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MOTION NO. \_\_\_\_\_

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A MOTION remanding to the Zoning and Subdivision Examiner the application for a reclassification petitioned by BLACK RIVER QUARRY, IND., et al, designated Building and Land Development File No. 2]5-76-R for amendment and further action.

WHEREAS, the Deputy Zoning and Subdivision Examiner by report dated July 7, 1976 has recommended that the King County Council deny a reclassification from SE(Suburban Estates) to QM(Quarrying and Mining) petitioned by BLACK RIVER QUARRY, INC, et al, designated Building and Land Development File No. 2]5-76-R; and

WHEREAS, the recommendation of the Deputy Examiner has been appealed; and

WHEREAS, the Council has reviewed the record and the written appeal arguments in this matter; and

WHEREAS, the Council finds that the reclassification of the subject property from SE to QM-P, in lieu of QM, would conform to the intent of the King County Comprehensive Plan Policies C-9, C-10, C-11, WL-3 and WL-13, if the reclassification were subject to conditions; and

WHEREAS, the Council finds that reclassification of the property to QM-P, subject to conditions, would not be unreasonably detrimental to nor incompatible with affected properties and the general public; and

WHEREAS, the Council concludes that there are new facts and information not presented at the public hearing, and

WHEREAS, the Council is aware that the petitioner anticipates extending the operations engaged in on subject property to properties adjacent to and to the south which are not included in this application and which are not presently zoned QM; and

WHEREAS, the Council concludes that subject action should be amended to include the entire area presently anticipated to be utilized in mining operations,

NOW THEREFORE, BE IT MOVED by the Council of King County:  
The petition for reclassification of BLACK RIVER QUARRY, INC., et al

1 designated Building and Land Development File No. 215-76-R, is  
 2 returned to the Deputy Zoning and Subdivision Examiner with  
 3 the following stipulations:

- 4 1. The applicant shall submit the legal description  
 5 of all properties presently anticipated to be  
 6 added to the existing mining operation together with  
 7 such information as the Building and Land Develop-  
 8 ment Division may require for consideration of the  
 9 reclassification of such added properties. Such  
 10 information shall include, but not be limited to,  
 11 a revised site development and reclamation plan and  
 12 a revised environmental checklist in accordance  
 13 with the provisions of WAC 197-10.
- 14 2. The subject application shall be amended to include  
 15 those properties anticipated to be added; the  
 16 Building and Land Development Division shall  
 17 review the amended application and shall schedule  
 18 a reopened hearing by the Deputy Zoning and  
 19 Subdivision Examiner. Notice of such hearing shall  
 20 be made in accordance with the provisions of  
 21 Chapter 21.62 of the King County Code.
- 22 3. In preparing an amended Report and Recommendation to  
 23 the King County Council subsequent to the reopened  
 24 hearing the Deputy Examiner shall incorporate the  
 25 applicable findings, and conclusions herein above  
 26 and shall be guided thereby.

27 PASSED at a regular meeting of the King County Council this

28 14th day of February, 19 77.

29 KING COUNTY COUNCIL  
 30 KING COUNTY, WASHINGTON

31 *Mike Lowery*  
 32 Chairman

33 ATTEST:

34 *Deputy H. Quinn*  
 35 Deputy Clerk of the Council