

1 April 7, 1996
2 Ord96.1.25

Introduced by Kent Pullen
Proposed No. 95-311

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ORDINANCE NO. **12207**

AN ORDINANCE concurring with the recommendation of the Hearing Examiner to approve, subject to conditions (modified), the unclassified use permit application submitted by THOMAS J. STEWART, designated DDES File No. L91UU003.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Except as modified by Section 2 below, this ordinance does hereby adopt and incorporate herein as its findings and conclusions the findings and conclusions contained in the report of the hearing examiner dated July 3, 1995, which was filed with the clerk of the council July 20, 1995, as revised and presented to the council for consideration on April 3, 1996, to approve, subject to conditions (modified), the unclassified use permit application submitted by Thomas J. Stewart, and designated land use services division file no. L91UU003, and the council does concur with the recommendation in said report.

SECTION 2. The findings and conclusions adopted above in section one are hereby modified as follows:

A. Condition no. 2 as it appears within the hearing examiner's July 3, 1995, report is deleted and replaced with the following new language:

"No portion of the 100-acre site set out in the legal description for this unclassified use permit application shall be in the future segregated or sold to a separate party. A notice of title approved by King County Department of Development and Environmental Services shall be filed with the King County Department of Records and Elections on all parcels within the 100-acre UUP site."

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2 B. Paragraphs a. and b. of condition no. 6 within the
3 hearing examiner's July 3, 1995, report are amended as
4 follows:

5 "a. Use of the heliport is restricted to the
6 following hours:

7 Monday through Friday: ((7)) 6:00 a.m. to 10:00
8 p.m., with no more than three flight operations
9 between the hours of 6:00 a.m. and 7:00 a.m. in any
10 week.

11 Weekends and holidays: ((9)) 7:00 a.m. to 10:00 p.m.
12 Within any calendar month, a maximum of ((two)) six
13 helicopter operations shall be permitted ((during

14 restricted periods)) between the hours of 10:00 p.m.
15 and 12:00 a.m. midnight.

16 b. The total number of heliport operations shall
17 be limited as follows:

18 Daily: No more than six (6) each day

19 ((Weekly: ~~No more than seventeen (17) each~~
20 ~~week~~))

21 Monthly: No more than seventy-two (72) each
22 month

23 Yearly: No more than seven hundred thirty
24 (730) each year"

25 C. The second sentence of condition no. 8 within the
26 hearing examiner's July 3, 1995, report is deleted and
27 replaced with the following language:

28 "Beginning five years after the effective date of this
29 approval, and at five year intervals thereafter, the
30 Land Use Services Division Manager shall provide
31 published and mailed notice meeting the requirements of
32 KCC Chapter 21A.40 inviting public comment on permit
33 compliance. If warranted by either an apparent pattern
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of noncompliance or conflicting or inadequate information, the Manager may institute a formal hearing process pursuant to the procedures stated within KCC Chapter 21A.42 for periodic permit review."

INTRODUCED AND READ for the first time this 24th day of April, 1995.

PASSED by a vote of 7-4 this 3rd day of April, 1996.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Jane Hayes
Chair

ATTEST:

Ronald A. Peterson
Clerk of the Council

ORDINANCE 12207

**MISTY ISLE FARMS HELIPAD
FINAL
ENVIRONMENTAL IMPACT STATEMENT**

**KING COUNTY DEPARTMENT OF DEVELOPMENT
AND ENVIRONMENTAL SERVICES
BELLEVUE, WA**

FEBRUARY 21, 1995

**ATTACHMENT(S) ARE AVAILABLE IN THE
ARCHIVES**