



Small Town. Real Life.

PLANNING COMMISSION MEETING AGENDA

Via Zoom

<https://zoom.us/j/93452466549>

or by phone: (253) 215-8782 Meeting ID: 934 5246 6549

Wednesday, February 24, 2021, at 7:00 p.m.

- 1. Call to Order – Flag Salute**
- 2. Roll Call**
- 3. Approval of the Agenda**
- 4. City Staff Announcements**
- 5. Approval of Minutes**
 - a) Minutes from the February 10, 2021 Planning Commission Meeting
- 6. Citizens' Comments**
- 7. Workshop**
 - a) Growth Targets Update – *L. Thomas*
 - b) Conditional Use Permit Process – *T. Davis*
 - c) Site Plan Review Orientation – *T. Davis*
- 8. Public Hearing(s) - none**
- 9. Unfinished Business – none**
- 10. New Business – none**
- 11. Good of the Order**
- 12. Adjournment**

Next Meeting: March 10, 2021

Attachments

- Minutes from the February 10, 2021 Planning Commission Meeting

(Please email Troy Davis at troy.davis@duvallwa.gov if you have any questions or if you cannot attend the meeting.)

Meeting Room is Wheelchair Accessible. Americans With Disabilities Act - Reasonable Accommodations Provided Upon Request - (425) 788-2779



Small Town. Real Life.

Meeting Minutes
City of Duvall Planning Commission Meeting

Date: February 10, 2021

Time: 7:00 PM

Place: Via Zoom <https://zoom.us/j/92594233716>

Commissioners Present: William Chappell, Ronn Mercer, Mike Supple, Elaine Sawyer, Eric Preston

Staff Present: Lara Thomas, Community Development Director; Troy Davis, Senior Planner; Stephanie Goodwin, Accounting Associate; Asela Chavez, Assistant Planner/Permit Specialist.

Call to Order – Flag Salute

The Planning Commission meeting was called to order by Commissioner Sawyer at 7:03 PM.

1. Approval of the Agenda

It was moved and seconded (*Mercer/Chappell*) to approve the agenda for the February 10, 2021 Planning Commission meeting. The motion passed 5-0.

2. Announcements

Senior Planner Troy Davis announced that two new planning commissioners have been interviewed and both have accepted to fill the vacancies in the Commission. Mr. Davis announced the confirmation for the new Commissioners will take place at the next City Council meeting.

Community Development Director Lara Thomas announced that the new development map for the City of Duvall has been updated. Senior Planner Troy Davis announced the map will be updated on a quarterly basis. Mr. Davis provided a brief update on significant projects under construction. Mr. Davis explained that projects in Washington State vest to the rules and regulations that are in place at the time a building application is submitted.

3. Adoption of Minutes

It was moved and seconded (*Chappell/Mercer*) to approve the minutes from the January 27, 2021 Planning Commission meeting. The motion passed 5-0.

4. Comments from Audience

None.

5. Workshop

- A. Growth Targets Update.** Community Development Director Lara Thomas gave an overview of the draft Growth Targets Resolution. Ms. Thomas announced the draft was reviewed by the Land Use Committee and will be under consideration at the next City Council meeting. Commissioner Sawyer inquired about job targets and the City's role in encouraging new businesses. Ms. Thomas reminded Commissioners that the City has already met its growth targets.
- B. Growth Management Community Survey.** Lara Thomas, Community Development Director, reviewed the Growth Management survey. The survey will include the new development map and a figure on the number of permits issued per year. The Commissioners asked questions of staff and discussion ensued. The survey will go into the utility bill and run for three weeks.
- C. Growth Targets Resolution.** Community Development Director Lara Thomas explained City Council decided to adopt a resolution for the document to be publicly available and kept for perpetuity. Ms. Thomas mentioned the sources used to draft the resolution. Ms. Thomas briefly discussed the methodology used to calculate the housing and jobs targets.

6. Public Hearing

None.

7. Unfinished Business

None.

8. New Business

None.

9. Good of the Order

Commissioner Preston asked about the flashing stop signs recently installed at 3rd Ave and NE 145th St. Community Development Director Lara Thomas explained the signs are a traffic safety improvement called Rapid Flashing Beacon (RFB) and that two will be installed in Main Street next.

Commissioner Preston reported a directional sign wrongly installed at NE 150th St near Judd Park.

Commissioner Sawyer announced she has been working with Councilmember Jennifer Knaplund to propose a disc golf course to be built in the City.

10. Adjournment

The meeting was adjourned at 8:32 PM.

**CITY OF DUVALL
WASHINGTON**

RESOLUTION NO. 21-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF DUVALL, WASHINGTON, CONVEYING A
PRELIMINARY HOUSING AND JOB TARGETS FOR THE
2019-2044 PLANNING PERIOD TO KING COUNTY.**

WHEREAS, the City of Duvall is on track to achieve and is likely to exceed the 2006-2035 Growth Targets as set out in the Comprehensive Plan; and

WHEREAS, the current City of Duvall 2006-2035 target is 1,140 units and the City has issued 760 residential permits since 2006 and the City has 523 vested units in the pipeline; and

WHEREAS, the permits issued since 2006 plus the vested units shows we are on track to exceed the 2006-2035 target by 143 units; and

WHEREAS, under the Growth Management Act, counties in consultation with cities, are responsible for adopting population and employment growth targets to ensure that each county collectively is accommodating projected population and employment; and

WHEREAS, the growth targets are a key input within our planning documents including the Comprehensive Plan, and are used to inform planning for land use, transportation, capital facilities and financing of capital improvement plans; and

WHEREAS, it is important for cities like Duvall and across the region to work together and with the public to plan for new growth: and

WHEREAS, as a part of the 2021 Countywide Planning Policies update, King County is leading the process to set new growth targets for jurisdictions to use in the 2024 periodic update of comprehensive plans. Creating growth targets is a collaborative effort in King County and facilitated by King County staff with the participation of planning staff from each jurisdiction; and

WHEREAS, the growth target process uses the VISION 2050 REGIONAL GROWTH STRATEGY as a platform for distributing growth to King County and Regional Geographies within King County; and

WHEREAS, the growth target process is a deliberative process to refine a set of preliminary housing and job growth targets for each jurisdiction: and

WHEREAS, growth targets will be finalized and adopted by the GROWTH MANAGEMENT PLANNING COUNCIL in the adopted 2021 Countywide Planning Policies; and

WHEREAS, the Regional Growth Strategy envisions a future where the region maintains a stable urban growth area, focuses the majority of new population and employment within the urban growth area, maintains a variety of community types, densities and sizes, focuses growth in cities, and uses existing infrastructure and new investments efficiently; and

WHEREAS, Growth Targets are policy statements about the amount of housing and job growth each jurisdiction plans for; and

WHEREAS, Under the Growth Management Act, all jurisdictions share a role in accommodating future growth, though the amount will differ by the role each jurisdiction plays in the county and region; and

WHEREAS, targets express growth over a range of time (2019-2044 for the targets in progress), and the new targets will replace the 2006-2035 target; and

WHEREAS, Targets form the basis for the land use assumptions in comprehensive plans; and

WHEREAS, land use assumptions used in comprehensive plans must be substantially consistent with adopted growth targets; and

WHEREAS, growth targets are the numbers jurisdictions should be aiming for in their Comprehensive Plans; and

WHEREAS, jurisdictions in King County would be well served to fully participate in setting growth targets, to ensure they reflect anticipated future growth of the county and region; and

WHEREAS, data factors were identified from past growth targets setting exercises, and input from planners and staff on the Growth Management Planning Council's Interjurisdictional Team, and the Urban Growth Capacity Technical Committee. The data factors selected include: current 2006-2035 targets, recent jobs and housing growth (2012-2018, and 2006-2019 respectively), current jobs and housing estimates (2019 and 2020, respectively), jurisdiction land area, and initial capacity estimates of housing units and non-residential square feet, from draft Urban Growth Capacity Report data; and

WHEREAS, after the data factors are collected, they are converted to a percentage share that can be applied to the Regional Geography allocations to create preliminary targets for each jurisdiction; and

WHEREAS, the City of Duvall is in the "Cities and Town Caucus" with 19 cities in King County; and

WHEREAS, Cities and Towns include a diverse array of jurisdictions, including places near major cities, small residential towns, and free-standing cities and towns surrounded by rural and resources lands; and

WHEREAS, Cities and Towns provide important housing, jobs, commerce, and services in their downtowns, and local centers; and

WHEREAS, free-standing cities are separated from contiguous urban growth and should serve as hubs for housing choices and job and service centers for surrounding rural areas, but due to physical isolation from the more urban areas they receive a lesser overall share of the growth and are not expected to grow as much as cities and towns in the contiguous urban growth areas; and

WHEREAS, the Community Development Director reports meeting information and data to the Mayor, City Council, Planning Commission, and Land Use Committee after each caucus meeting; and

WHEREAS, the Regional Growth Strategy calls for Cities and Town to accommodate 6% of the region's growth and 4% of its employment by the year 2050; and

WHEREAS, the regional housing allocation for Cities and Town is 13,985 housing units and 12,936 jobs in King County; and

WHEREAS, Duvall's preliminary average target identified by King County in consultation with the Community Development Director includes an additional 891 housing units and 994 Jobs; and

WHEREAS, the City of Duvall is on track to achieve and likely exceed the preliminary 2019-2044 residential growth target given existing capacity within City limits; and

WHEREAS, the preliminary 2019-2044 King County Growth Target for the City of Duvall is 891 units, and the City has issued 240 residential permits since 2019, and the City has 523 vested units in the pipeline; and

WHEREAS, the permits issued since 2019 plus the vested units shows we are on track to meet the 2019-2044 preliminary target with existing capacity to achieve the remaining 128 units within city limits; and

WHEREAS, the City of Duvall can accommodate the preliminary residential growth target provided by King County without annexing land within its designated urban growth areas; and

WHEREAS, the City wishes to convey to King County, Puget Sound Regional Council, and the State of Washington without capacity and safety improvements to regional roads and highways, additional transit, and other regional infrastructure the City will only be able to accommodate a small amount of growth in the 2019-2044 planning period; and

WHEREAS, the City understands the target is neither a floor, ceiling, or a mandate; and

WHEREAS, during the Pandemic the City's ability to conduct in-person meetings to take public comment on the future growth of Duvall is challenging, the Land Use Committee recommended council survey the community on growth prior to committing to a final growth target for housing and jobs.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DUVALL, WASHINGTON, DO RESOLVE AS FOLLOWS:

Section 1. Current 2006-2035 Growth Targets.

The City of Duvall Growth Target is 1,140 units and of those units the City has issued 760 residential permits since 2006 and has 523 vested units in the pipeline (Exhibit A).

Section 2. Pipeline Projects.

The City of Duvall currently has 523 residential units in the pipeline (Exhibit B).

Section 3. Meet and Exceed 2006-2035 Growth Target

The City of Duvall is on track to achieve and likely exceed the 2006-2035 Growth Target as set out in the 2015 Comprehensive Plan by 143 units (Exhibit A).

Section 4. Preliminary Growth Targets for Housing and Jobs (2019-2044).

The City of Duvall is preliminarily accepting an additional 891 housing units and 994 jobs based on extensive analysis of the data presented to staff, mayor and council.

Section 5. Meet 2019-2044 Preliminary Growth Targets.

The City of Duvall is on track to achieve the preliminary 2019-2044 residential growth target given the City has issued 240 residential units since 2019 and the City has 523 vested units in the pipeline (Exhibit A).

Section 6. Existing Capacity Within City Limits to Meet 2019-2044 Preliminary Growth Targets.

Including permits issued since 2019 plus the vested units demonstrates we are on track to meet the 2019-2044 preliminary residential growth target with existing capacity to achieve the remaining 128 units within existing city limits (Exhibit A).

Section 7. Public Participation and Outreach During the Pandemic.

The City will conduct a "Growth Management Survey" of the community in late February and early March. The City will use this information to make an informed policy decision related to the final 2019-2044 Growth Targets prior to adopting a final residential target.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____ DAY OF _____, 2021.

Approved as to form:

Daniel P. Kenny, City Attorney

CITY OF DUVALL

Amy Ockerlander, Mayor

ATTEST/AUTHENTICATED

Jodi Wycoff, City Clerk

Resolution No.
Passed by City Council:

Exhibit A

City of Duvall - King County Growth Target Analysis

Housing Units

2006-2035 Target	1,140
<i>Permits issued 2006 - Current</i>	760
<i>Pipeline (current forward)*</i>	523
	(143)

On Track to exceed 2006-2035 Target by 143 units

NEW 2019-2044 Preliminary Target	891
<i>Permits issued 2019 - Current</i>	240
<i>Pipeline (current forward)*</i>	523
	128

***The remaining 128 units can be achieved
with housing capacity inside City limits***

NOTE:

***Pipeline as of February 2021**

includes 45 legal lots (in final plat) + 478 units (pipeline not yet in final plat)

Exhibit B

Residential Pipeline Projects (units)

Development Name	Current Status	Current Zoning	Application/DA Date (Vesting)	Preliminary Plat Approval	Preliminary Plat Expiration	Size (Acres)	Total Units
Ridge at Big Rock-Phase 3&4 (aka Walden)	Clear & Grade	R-12 & MUI	12/14/2007	4/26/2019	4/26/2024	38.54	206
Rio Vista	Clear & Grade	R-8	6/16/2015	8/12/2016	8/12/2021	12.70	67
Sunset Court	Engineering Approval	R-12	3/22/2016	11/26/2018	11/26/2023	1.02	11
Pulte 65 Degrees	Engineering Review	R-20	9/13/2018	7/7/2020	7/7/2025	4.50	67
Thayer	Engineering Review	R-4.5	10/1/2018	6/29/2020	6/29/2025	3.69	16
Batten Creek	Engineering Review	R-4	10/10/2018	8/4/2020	8/4/2025	9.40	8
Thomas-Nolf	Engineering Review	R-8	11/16/2018	10/16/2020	10/16/2025	4.46	27
145th Street Village	P-Plat Review	R-12 & CO	10/8/2020	Under Review	Under Review	4.89	48
Meadowlark	P-Plat Review	R-8	1/6/2020	Under Review	Under Review	4.35	28
Total						83.55	478

Residential Pipeline (ready for home construction)

Development	Zoning	Application/DA Date (Vesting)	Preliminary Plat Approval	Final Plat Approval	Vesting to Final Plat (Avg = 11.7 yrs)	Size (Acres)	Total Lots	Building Permits Issued
Willow Ridge - Lot 21	R-12*	1997	7/23/1998	10/24/2013	16	0.55	14	14
Willow Ridge - Lot 22	R-12*	1997	7/23/1998	11/14/2013	16	0.62	12	0
Ridge at Big Rock-Phase 1	MU-12	12/22/2008	6/16/2010	10/15/2019	10.8	23.30	45	42
Ridge at Big Rock-Phase 2	MU-12	12/22/2008	6/16/2010	3/3/2020	11.2		99	69
Duvall Village	MU-12	4/18/2014	7/6/2015	12/10/2019	4.5	34.30	99	99
Total						58.77	269	224



Small Town. Real Life.

Memorandum

To: Planning Commission
From: City of Duvall Community Development Department
Date: February 24, 2021
Re: Conditional Use Permit Process

The purpose of this memorandum is to analyze the Conditional Use Permit (CUP) process for the City of Duvall and compare it to regional cities to identify similarities and opportunities for improvement in our local process.

1. What is a Conditional Use Permit (CUP)?

A permit granted by the city to locate a conditionally permitted use or building on or in a particular property subject to conditions placed on the use or building to ensure compatibility with nearby land uses as defined by [DMC 14.06.030](#).

2. What is the purpose of the Conditional Use Permit (CUP) process?

To assure that conditional uses are compatible with permitted uses through a public process and the imposition of special conditions and requirements ([DMC 14.68.020](#)). The CUP process is intended to require a level of review and opportunity for public input that is greater than that required for permitted uses ([DMC 14.68.010](#)).

3. What are the general criteria for approval of Conditional Use Permits?

In general, the conditional use:

- A. Is consistent with Duvall's development regulations and comprehensive plan.
- B. Is compatible with the intended character of the property and its vicinity.
- C. Should not hinder or discourage neighboring development and uses.
- D. Will not create unusual hazards or result in adverse impacts.
- E. Is served by adequate public facilities and services and will not affect services to the surrounding area.
- F. Complies with all requirements of title 14 of [Duvall Municipal Code](#).

4. What are the required procedures for Conditional Use Permits applications?

For the purpose of permit processing, conditional use permits and shoreline conditional use permits are classified as Type III permits, requiring:

- A. Preapplication meeting: an orientation meeting with city planning staff.
- B. Notice of completeness: a determination that all requirements have been met.
- C. Notice of application: a document with relevant project information for public notice.
- D. SEPA determination: environmental review pursuant to State Environmental Policy Act.

- E. Notice of hearing: to consider public comment on the project.
- F. Notice of decision: a determination of approval, approval with conditions or denial.
- G. 120 day review: the time period for the city to review the complete permit application.

5. What are the Conditional Uses by zone?

Each zoning district allows for specific conditional uses as follows:

Table 1. Conditional Uses by Zoning District in City of Duvall

Zoning Designations	Map Symbol	General Description	Conditional Uses
Commercial	CO	Commercial and Office, residential or commercial upper floor(s)	<ul style="list-style-type: none"> A. Buildings greater than sixty-five thousand (65,000) square feet in area; B. Bulk retail; C. Eating and drinking establishments with drive-thrus, including restaurants, coffee shops, although no drive-thrus shall be located between a building and street; D. Equipment rental, with outside storage; E. Funeral home/crematory; F. Indoor shooting range; G. Public or private K—12 schools; H. Public works yard; I. Subregional utility; J. Transit park and ride lot; K. Wireless communication facilities, freestanding or attached to an existing building, not camouflaged.
Mixed Use Institutional	MUI	Commercial, office, institutional, limited light industrial at ground level; residential use allowed on upper floors only	<ul style="list-style-type: none"> A. Buildings greater than sixty-five thousand (65,000) square feet. B. Bulk retail. C. Flex/Tech Uses greater than fifteen thousand (15,000) square feet per business. D. Grocery stores greater than thirty thousand (30,000) square feet maximum. E. Private colleges. F. Public or private K—12 schools. G. Retail sales of building, hardware and garden supplies. H. Subregional utility. I. Transit park and ride lot.
Light Industrial	LI	Light Industrial and Office, residential or industrial upper floor(s)	<ul style="list-style-type: none"> A. Auction houses; B. Buildings greater than sixty-five thousand (65,000) square feet in area; C. Indoor shooting range; D. School bus base; E. Secure community transition facilities; F. Transfer station; G. Transit bus base; H. Transit park and ride lot; I. Wireless communications facility, freestanding or attached to an existing building or structure and not camouflaged; J. K—12 public or private schools.
Mixed Use 12	MU12	Commercial at ground level adjacent to streets at a minimum; remainder of site can be residential; maximum density, 12 units per acre	<ul style="list-style-type: none"> A. Buildings greater than forty-five thousand (45,000) square feet. B. Eating and drinking establishments with drive-thrus, including restaurants, coffee shops. C. Grocery stores up to thirty thousand (30,000) square feet. D. Public or private K—12 schools. E. Public works yard. F. Retail sales of building, hardware and garden. G. Specialty light industrial/manufacturing < seven thousand five hundred (7,500) square feet. H. Subregional utility. I. Transit park and ride lot.
Old Town-Mixed Use	OT	Retail/Office ground floor, residential or commercial upper floor(s)	<ul style="list-style-type: none"> A. Buildings greater than seven thousand five hundred (7,500) square feet in area; B. Governmental services, City Hall, court, and police; C. Public or private K—12 schools; D. Religious institutions (not including K—12 schools); E. Retail sales of building, hardware and garden materials (no outdoor storage); F. Specialty light industrial/manufacturing < seven thousand five hundred (7,500) square feet; G. Subregional utility; H. Transit park and ride facility.

Table 1. (continued)

Zoning Designations	Map Symbol	General Description	Conditional Uses
Midtown	MT	Retail/Office ground floor, residential or commercial upper floor(s)	A.Animal service facilities, including veterinary clinics, pet shops, grooming services; B.Automobile facilities, including repair, car wash, gas station; C.Buildings greater than thirty-five thousand (35,000) square feet; D.Equipment rental with no outdoor storage; E.Funeral home/crematory; F.Public or private K—12 schools; G.Retail sales of vehicles, boats, RVs; H.Subregional utility; I.Transit park and ride lot.
Uptown-1 st Avenue	UT-1	Retail/Office ground floor, residential or commercial upper floor(s)	A.Buildings greater than seven thousand five hundred (7,500) square feet in area; B.Government services, City Hall, court, police and fire; C.Retail sales of building, hardware and garden materials; D.Public or private K—12 schools; E.Subregional utility.
Residential-4 units per acre	R4	Single-family residential	A.Bed and breakfast; B.Governmental services (court, police, fire, City Hall or similar local government offices); C.K—12 schools, public or private; D.Library or museum associated with a historic site or building; E.Religious institutions; F.Subregional utility substation.
Residential-4.5 units per acre	R4.5	Single-family residential	
Residential-6 units per acre	R6	Single-family residential; duplexes permitted	
Residential-8 units per acre	R8	Single-family residential; duplexes permitted	
Residential-12 units per acre	R12	Single- and multi-family residential	A.Community residential facility. B.Bed and breakfast. C.Cultural facilities including libraries, museums, arboretums, conference centers, community centers. D.Governmental services (police, court, fire, City Hall or similar local government offices not including public works yard or sewer treatment plant). E.K—12 schools, public or private. F.Religious institutions. G.Subregional utility substations. H.Wireless facilities attached to an existing building or structure, camouflaged
Residential - 20 units per acre	R20	Single and multi-family residential	A.Community residential facility; B.Bed and breakfast; C.Cultural facilities, including libraries, museums, arboretums, conference centers, community centers; D.Governmental services (police, court, fire, City Hall or similar local government offices not including public works yard or sewer treatment plant); E.K—12 schools, public or private; F.Religious institutions; G.Subregional utility substations; H.Wireless facilities attached to an existing building or structure
Public Facilities	PF	Public property, including permanent municipal buildings, parks, schools and fire district properties	A.Heliport; B.Jail; C.Landfill; D.Non-hydroelectric generation facility; E.Wireless communication facilities, freestanding or attached to a building and not camouflaged; F.Work farm/camp; G.Work release facility; H.Buildings greater than sixty-five thousand (65,000) square feet in area.
Parks and Open Space	PO	Public and private open, natural and improved areas for recreation activities and ecological functions	A.Community center.

6. Are there additional criteria for Conditional Uses?

Conditional uses that have additional requirements for permit approval include buildings greater than seven thousand five hundred square feet, wireless facilities, Secure community transition facilities (SCTFs) and essential public facilities. Specific zoning districts also have additional requirements for permit approval.

Table 2. Additional criteria for conditional uses [DMC 14.68.040 - 14.68.090](#)

Use	Zone	Criteria
	Industrial zoning district	The majority of jobs provided by the use are family wage jobs Proposed use will provide a retail sales tax base to the city Proposed use will provide necessary goods and services Proposed use will create other economic opportunities
Buildings greater than seven thousand five hundred (7,500) square feet	Uptown-1st Avenue/Old Town Mixed use/Riverside Village districts	Proposed building subject to design review Consistency with design standards and comprehensive plan Proposed surface or garage parking; underground and aboveground permitted with specialized design features.
	MUI, CO, LI, and PF zoning districts	Gross floor area of a building shall not exceed sixty-five thousand (65,000) square feet Proposed building subject to design review Consistency with design standards and comprehensive plan Proposed surface or garage parking
	MT zoning district	Gross floor area of a building shall not exceed thirty-five thousand (35,000) square feet Proposed building subject to design review Consistency with design standards and comprehensive plan Proposed surface or garage parking
	MU12 zoning district	Gross floor area of a building shall not exceed forty-five thousand (45,000) square feet Proposed building subject to design review Consistency with design standards and comprehensive plan Proposed surface or garage parking
Wireless facilities		Height restriction (15 ft) Integration with preexisting character Accessory equipment facilities located within buildings or placed underground Noise level restriction (45 dB)
Secure community transition facilities (SCTFs)		Located near transit facilities Not located within one mile of similar facility Located in the LI zoning district Capable of providing needed facilities to serve the residents. Submission of additional application elements
Essential public facilities		Public need for the facility Impact of the facility on its surroundings, city and region Mitigation of adverse impacts Sufficient services to accommodate proposed use Incentives package that facilitate siting Minimization of impacts on affected areas Consistency with comprehensive plan Compliance with variance criteria Compliance with state siting and permitting requirements

7. Is Duvall’s approval criteria of CUP consistent with other cities?

The general approval criteria of conditional use permits are consistent within Washington State cities. For approval, a conditional use must show compliance with local development and zoning regulations, compatibility with intended character and service standards, and maintain the general welfare of its surroundings.

City	Duvall	Monroe	Snohomish	Sultan	Woodinville		North Bend	Snoqualmie
Code Reference	DMC 14.68.030	MMC 22.64.040	SMC 14.65.020	SMC 16.24.050	WMC 21.83	WMC 21.84	NBMC 18.24.030	SMC 17.55.030
Consistency with comprehensive plan and development regulations	✓	✓	✓	✓	✓	✓	✓	✓
Compatible with the intended character of the property and its vicinity	✓	✓	✓	✓*	✓	✓	✓	✓*
Use will not hinder or discourage neighboring development and uses	✓	✓					✓	
Use will not create unusual hazards or result in adverse impacts	✓	✓	✓	✓			✓	✓
Use will have no materially detrimental effects caused by excessive noise, lighting, off-site traffic generation, or others					✓	✓	✓	
Consistency with the health, safety, and general welfare			✓					✓
Served by adequate public facilities and services with not effect to services in the surrounding area	✓	✓					✓	
Compliance with zoning and development standards and requirements	✓ Title 14	✓ Title 22	✓ SMC 14.20.090	✓	✓	✓	✓ Title 18	✓

* also includes pedestrian and traffic circulation considerations

8. How are the application and appeal processes of conditional uses in other cities?

Project permitting and appeal processes are similar in other Washington State cities. Depending on the type of permit the decision authority could be the planning director, the hearing examiner, the planning commission or city council. Most cities require a preapplication meeting for their permit procedures and many do not allow for closed record appeals.

Table 3. Examples of conditional use permit processes in Washington State cities.

City	Code Reference	Permit Classification	Decision Authority	Preapplication Meeting	Notice of Completeness	Notice of Application	SEPA Determination	Design Review	Notice of Hearing	Notice of Decision	Appeal To/ Open - Closed Record
Duvall	DMC 14.68	Type III	Hearing examiner	Yes	Yes	Yes	Potential	Potential	Yes	Yes	No open record appeal No closed record appeal King County Superior Court, Shoreline Hearings Board
Monroe	MMC 22.64.030	Type III	Hearing examiner	Yes	Yes	Yes	Yes		Yes	Yes	Snohomish County Superior Court, Shoreline Hearings Board
Snohomish	SMC 14.20.020	Type 4	Hearing examiner	Yes Conference	Yes	Yes	Potential	Potential	Yes	Yes	Snohomish County Superior Court, Shoreline Hearings Board
Sultan	SMC 16.24.020		Hearing examiner	Yes Conference	Yes	Yes	Potential		Yes	Yes	Snohomish County Superior Court
Woodinville	WMC 21.80	Type 2	Director	No	Yes	Yes			No	Yes	Hearing Examiner/Closed
		Type 3	Hearing examiner	Yes	Yes	Yes	Potential		Yes	Yes	King County Superior Court, Shoreline Hearings Board
North Bend	NBMC 20.01.004	Type II	Hearing examiner	Yes Conference	Yes	Yes	Potential		Yes	Yes	No open record appeal No closed record appeal King County Superior Court, Shoreline Hearings Board
Snoqualmie	SMC 17.55.030	Cat III	City Council	Yes	Yes	Yes	Potential	Potential	Yes Planning Commission or Hearing Examiner	Yes	No closed record appeal King County Superior Court, Shoreline Hearings Board
		Cat IV	Hearing Examiner or Planning Commission	Yes	Yes	Yes	Potential	Potential	Yes Planning Commission or Hearing Examiner	Yes	Record Appeal/Closed City Council/Closed

9. Recommendations

Planning Department staff finds that Duvall's CUP process is consistent with that of other Washington State cities and that there is opportunity for improvement. The intended purpose of the CUP process as established by the Municipal code is to create additional opportunities for public input in the approval decision, however the review process of CUPs is the same as any other Type III permit, with no additional public input opportunity of those of normal uses. Creating a new type of permit specific of conditional uses (like Type VII) could help distinguish the CUP process from others and require extra steps of public input.