AN ORDINANCE of the City of Kent, Washington, approving application CD-SU-81-1 an application of Richard Pohl for a Special Use Combining District for the purposes of mineral extraction in an area zoned R1-7.2 (Single Family Residential) and imposing conditions upon said approval and upon the extraction operations.

WHEREAS, Richard Pohl has made application to the City of Kent under application number CD-SU-81-1 for the imposition of a Special Use Combining District in an area of the city zoned R1-7.2 (Single Family Residential) an area containing approximately 1 acre, and

WHEREAS, the purpose of said application is to allow Richard Pohl to extract approximately 30,000 cubic yards of soil material to permit completion of an excavation project commenced under previous permit of the city of Kent, and

WHEREAS, the extraction of 30,000 cubic yards of soil is a relatively minor land use, and one which can be considered as the completion of the original permit which approved removal of 122,000 cubic yards of soil material on basically the same site, and

WHEREAS, application CD-SU-81-1 was heard before the Kent Hearing Examiner and City Council in public hearings, and all persons who attended said public hearings were given the opportunity to be heard, and all correspondence which was received prior to closure of the public hearings was read and considered, and

WHEREAS, the City Council has determined that it would be in the best interests of the citizens of the city of Kent to approve the application, and that all of the conditions as set forth in Section 3.20.4 of the Kent Zoning Code have been or can be satisfied by the imposition of certain conditions and controls upon the extraction operation contemplated by the application, NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

FILED for Record at Request of
Name: City of Kent
Address: PO Box 360
Kents, Wa 98031
Section 1. Application CD-SU-81-1, an application by Richard Pohl for the imposition of a Special Use Combining District for the purpose of extracting minerals from an area in the City of Kent hereinafter described, be and the same hereby is granted.

Section 2. The property upon which said district is imposed, currently zoned R1-7.2 (Single Family Residential) zone, is described as follows:

Lot 3 of Pohl Short Plat recorded under Auditor's File No. 7705090838 and tract 28 of Shinn's Cloverdale Addition to Kent, recorded in Volume 6 of Plats, Page 52, records of King County Washington.

Section 3. The approval of the application and the grant of authority to Richard Pohl to conduct mineral extraction operations on the above described property is conditioned upon the following terms and conditions:

1. Excavating and movement of materials off the site shall be allowed only between the hours of 8 a.m. and 5 p.m., Monday through Friday. No excavation or truck traffic shall be permitted at other hours or on weekends or national holidays.

2. The applicant shall be responsible for keeping the public roadways that are used for access to the site free from debris, and further, shall be responsible for periodically cleaning those roadways as required by the City.

3. A fifteen foot wide green belt of existing natural vegetation on the western perimeter of the site as shown on the development plan shall be retained during the effective time of this permit.

4. A tree plan as required by Ordinance 2245 shall be provided to the Planning Department.

5. A site restoration plan consistent with that included as part of this application shall be provided to the Department of Public Works.

6. Prior to the removal of any material from the site, plans for the control of drainage, erosion and dust during the time of excavation shall be provided to the Department of Public Works for review and approval.
7. A general bond in the amount of $15,000 shall be provided to the City for performance of the conditions of this application until such work is completed to the City's satisfaction.

8. The work proposed to be done under this application shall be completed no later than one year from the effective date of approval by the City. For purposes of this condition the effective date of approval shall be the date of publication of the ordinance approving the application.

Section 4. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law and upon receipt in writing by the City Clerk of Richard Pohl's acknowledgment of receipt of a certified copy of this Ordinance together with Richard Pohl's written acceptance of all the terms and conditions therein.

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

DONALD E. MIRK, CITY ATTORNEY

PASSED the 21 day of September, 1981.
APPROVED the 22 day of September, 1981.
PUBLISHED the 25 day of September, 1981.

I hereby certify that this is a true copy of Ordinance No. 2311, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as herein indicated.

MARIE JENSEN, CITY CLERK