



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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“Building Partnerships – Building Communities”

Ryegrass Limited Purpose Landfill Expansion Conditional Use Permit (CU-21-00003)

TO: Kittitas County Hearing Examiner
FROM: Jeremiah Cromie, Staff Planner
RE: Ryegrass LPL Expansion Conditional Use Permit (CU-21-00003)
DATE: October 14, 2021 (Hearing Date)

I. GENERAL INFORMATION

Requested Action: The proposed project would expand a limited purpose landfill in Forest and Range Zoning within a Rural Working Land Use. The proposed use is permitted in this zone with a Conditional Use Permit since it is limited to the expansion of an existing county owned facility. The proposal includes expanding the current 13.5-acre limited purpose landfill to 30.1 acres.

Location: Parcel 040833 located at 25900 Vantage Highway, Ellensburg, WA. In the W1/2 of Section 16, Township 17N, Range 21E, Kittitas County.

Background: The Ryegrass Limited Purpose Landfill was originally permitted in 1996 as a construction debris landfill. The state went through a reclassifying process of landfills in 2003. The Ryegrass construction debris landfill was able to be reclassified as a limited purpose landfill with a permit modification and SEPA process in 2004 that resulted in a determination of non-significance from Kittitas County Public Health Department (the lead agency). The permit was fully granted in 2005 and met all state and local requirements. There is ongoing monitoring of the existing site for any environmental issues including groundwater contamination by Public Health and the Department of Ecology. Limited purpose landfills are regulated through the Washington Administrative Code (WAC) 173-350-400 among other regulations.

II. SITE INFORMATION

Total Property Size:	450 Acres
Number of Lots:	1
Domestic Water:	None (proposal does not include any use of water)
Sewage Disposal:	Septic System (proposal does not include any new sewage disposal)
Power/Electricity:	Kittitas PUD
Fire Protection:	Fire District 2 (Kittitas Valley Fire & Rescue)

Site Characteristics:

North: Existing LPL Landfill/Substation/Renewable Energy Center

South: Shrubs/Barren Ground

East: Shrubs/Barren Ground (Biosolid Lagoons to Northeast)

West: Shrubs/Barren Ground

Access: The site is accessed from Vantage Highway, approximately 10.5 miles east of the City of Kittitas.

III. ZONING AND DEVELOPMENT STANDARDS

The parcels involved in this proposal are in a land use designation of *Rural Working* and zoning designation of *Forest & Range*. The proposed project is classified as a “Refuse disposal/recycle.” Refuse disposals are an allowed use within Forest and Range Zone under KCC 17.15.060.1 with a conditional use permit when consistent with footnote #58 of this section. The footnote outlines that this use is limited to expansion of existing county owned and/or operated facilities while not allowing new facilities. These criteria are examined in Section VIII “Project Analysis” of this staff report.

IV. ADMINISTRATIVE REVIEW

Deem Complete: A conditional use permit application (See Index #2) for Ryegrass Limited Purpose Landfill Expansion (CU-21-00003) was submitted to Kittitas County Community Development Services department on March 10, 2021. The application was deemed complete (See Index #10) on April 5, 2021. The site was posted in accordance with KCC 15A.03.110 on April 6, 2021 (See Index #11).

Notice of Application: A notice of application (See Index #13) for the Ryegrass Limited Purpose Landfill Conditional Use Permit (CU-21-00003) was mailed and/or emailed to adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcels & applicable agencies. Notice was given to and published in the official newspaper of record for Kittitas County, and notice was posted to the Kittitas County Website on April 8, 2021, all in conformance with the Kittitas County Project Permit Application Process (Title 15A) (See Index #15). The comment period concluded on April 23, 2021.

V. COMPREHENSIVE PLAN

RR-P4: A certain level of mixed uses in rural areas and rural service centers is acceptable and may include commercial, service, and rural industrial uses.

Staff Consistency Statement: The proposed project would expand the capacity of an existing refuse facility. Refuse disposal sites are commonly designated in rural areas where population densities are low. The facility is pre-existing and has been deemed an acceptable location for this industrial use through several previous land use approvals at the State and local level.

RR-P13: Development shall be located distances from streams, rivers, lakes, wetlands, critical areas determined necessary and as outlined within existing Shorelines Management Program, the Critical Areas Ordinance and other adopted resource ordinances in order to protect ground and surface waters

Staff Consistency Statement: The proposed project has two streams on the property. All activities would occur outside of the required buffers of KCC 17A.07.010.

RR-P45: Commercial/Industrial development in Rural Working lands shall be compatible to the rural environment and must be developed as determined necessary to not significantly impact surface and groundwater.

Staff Consistency Statement: The proposed project will be compatible to the rural environment with no contradicting land uses near it. The Site will continue to be monitored for any groundwater issues in accordance with State and local regulations. The existing landfill is meeting all groundwater requirements.

CF-G4: Provide and maintain adopted standards for levels of service for existing and future development in a manner and location consistent with the Land Use Element of this Comprehensive

Plan.

Staff Consistency Statement: The proposed project will serve future development until approximately 2042, meeting the 20-year timeline of the comprehensive plan and is consistent with the Land Use Element since it is already an existing use.

CF-P4: Capital improvements within a type of public facility are to be evaluated on the following criteria and considered in the order of priority listed below. The County shall establish the final priority of all capital facility improvements using the following criteria as general guidelines. Any revenue source that cannot be used for a high priority facility shall be used beginning with the highest priority for which the revenue can legally be expended:

A. Reconstruction, rehabilitation, remodeling, renovation, or replacement of obsolete or worn-out facilities that contribute to achieving or maintaining standards for levels of service adopted in this Comprehensive Plan.

B. New or expanded facilities that reduce or eliminate deficiencies in levels of service for existing demand. Expenditures in this priority category include equipment, furnishings, and other improvements necessary for the completion of a public facility (i.e., recreational facilities and park sites).

C. New public facilities, and improvements to existing public facilities, that eliminate public hazards if such hazards were not otherwise eliminated by facility improvements prioritized according to Policies A or B, above.

D. New or expanded facilities that provide the adopted levels of service for new development and redevelopment during the next six fiscal years, as updated by the annual review of this Capital Facilities Plan. The County may acquire land or right-of-way in advance of the need to develop a facility for new development. The location of facilities constructed pursuant to this Policy shall conform to the Land Use Element, and specific project locations shall serve projected growth areas within the allowable land use categories. In the event that the planned capacity of public facilities is insufficient to serve all applicants for development permits, the capital improvements shall be scheduled to serve the following priority order:

- » Previously approved permits for redevelopment.
- » Previously approved permits for new development.
- » New permits for redevelopment.
- » New permits for new development.
- » Improvements to existing facilities, and new facilities that significantly reduce the operating cost of providing a service or facility, or otherwise mitigate impacts of public facilities on future operating budgets.

E. New facilities that exceed the adopted levels of service for new growth during the next six fiscal years by either:

- » providing excess public facility capacity that is needed by future growth beyond the next six fiscal years, or
- » Providing higher quality public facilities than are contemplated in the County's normal design criteria

for such facilities.

F. Facilities not described in Policies A through F, above, but which the County is obligated to complete, provided that such obligation is evidenced by a written agreement the County executed prior to the adoption of this Comprehensive Plan.

Staff Consistency Statement: Since the proposed project is an expanded facility, it is the one of the highest priorities for improvement. This project would maintain the existing level of service rather than having to build a new facility once the existing limited purpose landfill reaches capacity.

CF-P29: Essential public facilities sited outside of urban growth areas must be self-supporting and not require the extension, construction, or maintenance of urban services and facilities.

Staff Consistency Statement: The proposed project will be self-supporting, and no new utilities will need to be extended or constructed to the site.

This application is consistent with the goals, policies, and objectives of the Kittitas County Comprehensive Plan as outlined above.

VI. ENVIRONMENTAL REVIEW

A SEPA Checklist and addendum was submitted with the conditional use permit application and processed concurrently using the Optional DNS process under WAC 197-11-355. During the combined comment period, environmental concerns were raised by public agencies as well as private citizens and neighbors. CDS has considered these comments and found no significant environmental risks with the proposed project with certain permit conditions. Following the concurrent comment period, CDS issued a Determination of Non-Significance (DNS) on June 24, 2021 (Index #39). The appeal period for the SEPA DNS concluded on July 9, 2021. A SEPA appeal challenging the Determination on Non-Significance was filed on July 7, 2021 (See Index #44).

In addition, CDS performed a critical area review of the properties. Two (2) streams exist on the project site. The applicant provided a map (Index #7) showing the distance buffering from the site to the two streams on the property, one being 736 feet away to the SW and the other 1633 feet away to the East and South. There are three other streams that are nearby that are not located on the property, with each being over 1400 feet away from the expanded limited purpose landfill site. The proposed landfill is outside of all required buffers of the streams as seen in KCC 17A.07.010 and WAC 173-350-400(3)(c).

VII. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments are on file and available for public review. Due to the volume of comments received, CDS staff developed a comment matrix (Index #71) which provides a summary of the comments submitted, applicant responses, and staff responses. All comment submittals can be found in their entirety in Index #'s 16-35. The following parties provided comment during the comment period. Washington State Department of Ecology submitted comment after the comment period had closed.

Agency Comments: Kittitas County Building Services, Kittitas County Public Health, Kittitas County Public Works, Kittitas Valley Fire & Rescue, Washington State Department of Fish & Wildlife

Public Comments: Charli Sorenson on behalf of the Sage Hills 2 Homeowner’s Association, Sandi Ryan, Mark Spisak, Nels & Charli Sorenson, Christine McCroskey, William Riordan & Heather Powell, Nancy & Jim Harry

Staff performed a site visit with Solid Waste, Department of Ecology, Department of Fish & Wildlife and Kittitas County Public Health on May 4, 2021. Ecology and Fish & Wildlife submitted comments on May 5th, 2021 regarding the site visit. Fish & Wildlife commented saying that the clearing area was not currently in sagebrush habitat and future revegetation plans. Ecology commented that they had the necessary documents to proceed with permitting for expansion. Their full comments can be seen in Index #32 and 33.

This staff report includes condition recommendations to address the comments submitted.

VIII. PROJECT ANALYSIS

In review of this proposal, it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff’s analysis and consistency review for the subject application.

Consistency with the Comprehensive Plan:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section V of this staff report, the following Comprehensive Plan goals and policies apply to this proposal: RR-P4, RR-P13, RR-P45, CF-G4, CF-P4 and CF-P29.

Provided the applicant follows and maintains the goals and policies, they shall be in compliance with the Kittitas County Comprehensive Plan. Therefore, the County and applicant are in compliance with the Comprehensive Plan.

Consistency with the provisions of KCC 17.60A, Conditional Uses:

KCC 17.60A.015 provides the following review criteria to be considered in a conditional use analysis:

- 1. The proposed use is essential or desirable to the public convenience and not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood.*

Applicant Response: “LPL expansion utilizes a parcel owned and operated by public utilities that has served the community for many decades. It was sited near a major interstate (I-90) and on Vantage Highway for easy access, and in a rural area to avoid conflicts with residential and commercial land uses.

Further, the proposed LPL expansion will adhere to the Kittitas County Board of Health Solid Waste Regulations Ordinance 1999-1 (promulgated under the authority of RCW 70.05 and 70.95) to protect public peace, health, safety, and welfare of the citizens and environment of Kittitas County. Measures include:

- Loads are screened for possible contaminants (e.g., hazardous waste materials such as paint cans or batteries), and if non-permitted waste is found to have been disposed onsite, the Health Department and Solid Waste Programs staff are notified.
- Waste is covered with repurposed crushed concrete or other appropriate operational cover material in accordance with the Plan of Operations.
- Open burning is prohibited, and operations staff employ fire prevention.
- Litter control is employed as necessary following onsite weekly inspections and after high wind events.

- Fugitive dust is controlled by covering the LPL with gravel and site access roads that are both gravel and asphalt.
- Scavenging is prohibited.
- Vectors are unlikely because waste types are not likely to become putrescible. The working face of the LPL is inspected daily to make sure vectors do not nest in the waste.

The proposal will expand an existing, operational LPL for the continued commercial disposal of CDL debris and similar materials. In 2020, approximately 41,000 cubic yards of waste was disposed. Based on the population forecast, it is estimated this will increase to about 79,000 cubic yards by 2042. The expansion of an existing, operational facility is the greatest and best use of the County-owned site, with a disposal rate that is projected to increase in volume overtime.” (See Index #4)

Staff Response: The project has very little development surrounding it. With proper measures as the applicant has described including screening for hazardous material and waste being covered, it should be able prevent most health and safety issues that would arise. Groundwater and gas will continue to be monitored according to Public Health and Ecology Requirements. CDS does not anticipate any notable impacts as a result of this expansion beyond those already attributed to the existing refuse facility. The proposed expansion is not anticipated to introduce any new element or characteristic that would be detrimental or injurious to the public health, peace, safety, or character of the surrounding neighborhood.

2. *The proposed use at the proposed location will not be unreasonably detrimental to the economic welfare of the county and that it will not create excessive public cost for facilities and services by finding that*
 - a. *The proposed use will be adequately serviced by existing facilities such as highways, roads, police and fire protection, irrigation, and drainage structures, refuse disposal, water and sewers, and schools; or*
 - b. *The applicant shall provide such facilities; or*
 - c. *The proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment.*

Applicant Response: a. “The facility will continue to be served by Vantage Highway with access to I-90, a major highway. No water or sewer service is proposed nor is it necessary. Existing utilities on the site include electricity and telephone. The site is accessible for police and fire protection. In addition, site operations are designed to prevent fires through such measures as:

- Visual inspection of the landfill every operating day for evidence of fire or smoke including but not specifically limited to vents, visible emissions, settlement, or other evidence of combustion.
- Application of crushed concrete and soil will be the primary means to smother and extinguish surface fires.
- Stockpiled crushed concrete/soil for the purposed of fire suppression.
- Storage of water in tanks on site for discretionary use by the fire department.
- Formal fire response procedures.

Solid waste generated by staff is self-hauled to appropriate disposal locations. As a non-residential use, school availability does not apply.” (See Index #4)

Applicant Response: b. “Based on use-type, there is no need for additional services (e.g., water) beyond what exists on site and is describe in the response above.”

Applicant Response: c. “The Ryegrass LPL operations are primarily funded through tipping fees. The use of the landfill as reflected through tipping fees demonstrates the community's desire for a cost-effective method of disposing of permitted waste for licensed contractors and other businesses with customer accounts. The proposed LPL expansion will continue to provide an alternative for licensed contractors and other businesses with customer accounts to dispose of their permitted waste at a reasonable rate.

The proposed expansion would allow Kittitas County to continue to provide a much-needed service to the community that does not require property acquisition, new structures, or additional operations equipment.” (See Index #4)

Staff Response: As proposed, the project will be adequately serviced by existing facilities and will not require additional public costs. The project will not have a detrimental economic impact.

3. *The proposed use complies with relevant development standards and criteria for approval set forth in this title or other applicable provisions of Kittitas County Code.*

Applicant Response: “See Table 1 regarding zoning code applicability. As with the existing facility, the LPL expansion will continue to meet public facility development standards as required by federal, state, and county laws.” (See Index #4)

Staff Response: The use is consistent with the relevant development standards and criteria in Kittitas County Code. The expanded landfill use is permitted in the Forest & Range zone through a Conditional Use Permit since it is an already existing facility as seen in KCC 17.15.060.1 footnote 58.

4. *The proposed use will mitigate material impacts of the development, whether environmental or otherwise.*

Applicant Response: “As a highly regulated facility, material impacts of development will be mitigated as necessary. Very specific development, operational, closure, and post-closure procedures are outlined in the LPL Permit Application submitted to Kittitas County Board of Health and the Washington State Department of Ecology (Ecology) for their approval, including:

- Groundwater monitoring
- Landfill gas controls
- Line system design
- Leachate collection and control
- Surface water run-on/runoff control
- Water balance and contaminant fate and transport
- Seismic considerations
- Setbacks
- Closure system design
- Access control
- Inspection and maintenance
- Environmental controls including protection of containment and monitoring structures, litter control, dust control, odor control, vector control, attendant services, and scavenging prevention.

After closure of the LPL and associated cover and stormwater systems are in place, post-closure care for the LPL must conform to the state and local regulations governing post-closure activities for as long as necessary

for the landfill to become functionally stable. WAC 173-350-400(11) specifies the performance standards for post-closure of LPLs. The performance standards applicable to Ryegrass LPL include:

- Maintaining the integrity and effectiveness of the final cover, including making repairs to the closure cover as necessary to correct the effects of settlement, subsidence, erosion, or other events, maintaining the vegetative cover, and preventing run-on and runoff from eroding or otherwise damaging the final cover.
- Monitoring the groundwater, surface water, landfill gas, and landfill settlement, including any monitoring of remedial measures if applicable, and maintaining all monitoring systems.
- Maintaining the facility and facility structures for their intended use.” (See Index #4)

Staff Response: The proposal, as conditioned, will mitigate material impacts of the development. No significant environmental impacts are anticipated from this project. The site will be well monitored for environmental impacts.

The proposed use will ensure compatibility with existing neighboring land uses.

Applicant Response: “The proposal does not change the existing, permitted use of the site. The Ryegrass LPL expansion is on a parcel owned and operated by the County that has served the community for many decades. It is sited near a major interstate (1-90) and on Vantage Highway for easy access, and in a sparsely populated rural area to avoid conflicts with residential and commercial land uses.” (See Index #4)

Staff Response: The proposed use has very few existing neighboring land uses. It is in a very sparsely populated area and the only uses in close vicinity is the renewable energy center and the existing Biosolid Facility on the property.

The proposed use is consistent with the intent and character of the zoning district in which it is located.

Applicant Response: “The existing and proposed LPL expansion is acceptable in a rural area since it is incongruent with residential or commercial land uses or other areas of dense development. The proposal does not change the existing, permitted use of the site. The Ryegrass LPL expansion is on a parcel owned and operated by the County that has served the community for many decades.” (See Index #4)

Staff Response: The Forest and Range zone discourages land uses that do not prioritize natural resource areas. Refuse/Recycle uses would not be found consistent with the preferred intent of any zone. This use is necessary to serve any jurisdiction’s disposal needs. Regulatory accommodations have been made to ensure existing facilities have a path to expand to maintain necessary service levels.

5. *For conditional uses outside of Urban Growth Areas, the proposed use:*

- a. Is consistent with the intent, goals, policies, and objectives of the Kittitas County Comprehensive Plan, including the policies of Chapter 8, Rural and Resource Lands;*
- b. Preserves “rural character” as defined in the Growth Management Act*
- c. Requires only rural government services; and*
- d. Does not compromise the long-term viability of designated resource lands.*

Applicant Response: a. “The proposed LPL expansion aligns with the goals and objectives of the Kittitas County Comprehensive Plan as described in Table 2.”

Applicant Response: b. “The proposed LPL expansion aligns with preserved rural character Act as described in Table 3.”

Applicant Response: c. “The proposed use does not require sewer or water lines. The site is already served by electricity and telephone.”

Applicant Response: d. “The proposed LPL expansion would occur on land currently owned and operated by Kittitas County Public Works for the purpose of limited landfill debris disposal. The site was formerly used as a municipal solid waste landfill.” (See Index #4)

Staff Response: The proposal is consistent with the Kittitas County Comprehensive Plan as described above in section “V.” CDS finds that the project will preserve rural character as defined in the GMA, will require only existing rural government services, and will not compromise the long-term viability of designated resource lands.

Staff Conclusions: Kittitas County CDS finds the application, as conditioned, consistent with KCC 17.60A Conditional Uses, as described above in section “VIII” of this staff report. The use will only require rural government services and does not compromise the long-term viability of any resource lands.

Consistency with the provisions of the KCC Title 17A, Critical Areas:

CDS performed a critical area review of the properties. Two (2) streams exist on the project site. The applicant provided a map (Index #7) showing the distance buffering from the site to the two streams on the property, one being 736 feet away to the SW and the other 1633 feet away to the East and South. There are three other streams that are nearby that are not located on the property, with each being over 1400 feet away from the expanded limited purpose landfill site. The proposed landfill is outside of all required buffers of the streams as seen in KCC 17A.07.010 and WAC 173-350-400(3)(c).

Consistency with the provisions of the KCC Title 14.04, Building Code:

Any future buildings must be consistent with International Building Codes.

Consistency with the provisions of KCC Title 12, Roads and Bridges:

As conditioned, the proposal is consistent with the provisions of KCC Title 12.

Consistency with the provisions of KCC Title 20, Fire and Life Safety:

As conditioned, the proposal is consistent with the provisions of KCC Title 20.

Agency Comments:

The following agencies provided comments during the comment period: Kittitas County Building Services (Index #16), Kittitas County Public Health (Index #29), Kittitas County Public Works (Index #25), Kittitas Valley Fire & Rescue (Index #18), Washington State Department of Fish & Wildlife (Index #17). Washington Department of Ecology submitted comment after the comment period (Index #30).

Public Comments:

Public comments were received from the following people during the comment period: Charli Sorenson on behalf of the Sage Hills 2 Homeowner’s Association (Index #19), Sandi Ryan (Indexes #20 and 22), Mark Spisak (Index #23), Nels & Charli Sorenson (Index #24), Christine & Jeffery McCroskey (Index #26), William Riordan & Heather Powell (Index #27), Nancy & Jim Harry (Index #28).

IX. Findings of Fact

1. The proposed project would expand an existing limited purpose landfill in the Forest & Range zone of a Rural Working Land Use. The proposed use is permitted in this zone with a Conditional Use Permit since it is a county-owned facility in accordance with KCC 17.15.060.1 footnote #58. The proposal includes an additional 16.6 acres for continuing the existing limited purpose landfill.

2. Site Information

Total Property Size:	450 acres
Number of Lots:	1
Domestic Water:	None (proposal does not include any use of water)
Sewage Disposal:	Septic System (proposal does not include any new sewage disposal)
Power/Electricity:	Kittitas PUD
Fire Protection:	Fire District 2 (Kittitas Valley Fire & Rescue)

3. Site Characteristics:

<u>North:</u>	Existing LPL Landfill/Substation/Renewable Energy Center
<u>South:</u>	Shrubs/Barren Ground
<u>East:</u>	Shrubs/Barren Ground (Biosolid Lagoons to NE)
<u>West:</u>	Shrubs/Barren Ground

4. Access: The site is accessed from Vantage Highway, approximately 10.5 miles east of the City of Kittitas.

5. The Comprehensive Plan land use designation is Rural Working Land Use, and the zoning designation is Forest & Range.

6. The project is proposing an expanded limited purpose landfill. Expanded Limited Purpose Landfills facilities are a permitted use within the Forest & Range zone with a conditional use permit as long as they are an already existing county owned landfill under KCC 17.060.1 footnote #58.

7. A conditional use permit application (See Index #2) for Ryegrass LPL Expansion (CU-21-00003) was submitted to Kittitas County Community Development Services Department on March 10, 2021. The application was deemed complete (See Index #10) on April 5, 2021. The site was posted in accordance with KCC 15A.03.110 on April 6, 2021 (See Index #11).

8. A notice of application (See Index #13) for the Ryegrass LPL Expansion Conditional Use Permit (CU-21-00003) was mailed and/or emailed to adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcels & applicable agencies. Notice was given to and published in the official newspaper of record for Kittitas County, and notice was posted to the Kittitas County Website on April 8, 2021, all in conformance with the Kittitas County Project Permit Application Process (Title 15A) (See Index #15). The comment period concluded on April 23, 2021.

9. A SEPA Checklist and addendum was submitted with the conditional use application and processed concurrently using the Optional DNS process under WAC 197-11-355. During the combined comment period environmental concerns were raised by public agencies and from private citizens and neighbors. CDS has considered these comments and found no significant environmental risks with the proposed project with certain permit conditions. Following the concurrent comment period, CDS issued a

Determination of Non-Significance on June 24, 2021 (See Index #39). The appeal period for the SEPA DNS concluded on July 9, 2021. An appeal was filed challenging the SEPA Determination of Non-Significance on July 7, 2021 (See Index #44).

10. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section V of this staff report, the following Comprehensive Plan goals and policies apply to this proposal: RR-P4, RR-P13, RR-P45, CF-G4, CF-P4 and CF-P29.

12. Road Standards and access requirements are subject to the standards outlined in Kittitas County Code Title 12.

13. The following agencies provided comments during the comment period: Kittitas County Building Services (Index #16), Kittitas County Public Health (Index #29), Kittitas County Public Works (Index #25), Kittitas Valley Fire & Rescue (Index #18), Washington State Department of Fish & Wildlife (Index #17). Washington Department of Ecology submitted comment after the comment period (Index #30).

14. CDS received public comments during the comment period from the following people: Charli Sorenson on behalf of Sage Hills 2 Homeowner's Association (Index #19), Sandi Ryan (Indexes #20 and #22), Mark Spisak (Index #23), Nels & Charli Sorenson (Index #24), Christine & Jeffery McCroskey (Index #26), William Riordan & Heather Powell (Index #27), Nancy & Jim Harry (Index #28).

15. The proposal, as conditioned, is consistent with the goals and policies of the Kittitas County Comprehensive Plan.

16. This proposal, as conditioned, is consistent with the provisions of KCC Title 12, Roads and Bridges as conditioned.

17. This proposal, as conditioned, is consistent with the provisions of KCC 17.60A, Conditional Uses and meets the criteria of KCC 17.15.070.1 footnote #58.

18. This proposal, as conditioned, is consistent with the provisions of KCC 17A, Critical Areas.

19. This proposal, as conditioned, is consistent with KCC 20, Fire Life and Safety.

X. Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. Public use and interest will be served by approval of this proposal.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 12 Roads and Bridges, and Title 20 Fire and Life Safety.

XI. Recommendation and Conditions of Approval:

Kittitas County recommends *preliminary approval* of the Ryegrass Limited Purpose Landfill Expansion Conditional Use permit CU-21-00003 based on the above staff analysis, findings of fact, and conclusions with the following conditions of approval.

1. The project shall proceed in substantial conformance with the plans and application materials on file with CDS dated March 10, 2021 and subsequent information included in the complete file index except as amended by the conditions herein.
2. The applicant shall comply with all local, State and Federal environmental standards and regulations.
3. All Washington State Department of Ecology and Public Health Guidelines and Permits shall be followed and obtained for the expanded landfill including those found in WAC 173-350-710.
4. The applicant shall maintain compliance with WAC 173-350-400 at all times.
5. Groundwater shall continue to be monitored in accordance with Public Health Guidelines and WAC 173-350-500.
6. The applicant shall make all reasonable efforts to limit the disposal of cardboard and carpet in landfill.
7. Appliances with hazardous substances shall only be accepted in accordance with Federal, State, and local regulations.
8. Two personnel shall be on site if the landfill ever exceeds 50,000 cubic yards per year per WAC 173.350.400 (6)(a)(v).
9. All development, design and construction shall comply with International Fire Code requirements and KCC Title 20 Fire and Life Safety.
10. All development, design and construction shall comply with KCC Title 12 Roads & Bridges.
11. The final site plan shall include places of refuge for people and vehicles in case of a wildland fire. The final site plan shall also include fire break areas.
12. Operating Hours shall be limited to 8a to 5p Monday through Friday unless new operating hours are approved by the Board of County Commissioners after recommendation from Public Health, Ecology and Community Development Services.
13. The landfill shall be secure during all non-business hours.
14. Any additional clearing beyond those areas outlined in the application materials will require consultation with Washington State Department of Fish and Wildlife to establish mitigation.

- 15.** After the portion of the landfill expansion referenced in this permit is closed, the covering of the landfill shall be replanted with native shrubsteppe vegetation as part of a restoration plan to improve habitat in the area in coordination with Washington Department of Fish & Wildlife.
- 16.** It is a proponent's responsibility to demonstrate compliance with the approval conditions of a conditional use permit. Compliance with all conditions must be demonstrated in writing to Kittitas County CDS prior to Final Conditional Use Permit issuance. Final approval of a Conditional Use Permit is required within 5 years of the approval date pursuant to KCC 17.60A.090.