

ORDINANCE NO. 7231

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AN ORDINANCE amending Ordinance 7045,
denying the reclassification request of
COVINGTON ENTERPRISES, designated
Building and Land Development File
No. 252-81-U.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

This ordinance does hereby adopt and incorporate the
attached findings and conclusions in support of the council's
decision to deny the application for an unclassified use permit
petitioned by Covington Enterprises and designated by the
building and land development division, department of planning
and community development as file no. 252-81-U. The council does
hereby deny the referenced application.

INTRODUCED AND READ this 22nd day of April, 1985.
PASSED this 10th day of June, 1985.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Gary Grant
Chairman

ATTEST:

Dorothy M. Owens
Clerk of the Council

APPROVED this 21st day of June, 1985.

Randy Ruess
King County Executive

RECEIVED

COVINGTON ENTERPRISES

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CLERK
KING COUNTY COUNCIL
FINDINGS:

1. The surrounding neighborhood is developed with single family residences, consistent with the zoning, which is single family residential (SE). The proposed use would involve the use of heavy on-site machinery year around, large and noisy trucks, and would produce significant changes in the existing natural topography, thus permanently altering the appearance of the area. The proposed use will cause degradation of the character of the present existing neighborhood by introducing a very sizeable, and noticeable, industrial use in a residential area which has attractive rural qualities.
2. The proposed facility would contribute significant new heavy truck traffic to the Auburn-Black Diamond Road, which is a two lane country highway with narrow shoulders in many places. The highway is the only thoroughfare in the area, until it joins the Kent-Black Diamond Road approximately 1/4 mile north of the entrance to the site. It is used, therefore, by pedestrians, bike riders, equestrians, and pets as well as vehicles. There is particularly heavy school bus traffic, due to the shifting of classes in the school district. School buses use the road constantly, from early morning to afternoon, first picking up, and then returning, the school children. There is an afternoon pickup for the kindergarteners as well. The children must use the shoulders of the road to walk to the bus stops, and must then wait for the buses on the shoulders. The shoulders are not wide enough to let the buses pull completely off the road, and so traffic must stop for the buses. Heavily loaded trucks are rare on the road now, so conflicts between school buses and trucks are not a serious problem.
3. The traffic which will be created by the project will be constant heavy truck trips, starting early in the morning, five days a week, until late afternoon. Residents have introduced into the record pictures of heavy trucks routinely crossing the centerline of the road because of its narrowness and relatively sharp curves. These curves reduce safe sight distances and create hazards for trucks which are unable to avoid crossing the centerline due to speed, heavy loads, or both. In addition, there is a narrow bridge on the road west of the proposed site which will present collision hazards, particularly if two heavy trucks meet at the bridge, or a truck and a school bus meet.
4. We have given careful consideration to the comments presented by the Auburn School Superintendant and the Fire Chief of District No. 44, and must accord them weight on the issues of school bus and emergency vehicle safety, and conflicts between traffic generated by the proposed use and these vital public uses.
5. The highway has not been designed with this type of additional traffic in mind, and therefore does not have the safety features which are necessary in the presence of such additional traffic, such as straightened curves, wider shoulders, passing lanes, and widened bridges. This highway, in its present condition, therefore cannot safely carry the additional traffic which would be generated by the proposed project, and approval of the project would create unacceptable traffic hazards to public life and property. Safety signs and road widening adjacent to the

site, and declaring that school buses shall have the right-of-way, may slightly reduce the additional hazards caused by the project, but not sufficiently to ensure adequate public safety.

6. The operation of heavy trucks, up to 110 round trips per day (220 trips, or approximately one truck every three minutes), as well as a crushing plant, screening plant, bulldozer and front-end loader, will introduce significant additional noise into the present rural environment. This additional noise can comply with county standards. However, since county noise standards for trucks using public roads, and this type of on-site equipment, are set at levels which allow quite noticeable noise, it is necessary in each particular case to consider whether additional noise which complies with standards may yet create annoyance and incompatibility with existing uses.
7. The operation of a gravel pit at the proposed site creates real hazards to the wetlands on site, which are indicated to be a probable aquifer recharge zone, and to Covington Creek, an important anadromous fishery stream, with a state fish hatchery downstream. The evidence does not show that the site can always be safely operated so as to avoid the danger of contaminating the wetland-aquifer, or degrading the water quality of Covington Creek below acceptable levels. While there is conflicting evidence on these subjects, we must use extreme care in evaluating that evidence when the consequences of a misjudgment might be severe or even cause permanent harm to public water supplies, wildlife habitat, and fisheries resources.
8. The degree of incompatibility of the proposed use must be judged in relation to the length of time it would go on. Here, the minimum time period to be anticipated under the examiner's recommendation is six years. Renewal or extension of this permit could allow continuation of the activity beyond six years. The length of time of this proposed use is a factor not subject to effective mitigation, and it creates a significant incompatibility between the proposed use and existing uses in the neighborhood.
9. The record shows that there are adequate gravel supplies to meet the needs of the public without permitting the development of this site for gravel mining purposes. While King County will encourage the development of mineral resources whenever appropriate, such development is not always appropriate, and this is an instance when developing the mineral resource is not appropriate.

CONCLUSIONS:

1. The proposed use is inconsistent with the intent of the Soos Creek Community Plan, and is inconsistent with the letter and intent of the Extractive Industries Policy Options report.
2. The mitigating measures proposed by the examiner would not significantly nor adequately mitigate the adverse impacts of the proposal.
3. Adequate developed and undeveloped supplies are already available; development of the mineral resource will probably reduce the value of existing developed real estate uses, which pre-existed the proposed use; and the site has a valuable use under its present land use classification which can contribute to meeting another important public objective, providing attractive and

affordable housing to the present and future residents of King County. When two important public objectives conflict, such as protection of existing property values and existing quality of life for our population, and exploiting mineral resources, we must judge, in each case, which deserves precedence. Here, we find that the protection of the existing quality of life and value of property is properly given the greater weight.

4. Based on all of the foregoing findings, we find that the proposed use, even with all mitigating measures proposed by the examiner, will be unreasonably incompatible with the type of uses permitted in surrounding areas.
5. The council concludes, for purposes of Section 21.44.010, King County code, that the application of Covington Enterprises and the recommendation thereon of the zoning and subdivision examiner, dated August 31, 1984, should be, respectively, denied and rejected. There are significant adverse impacts of the proposal which cannot be adequately mitigated, there are conflicts with the applicable community plan and policy documents supporting it, and there is a significant conflict between the proposal and maintaining the important objectives of protecting property values, housing stock potential, and quality of life.