parcel located in the northwestern portion of the City of Ellensburg, in Kittitas County, Washington, shown on Tax Map No. 18-18-28030008 as Assessor's tax parcel ID 611033; and

**WHEREAS**, the applicant also submitted an associated Washington State Environmental Policy Act (SEPA) checklist as part of the proposal; and

**WHEREAS**, on July 6, 2020 the City's SEPA Responsible Official issued a Mitigated Determination of Non-Significance (MDNS) related to the siting of the essential public facility; and

**WHEREAS**, following a duly noticed open record public hearing held before the Planning Commission on August 27, 2020, to consider the siting of the Essential Public Facility, as provided by Chapter 15.250.110 ECC, the Planning Commission made a recommendation to the Ellensburg City Council for approval of the siting of the Essential Public Facility request subject to certain conditions; and

**WHEREAS**, following a duly noticed open record public hearing held during a regularly scheduled Ellensburg City Council Meeting on October 19, 2020, regarding the Kittitas County Solid Waste proposal to site a new transfer station, the City Council approved the siting of Essential Public Facility request subject to certain conditions;

NOW, THEREFORE, the Ellensburg City Council do resolve as follows:

**Section 1.** The Ellensburg City Council makes the following findings of fact:

A. The proposed siting of essential public facility is in compliance with the decision criteria of Ellensburg City Code (ECC) 15.250.110, if developed in accordance with the condition stated herein; and

B. The proposed siting of essential public facility is in conformance with the goals and policies of the City of Ellensburg Comprehensive Plan ("Comprehensive Plan") as amended, if developed in accordance with the conditions stated herein;

C. The proposed use and corresponding siting of essential public facility has been designated in accordance with the permitted uses and future land use designations within the Comprehensive Plan classification and standards for development set forth in the City's Land Development Code if developed in accordance with the condition stated herein; and

D. The public use and interest will be served if the essential public facility is developed in accordance with the conditions stated herein.

**Section 2.** The siting of the essential public facility request involves property in the northwestern portion of the City of Ellensburg, in Kittitas County, Washington, shown on Tax Map No. 18-18-28030008, commonly referred to as Kittitas County Assessor's Parcel ID #611033, and legally described as follows:

Acres 50.58; PTN SOUTH ½ (B42/P83); SEC 28, TWP 18, RGE 18; City of Ellensburg, Kittitas Co., WA.

**Section 3.** The Kittitas County Solid Waste Transfer Station Siting of Essential Public Facility (P20-010) shall be allowed for development on the subject property in accordance with the following condition of approval, which shall apply to the applicant, and the applicant's heirs, successors in interest and assigns:

1. The applicant shall adhere to any requirements related to any future development approvals, including meeting all requirements of utility providers, City departments, state and federal agencies, and affected districts, as outlined in adopted City Codes and other regulatory documents.

**Section 4.** The Ellensburg City Council makes the following conclusions of law:

A. As conditioned, the proposed use is consistent with the intent, purposes and regulations of the Ellensburg City Code and Comprehensive Plan and the definition of an Essential Public Facility as set forth in RCW 36.70A.200(1)(a).

B. As conditioned, the proposal does conform to the criteria specified in Ellensburg City Code 15.250.110, pertaining to the siting of essential public facilities.

C. As conditioned, this proposal does comply with Comprehensive Plan, the zoning code and other land use regulations, and SEPA.

D. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

**Section 5.** This resolution is the final decision of the City of Ellensburg upon this matter.

**Section 6.** Notice is hereby given that appeal of this legislative decision shall be barred unless a petition requesting review is filed in the Superior Court of the State of Washington and properly served within twenty-one (21) days after passage of this resolution in accordance with Chapter 36.70C of the Revised Code of Washington.

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Adopted this 19<sup>th</sup> day of October, 2020.

MAYOR

Attest:

Beth Leach  
City Clerk