1. Call to Order – Flag Salute

2. Roll Call

3. Announcements

4. Approval of Minutes
   Minutes from the February 27, 2019 Planning Commission Meeting

5. Citizens’ Comments and Requests – Items Not on the Agenda

6. Old Business
   A. 2019 Docket Recommendation
   B. Riverview School District Memorandum of Understanding

7. New Business
   A. Potential Blackburn Annexation - discussion
   B. Comprehensive Plan Cycle Change - discussion

8. Public Hearing(s)

9. Presentation
   A. Current Development Update

10. Good of the Order

11. Adjournment

Materials List
- Agenda
- Draft Minutes from the February 27, 2019 Planning Commission Meeting
Meeting Minutes
City of Duvall Planning Commission Meeting

Date: February 27, 2019
Time: 7:00 PM
Place: Duvall Visitor Center, 15619 Main Street NE, Duvall WA 98019

Commissioners Present: Jim Deal, Eric Preston, Michael Yelle, Mike Supple, Jason Brown
Ronn Mercer arrived at 7:15 PM.

Commissioners Absent: n/a

Staff Present: Troy Davis, Senior Planner; Diana Hart, Admin. Assistant

Others Present:

Call to Order – Flag Salute
The Planning Commission meeting was called to order by Commissioner Deal at 7:00 PM.

It was moved and seconded (Preston-Supple) to amend the agenda to remove Old Business item Small Cell Technology Discussion and New Business item Riverview School District Memorandum of Understanding Introduction.

1. Announcements

A. Senior Planner Troy Davis announced that there has been one application for the vacant Planning Commission seat. It is expected that there will be an appointment sometime next month.

B. Mr. Davis announced that the Planning Department is continuing its merge with the Building Department to create Community Development. The current Building Inspector/Plans Examiner gave notice and the City will be looking to hire a replacement.

C. Mr. Davis announced that there will be an update to the Shoreline Master Program this year and that the City is looking for a Planning Commissioner to sit on the advisory committee for the update.

D. Mr. Davis announced that the City has updated the notification mailer from a full document to a postcard.

2. Approval of Minutes
It was moved and seconded (Yelle-Preston) to approve the minutes from the January 23, 2019 Planning Commission meeting. The motion passed 5-0.
3. Comments from Audience
   None.

4. Old Business
   None.

5. New Business

   A. 2019 Docket Applications
   Senior Planner Troy Davis introduced the 7 Comprehensive Plan Amendment Applications.
   1. Future Land Use Map Amendments – Public Facilities to Residential 8 per Acre (CPA19-001)
   2. City Facility Inventory and Plan Text Amendments (CPA19-002)
   3. Transportation Improvement Plan Text Amendments (CPA19-003)
   4. Capital Improvement Plan Text Amendments (CPA19-004)
   5. ADA Transition Plan Text Amendments (CPA19-005)
   6. Capital Facilities Text Amendments (CPA19-006)
   7. 2019 Riverview Capital Facilities Plan Text Amendment (CPA19-007)

   Planning Commission must make a recommendation on the amendments to City Council within 90 days of February 15, 2019.

6. Presentation

   A. Development Review Committee Townhome Tour
   Senior Planner Troy Davis gave an overview of Duvall’s R20 zoning standards and then reviewed the townhomes that the Development Review Committee (DRC) toured in January.

   Questions from commissioners were answered during the presentation.

   B. Land Use Legislation Update
   Administrative Assistant Diana Hart introduced the Washington State Legislature’s legislation regarding land use that the City is tracking.

   Questions from commissioners were answered during the presentation.

7. Public Hearing
   None.

8. Good of the Order
   None.

9. Adjournment
   The meeting was adjourned at 8:46 PM.
Memorandum

To: Planning Commission
From: Troy Davis, Senior Planner
Date: March 27, 2019
Re: 2019 Docket – Planning Commission Recommendation Requested

BACKGROUND

The City’s Comprehensive Plan is a “living document” which is subject to not only periodic updates (which occur once every 8 years) but annual amendments as well. With certain exceptions, comprehensive plans can only be amended once per calendar year (see RCW 36.70a.130(2)(a)). To ensure that amendments to the City’s Comprehensive Plan occur no frequently then once per year, the City has established a procedure for processing proposed amendments (see DMC Chapter 14.72). This procedure, also known as a docketing process, allows for all proposed amendments within a given year to be taken into consideration at the same time.

The application window for submitting proposed amendments to the City’s Comprehensive Plan in 2019 ran from January 2, 2019 to the close of business on February 15, 2019. This year, there are seven proposed amendments to the City’s Comprehensive Plan.

The following is a description of each of the submitted applications:

1. Proposed Future Land Use Map Amendment – Public Facilities to Residential 8 Units per Acre (CPA19-001): This is an amendment proposed by the City to amend the City’s Future Land Use Map to re-designate and concurrently rezone one City owned parcel (TPNs 2130700960) from Public Facilities to Residential 8 Units/acre. This property is developed. The City is looking at the option of selling this property. A re-designation and concurrent rezone from Public Facilities to Residential 8 Units/acre would place the property in the same zoning category as adjacent properties and make the property viable for private use. This item is a carry-over from the 2018 Docket as requested by City Council.

2. Proposed City Facility Inventory and Plan Text Amendments (CPA19-002): This is an amendment proposed by the City to revise the Capital Facilities Element (Chapter 7) of the 2015 Comprehensive Plan, as required, to address and update the City Facilities Inventory Summary and Plan. These proposed updates will be reviewed and evaluated with respect to the Goals and Policies of the City’s Comprehensive Plan. The proposed amendment would update City Facilities (buildings, etc.) related components of the Comprehensive Plan as required to provide consistency with the City Facilities Inventory summary and Plan.
3. Proposed Transportation Improvement Plan Text Amendments (CPA19-003) - This is an amendment proposed by the City to amend transportation related components of the City’s Comprehensive Plan if needed in order to provide consistency between the updated City’s 6-year (2020-2025) Transportation Improvement Program (TIP) project list (as adopted by reference in the Transportation Element (Chapter 6) of the City’s 2015 Comprehensive Plan), and the City’s Comprehensive Plan. The proposed TIP project list will be reviewed and evaluated with respect to the Goals and Policies which guide the nature of development of the Comprehensive Plan.

4. Proposed Capital Improvement Plan Text Amendments (CPA19-004) - This is an amendment proposed by the City to update the 6-year Capital Facilities Capital Improvement program (CIP) project list, as adopted by reference in the 2015 Comprehensive Plan, as required, to provide consistency with the 2019-2024 CIP 6-year project list update for Parks and Recreation, Water, Sewer, and Stormwater Systems. The proposed CIP project lists will be reviewed and evaluated with respect to the Goals and Policies which guide the nature of development of the Comprehensive Plan. This proposed amendment would update Capital Facility-related components of the Comprehensive Plan to provide consistency with the CIP updates.

5. Proposed ADA Transition Plan Text Amendments (CPA19-005) - This is an amendment proposed by the City to amend all applicable sections of the City’s Comprehensive Plan to address the compliance with the Americans with Disabilities Act (ADA) requirements and regulations. This may include, but is not limited to, new code and standards based on the incorporation, guidance, or application of current best management practices (BMP) within the ADA Transition Plan. The Proposed amendment would update non-motorized transportation components of the Comprehensive Plan as required to provide consistency with the ADA Transition Plan.

6. Proposed Capital Facilities Text Amendment (CPA19-006) -- This is an amendment proposed by the City to revise the Capital Facilities Element (Chapter 7), of the 2015 Comprehensive Plan, as required, to address and update the Sewer System Capital Improvement Program (CIP). These proposed updates will be reviewed and evaluated with respect to the Goal and Policies of the City’s Comprehensive Plan. This proposed amendment would update sewer system related components of the Comprehensive Plan as required to provide consistency with the CIP update.

7. Proposed 2015 Comprehensive Plan EIS Addendum (CPA19-007) – This is a proposed amendment to the EIS Addendum (Environmental Commitments) that was issued November 14, 2018 for the Redesignation of three parcels within the City’s North Urban Growth Area Reserve from NUGA Reserve to Public Facilities. The amendment would allow for the three parcels that were re-designated to Public Facilities within the North Urban Growth Area Reserve to vest to current sensitive area and tree protection regulations.

A recommendation of whether to include the above referenced applications on the Final 2019 Docket must be made within 90 days of the close of the application window (February 15, 2019). Applications submitted for inclusion on the 2019 Docket were introduced to the Planning Commission on February 27, 2019 and the City Council on March 19, 2019.
STAFF RECOMMENDATION

Planning Staff recommends that the Planning Commission recommend inclusion of applications CPA19-001 through CPA19-007 as referenced above on the Final 2019 Docket.

Attachments:

1. Application CPA19-001
2. Application CPA19-002
3. Application CPA19-003
4. Application CPA19-004
5. Application CPA19-005
6. Application CPA19-006
7. Application CPA19-007
Comprehensive Plan Amendment Application

This form must be completed (clearly printed or typed) and submitted to the City, along with the Master Permit Application. In addition, the applicant shall provide all information as required by the attached checklist and all fees as determined by the Planning Director (see attached Fee Schedule). For questions, please contact the Planning Department at (425) 788-2779.

FOR STAFF USE ONLY

File No.: Received By: Date Received:

APPLICANT: OWNER (if other than applicant):

Applicant Name: Troy Davis, Senior Planner

Property Owner Name: City of Duvall

Applicant Address: 15535 Main Street NE Duvall, WA 98019

Property Owner Address: P.O. Box 1300

Applicant Phone #: (425) 939-8078

Property Owner Phone #: (  )

Signature: Date: 2/14/19

Applicants shall review and comply with all procedures as detailed in DMC 14.72 prior to submitting your application.

A. Description of Proposal

If this proposal is for a non-site specific amendment, provide the specific language for the proposed amendment in the space below or attach to this form. Reference the Comprehensive Plan pages or sections to be amended.

If this proposal is for a site-specific amendment:

What is the current Comprehensive Plan land use designation and zoning? Public Facilities

What is your desired Comprehensive Plan land use designation and zoning? Residential 8 Units Per Acre

Describe what type of development is envisioned for the area proposed for amendment. A conceptual drawing of the proposed development may be required.

The City will surplus this property in the future and would like to analyze zoning possibilities as part of the zoning process.
What land uses are located on and adjacent to the area proposed for amendment?
South – Riverview School District; West – King County Fire District #45; East—Residential; North—Residential

Please answer the following questions as how the proposed amendment relates to the following criteria:

1. Conditions in the vicinity of the proposal have markedly changed since the subject property was designated, and under those changed conditions, a plan amendment is within the public interest.
   Not Applicable.

2. The proposal is limited in scope and can fit within the Planning Department's work program for the current year.
   Yes. This proposal is for the rezoning and rezone of a single parcel.

3. The proposal is correcting an inconsistency within the Plan or is a clarification of the Plan.
   This proposal is not regarding any inconsistency within the Plan.

4. The public interest is served by dealing with the proposal at the present time rather than later.
   Yes. It is not in the City's best interest to surplus property that is designated and zoned public facilities.

5. The proposal is not already being addressed by an ongoing or already scheduled project.
   No.

6. The proposal bears a substantial relation to the promotion and preservation of public health, safety and welfare.
   Not Applicable.

7. It is consistent with the Growth Management Act.
   Yes. A re-designation and rezone of a property to a zone similar to neighboring parcels is permissible within the GMA.

8. It is consistent with the King County Countywide Planning Policies
   Yes. This proposal does not violate any KCCPPs.
9. It is consistent with the rest of the City of Duvall Comprehensive Plan.
   Yes.

10. The proposal will result in long-term benefits to the community as a whole and is in the best interest of the community.
    Yes.
Comprehensive Plan Amendment Application

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FOR STAFF USE ONLY

File No.: Received By: Date Received:

APPLICANT:
Applicant Name: Larissa A. Polanco
Applicant Address: 14525 Main Street NE
Applicant Phone #: (425) 938-8040
Signature: [Signature] Date: 1/2/2019

OWNER (if other than applicant):
Property Owner Name: City of Duvall
Property Owner Address: same
Property Owner Phone #: (same)
Signature: Date: 1/2/2019

Applicants shall review and comply with all procedures as detailed in DMC 14.72 prior to submitting your application.

A. Description of Proposal

If this proposal is for a non-site specific amendment, provide the specific language for the proposed amendment in the space below or attach to this form. Reference the Comprehensive Plan pages or sections to be amended.

This is a proposed amendment to revise the Capital Facilities Element (Chapter 7) of the 2015 Comprehensive Plan, as required, to address and update the City Facilities Inventory Summary and Plan. These proposed updates will be reviewed and evaluated with respect to the Goals and Policies of the City’s Comprehensive Plan. The proposed amendment would update City Facilities (buildings, etc.) related components of the Comprehensive Plan as required to provide consistency with the City Facilities Inventory Summary and Plan.

If this proposal is for a site-specific amendment:

What is the current Comprehensive Plan land use designation and zoning? NA

What is your desired Comprehensive Plan land use designation and zoning? NA

Describe what type of development is envisioned for the area proposed for amendment. A conceptual drawing of the proposed development may be required.

NA

CONTINUED ON BACK PAGE
What land uses are located on and adjacent to the area proposed for amendment?
NA

Please answer the following questions as how the proposed amendment relates to the following criteria:

1. Conditions in the vicinity of the proposal have markedly changed since the subject property was designated, and under those changed conditions, a plan amendment is within the public interest.
   
   *This is a non-project action.*

2. The proposal is limited in scope and can fit within the Planning Department’s work program for the current year.
   
   *This is a non-project action.*

3. The proposal is correcting an inconsistency within the Plan or is a clarification of the Plan.
   
   *This is a non-project action.*

4. The public interest is served by dealing with the proposal at the present time rather than later.
   
   *This is a non-project action.*

5. The proposal is not already being addressed by an ongoing or already scheduled project.
   
   *This is a non-project action.*

6. The proposal bears a substantial relation to the promotion and preservation of public health, safety and welfare.
   
   *This is a non-project action.*

7. It is consistent with the Growth Management Act.
   
   *This is a non-project action.*

8. The proposal is consistent with the King County Countywide Planning Policies
   
   *This is a non-project action.*

9. It is consistent with the rest of the City of Duvall Comprehensive Plan.
   
   *This is a non-project action.*

10. The proposal will result in long-term benefits to the community as a whole and is in the best interest of the community.
    
    *This is a non-project action.*
Comprehensive Plan Amendment Application

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FOR STAFF USE ONLY

APPLICANT:  
Applicant Name: Larissa A. Polanco  
Applicant Address: 14525 Main Street NE  
Applicant Phone #: (425) 939-8040  
Signature: Date: 1/2/2019

OWNER (if other than applicant):  
Property Owner Name: City of Duvall  
Property Owner Address: same  
Property Owner Phone #: (same)

Applicants shall review and comply with all procedures as detailed in DMC 14.72 prior to submitting your application.

A. Description of Proposal

If this proposal is for a non-site specific amendment, provide the specific language for the proposed amendment in the space below or attach to this form. Reference the Comprehensive Plan pages or sections to be amended.

This is a proposed amendment to update the 6-year Transportation Improvement Program (TIP) project list as adopted by reference in the Transportation Element (Chapter 6) of the City’s 2015 Comprehensive Plan, as required, to provide consistency with the 2020-2025 TIP 6-year project list update for the Transportation Network. The proposed TIP project list will be reviewed and evaluated with respect to the Goals and Policies which guide the nature of development of the Comprehensive Plan. The proposed amendment would update transportation related components of the Comprehensive Plan, as required, and provide consistency with the adopted Transportation Plan.

If this proposal is for a site-specific amendment:

What is the current Comprehensive Plan land use designation and zoning? NA

What is your desired Comprehensive Plan land use designation and zoning? NA

Describe what type of development is envisioned for the area proposed for amendment. A conceptual drawing of the proposed development may be required.

NA

CONTINUED ON BACK PAGE
What land uses are located on and adjacent to the area proposed for amendment?

NA

Please answer the following questions as how the proposed amendment relates to the following criteria:

1. Conditions in the vicinity of the proposal have markedly changed since the subject property was designated, and under those changed conditions, a plan amendment is within the public interest.
   
   *This is a non-project action, projects within the 6-year TIP may be constructed in the 2020-2025 time period.*

2. The proposal is limited in scope and can fit within the Planning Department's work program for the current year.
   
   *This is a non-project action, projects within the 6-year TIP may be constructed in the 2020-2025 time period.*

3. The proposal is correcting an inconsistency within the Plan or is a clarification of the Plan.
   
   *This is a non-project action, projects within the 6-year TIP may be constructed in the 2020-2025 time period.*

4. The public interest is served by dealing with the proposal at the present time rather than later.
   
   *This is a non-project action, projects within the 6-year TIP may be constructed in the 2020-2025 time period.*

5. The proposal is not already being addressed by an ongoing or already scheduled project.
   
   *This is a non-project action, projects within the 6-year TIP may be constructed in the 2020-2025 time period.*

6. The proposal bears a substantial relation to the promotion and preservation of public health, safety and welfare.
   
   *This is a non-project action, projects within the 6-year TIP may be constructed in the 2020-2025 time period.*

7. It is consistent with the Growth Management Act.
   
   *This is a non-project action, projects within the 6-year TIP may be constructed in the 2020-2025 time period.*

8. The proposal is consistent with the King County Countywide Planning Policies
   
   *This is a non-project action, projects within the 6-year TIP may be constructed in the 2020-2025 time period.*

9. It is consistent with the rest of the City of Duvall Comprehensive Plan.
   
   *This is a non-project action, projects within the 6-year TIP may be constructed in the 2020-2025 time period.*

10. The proposal will result in long-term benefits to the community as a whole and is in the best interest of the community.
    
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Applicants shall review and comply with all procedures as detailed in DMC 14.72 prior to submitting your application.

A. Description of Proposal
   If this proposal is for a **non-site specific amendment**, provide the specific language for the proposed amendment in the space below or attach to this form. Reference the Comprehensive Plan pages or sections to be amended.

   This is a proposed amendment to update the 6-year Capital Facilities Capital Improvement Program (CIP) project list, as adopted by reference in the 2015 Comprehensive Plan, as required, to provide consistency with the 2020-2025 CIP 6-year project list update for Government Facilities, Parks and Recreation, Water, Sewer, and Stormwater Systems. The proposed CIP project lists will be reviewed and evaluated with respect to the Goals and Policies which guide the nature of development of the Comprehensive Plan. This proposed amendment would update Capital Facility-related components of the Comprehensive Plan to provide consistency with the CIP updates.

   If this proposal is for a **site-specific amendment**:

   What is the current Comprehensive Plan land use designation and zoning? NA

   What is your desired Comprehensive Plan land use designation and zoning? NA

   Describe what type of development is envisioned for the area proposed for amendment. A conceptual drawing of the proposed development may be required.

NA

CONTINUED ON BACK PAGE
What land uses are located on and adjacent to the area proposed for amendment?

NA

Please answer the following questions as how the proposed amendment relates to the following criteria:

1. Conditions in the vicinity of the proposal have markedly changed since the subject property was designated, and under those changed conditions, a plan amendment is within the public interest.
   
   *This is a non-project action, projects within the 6-year CIP may be constructed in the 2020-2025 time period.*

2. The proposal is limited in scope and can fit within the Planning Department’s work program for the current year.
   
   *This is a non-project action, projects within the 6-year CIP may be constructed in the 2020-2025 time period.*

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5. The proposal is not already being addressed by an ongoing or already scheduled project.
   
   *This is a non-project action, projects within the 6-year CIP may be constructed in the 2020-2025 time period.*

6. The proposal bears a substantial relation to the promotion and preservation of public health, safety and welfare.
   
   *This is a non-project action, projects within the 6-year CIP may be constructed in the 2020-2025 time period.*

7. It is consistent with the Growth Management Act.
   
   *This is a non-project action, projects within the 6-year CIP may be constructed in the 2020-2025 time period.*

8. The It is consistent with the King County Countywide Planning Policies
   
   *This is a non-project action, projects within the 6-year CIP may be constructed in the 2020-2025 time period.*

9. It is consistent with the rest of the City of Duvall Comprehensive Plan.
   
   *This is a non-project action, projects within the 6-year CIP may be constructed in the 2020-2025 time period.*

10. The proposal will result in long-term benefits to the community as a whole and is in the best interest of the community.

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This form must be completed (clearly printed or typed) and submitted to the City. In addition, the applicant shall provide all information and fees as determined by the Planning Director (see attached Fee Schedule). For questions, please contact the Planning Department at (425) 788-2779.

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**APPLICANT:**

- **Applicant Name:** Larissa A. Polanco
- **Applicant Address:** 14525 Main Street NE
- **Applicant Phone #:** (425) 939-8040

**Owner (if other than applicant):**

- **Property Owner Name:** City of Duvall
- **Property Owner Address:** same
- **Property Owner Phone #:** same

**Signature:**

- **Date:** 1/2/2019

Applicants shall review and comply with all procedures as detailed in DMC 14.72 prior to submitting your application.

A. Description of Proposal

If this proposal is for a **non-site specific amendment**, provide the specific language for the proposed amendment in the space below or attach to this form. Reference the Comprehensive Plan pages or sections to be amended.

This is a proposed amendment to revise any and all applicable sections of the 2015 Comprehensive Plan, as required, to address the compliance with the Americans with Disabilities Act (ADA) requirements and regulations. This may include, but is not limited to, new code and standards based on the incorporation, guidance, or application of current best management practices (BMPs) within the ADA Transition Plan. The proposed amendment would update non-motorized transportation components of the Comprehensive Plan as required to provide consistency with the ADA Transition Plan.

If this proposal is for a **site-specific amendment:**

- **What is the current Comprehensive Plan land use designation and zoning?** NA
- **What is your desired Comprehensive Plan land use designation and zoning?** NA
- **Describe what type of development is envisioned for the area proposed for amendment. A conceptual drawing of the proposed development may be required.** NA

CONTINUED ON BACK PAGE
What land uses are located on and adjacent to the area proposed for amendment?

NA

Please answer the following questions as how the proposed amendment relates to the following criteria:

1. Conditions in the vicinity of the proposal have markedly changed since the subject property was designated, and under those changed conditions, a plan amendment is within the public interest.

   This is a non-project action.

2. The proposal is limited in scope and can fit within the Planning Department's work program for the current year.

   This is a non-project action.

3. The proposal is correcting an inconsistency within the Plan or is a clarification of the Plan.

   This is a non-project action.

4. The public interest is served by dealing with the proposal at the present time rather than later.

   This is a non-project action.

5. The proposal is not already being addressed by an ongoing or already scheduled project.

   This is a non-project action.

6. The proposal bears a substantial relation to the promotion and preservation of public health, safety and welfare.

   This is a non-project action.

7. It is consistent with the Growth Management Act.

   This is a non-project action.

8. The It is consistent with the King County Countywide Planning Policies

   This is a non-project action.

9. It is consistent with the rest of the City of Duvall Comprehensive Plan.

   This is a non-project action.

10. The proposal will result in long-term benefits to the community as a whole and is in the best interest of the community.

    This is a non-project action.
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APPLICANT:

Applicant Name: Larissa A. Polanco
Applicant Address: 14525 Main Street NE
Applicant Phone #: (425) 939-6040

Signature: [Signature] Date: 1/2/2019

APPLICANT shall review and comply with all procedures as detailed in DMC 14.72 prior to submitting your application.

A. Description of Proposal

If this proposal is for a **non-site specific amendment**, provide the specific language for the proposed amendment in the space below or attach to this form. Reference the Comprehensive Plan pages or sections to be amended.

This is a proposed amendment to revise the Capital Facilities Element (Chapter 7), of the 2015 Comprehensive Plan, as required, to address and update the Sewer System Capital Improvement Program (CIP). These proposed updates will be reviewed and evaluated with respect to the Goals and Policies of the City’s Comprehensive Plan. The proposed amendment would update sewer related components of the Comprehensive Plan as required to provide consistency with the CIP update.

If this proposal is for a **site-specific amendment**:

What is the current Comprehensive Plan land use designation and zoning? **NA**

What is your desired Comprehensive Plan land use designation and zoning? **NA**

Describe what type of development is envisioned for the area proposed for amendment. A conceptual drawing of the proposed development may be required.

**NA**

CONTINUED ON BACK PAGE
What land uses are located on and adjacent to the area proposed for amendment?
NA

Please answer the following questions as how the proposed amendment relates to the following criteria:

1. Conditions in the vicinity of the proposal have markedly changed since the subject property was designated, and under those changed conditions, a plan amendment is within the public interest.
   
   *This is a non-project action.*

2. The proposal is limited in scope and can fit within the Planning Department's work program for the current year.

   *This is a non-project action.*

3. The proposal is correcting an inconsistency within the Plan or is a clarification of the Plan.

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6. The proposal bears a substantial relation to the promotion and preservation of public health, safety and welfare.

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APPLICANT: 

Applicant Name: City of Duvall 
Applicant Address: 15535 Main Street NE 
Applicant Phone #: (425) 939-8078 

Signature: Date: 

OWNER (if other than applicant): 

Property Owner Name: NA 
Property Owner Address: NA 
Property Owner Phone #: NA 
Signature: Date: 

Applicants shall review and comply with all procedures as detailed in DMC 14.72 prior to submitting your application.

A. Description of Proposal

If this proposal is for a **non-site-specific amendment**, provide the specific language for the proposed amendment in the space below or attach to this form. Reference the Comprehensive Plan pages or sections to be amended.

*This is a proposed amendment to the EIS Addendum to the Environmental Impact Statement to the City’s 2015 Comprehensive Plan that was issued on November 14, 2018 to allow for vesting of to existing regulations for three parcels within the City’s North Urban Growth Area Reserve that were re-designated from NUGA Reserve to Public Facilities in 2018 (specifically, in conjunction with any Memorandum of Understanding between the City and the Riverview School District to allow the School District to vest to current Critical Area regulations and Tree Protection Standards).*

If this proposal is for a **site-specific amendment**: N/A

What is the current Comprehensive Plan land use designation and zoning? N/A

What is your desired Comprehensive Plan land use designation and zoning? N/A

Describe what type of development is envisioned for the area proposed for amendment. A conceptual drawing of the proposed development may be required.

*This is not a site-specific amendment; however, the Riverview School District is looking to develop property in the future on three parcels south of Cedarcrest Highschool.*

CONTINUED ON BACK PAGE
What land uses are located on and adjacent to the area proposed for amendment?

N/A

Please answer the following questions as how the proposed amendment relates to the following criteria:

1. Conditions in the vicinity of the proposal have markedly changed since the subject property was designated, and under those changed conditions, a plan amendment is within the public interest.

   Not Applicable; however, this proposed amendment is related to a proposed Memorandum of Understanding between the Riverview School District and the City. The proposed amendment is within the public interest as development of the school district property under City code would provide greater protection of sensitive areas and trees than under County code.

2. The proposal is limited in scope and can fit within the Planning Department’s work program for the current year.

   Yes, this proposal is related to the proposed Memorandum of Understanding between the City and Riverview School District and can fit within the Planning Department’s work program for 2019.

3. The proposal is correcting an inconsistency within the Plan or is a clarification of the Plan.

   The proposal is seeking an amendment to the 2018 addendum to the EIS for the City’s 2015 Comprehensive Plan to allow for vesting of City regulations.

4. The public interest is served by dealing with the proposal at the present time rather than later.

   Yes, the City re-designated the property from North UGA Reserve to Public Facilities on the Future Land Use Map within the City’s Comprehensive Plan. The school district is looking for certainty as it plans for future development of the subject property.

5. The proposal is not already being addressed by an ongoing or already scheduled project.

   This proposal is not already being addressed by an ongoing or already scheduled project; however, it is related to a proposed MOU currently within process.

6. The proposal bears a substantial relation to the promotion and preservation of public health, safety and welfare.

   The proposal would ensure development within the school district's property adheres to stricter city development code over county regulation.

7. It is consistent with the Growth Management Act.

   This proposal is consistent with the Growth Management Act.

8. The proposal is consistent with the King County Countywide Planning Policies.

   This proposal is consistent with KCCPPs.

9. It is consistent with the rest of the City of Duvall Comprehensive Plan.

   This proposal would be consistent with the rest of the City’s Comprehensive Plan.

10. The proposal will result in long-term benefits to the community as a whole and is in the best interest of the community.

    Yes, adhering to City regulation is in the best interest of the community.
FACT SHEET

Name of Proposal
North Urban Growth Area Reserve Amendment to the City of Duvall 2015 Comprehensive Plan

Proponent
City of Duvall

Project Location
The City of Duvall (City) encompasses approximately 2.5 square miles and is surrounded by unincorporated King County. The city is bounded on the west by the Snoqualmie River, the east by 284th Avenue NE, the north by NE Cherry Valley Road, and the south by NE Big Rock Road. This Environmental Impact Statement (EIS) Addendum pertains specifically to a 62.5-acre portion of the North Urban Growth Area Reserve (UGA-Reserve North), located at 29131 NE 150th Street on the east side of Duvall; see Figure 1.

Proposed Action
The proposed non-project action would change the Future Land Use Map and text within the 2015 Comprehensive Plan (City of Duvall, 2017) to allow the annexation of three parcels into the City that are designated as part of the UGA-Reserve North with pre-designated zoning of Public Facilities (PF). With annexation these parcels would be designated for zoning as Public Facilities (PF), with the intention of their use by the Riverview School District (RSD) for a new school and associated facilities, and potentially other RSD facilities associated with Cedarcrest High School and bus operations prior to development of a new school.

Background
A Final EIS issued in 2016 considered five alternatives, including a No Action Alternative and the City’s Preferred Alternative for updates to the City’s Comprehensive Plan (City of Duvall, 2017). All alternatives were based on the same projected growth targets, but varied in approach to where the growth would be distributed. Alternative 2: Urban Growth Area Reserve in the Final EIS accommodated growth upon annexation of the UGA-Reserve to the east of the city, including the UGA-Reserve North where these three parcels are located. For purposes of evaluation and planning within the Comprehensive Plan (City of Duvall, 2017) and Final EIS, the UGA-Reserve was divided approximately in half, with the UGA-Reserve North area extending to the east of 284th Avenue NE, northeast of Batten Road NE, and south of NE 150th Street NE, and the UGA-Reserve South area extending to the south of Batten Road NE and to the north of NE Big Rock Road. Under Alternative 2 in the Final EIS, the full UGA-Reserve would have been assigned a pre-designation of R4/4.5. The City’s Preferred Alternative in the Final EIS was Alternative 5, which accommodated growth within the 2015 city limits plus annexation only of the North UGA. The Comprehensive Plan (City of Duvall, 2017) adopted in 2015 includes the full UGA-Reserve (North and South) as associated with the City, but did not propose any portion of it for annexation or pre-designation. See the Final EIS for specifics.
In 2018, the City received a proposal to develop three parcels in the UGA-Reserve North for a school facility. The proposal put forward by the property owner and RSD would be for future development of a 500-student middle school with supporting athletic facilities such as ball fields and their necessary structures. Prior to development of any future new school, RSD acknowledges that the site would likely be developed with a bus maintenance facility and facilities associated with the adjacent Cedarcrest High School, including an overflow parking lot and potentially athletic facilities. RSD indicates that any facilities constructed prior to development of a new school would be constructed to consider consistency with eventual full buildout of the three parcels.

The three parcels contain wetlands, a stream, forested areas, unpaved trails, a road, and two single-family homes and associated structures. Of the 62.5 total acres, approximately 25.5 acres (41%) are outside of sensitive areas and associated buffers (as required by current City code), and could be developed in the future.

State Environmental Policy Act (SEPA) Lead Agency
City of Duvall

SEPA Responsible Official and EIS Contact Person
Lara Thomas, Planning Director
City of Duvall
15535 Main Street NE
Duvall, WA 98019

Phone: (425) 939-8079
Email: Lara.thomas@duvallwa.gov

Final Action
Adoption of a Comprehensive Plan Amendment by the Duvall City Council

Required Permits and Approvals
- Identification of a Preferred Alternative
- Amendment of the King County Comprehensive Plan (King County, 2017)
- Adoption of revised maps and policy language for the 2015 Duvall Comprehensive Plan (City of Duvall, 2017)
- Land use and building permits required for future development of the site

Authors and Principal Contributors
This EIS Addendum was prepared under the direction of the City of Duvall Planning Department, in consultation with other City departments. Research and analysis associated with the EIS were provided by Environmental Science Associates (ESA).
Date of Issuance of this EIS Addendum
November 14, 2018.

The Final EIS modified by this addendum was issued on May 9, 2016.

Location of Background Data & Availability of the EIS Addendum

This EIS Addendum (or notice of availability) is being distributed to agencies, tribal governments, and organizations who previously received the Final EIS for the Comprehensive Plan Update, as required by Washington Administrative Code (WAC) 197-11-625, as well as those who received a notice of availability of that Final EIS.

The EIS Addendum, as well as the Draft and Final EIS (City of Duvall, 2015, 2016), may be viewed online and downloaded from the project website: http://www.duvallwa.gov/297/Comprehensive-Planning.

Copies of the EIS Addendum and Draft and Final EIS are also available at the following locations:

- Duvall Library, 15508 Main Street NE, Duvall, WA, 98019
- Duvall City Hall, 15535 Main Street NE, Duvall, WA, 98019

Copies are available to purchase for cost of reproduction by contacting the Duvall City Hall at (425) 788-1185.

EIS Addendum

The proposed Comprehensive Plan Amendment requires SEPA assessment, with review by the City as an Addendum to the Comprehensive Plan EIS (City of Duvall, 2016) (WAC 197-11-600). Under SEPA, an amendment of the Comprehensive Plan is considered a non-project action. This amendment does not satisfy SEPA requirements for an individual project action. This EIS Addendum uses analysis for Alternatives 2 and Alternatives 5 in the EIS and provides additional analysis and information where potential significant environmental impacts have been disclosed (WAC 197-11-625, -625). Alternative 2: Urban Growth Area Reserve accommodated growth upon annexation of the UGA-Reserve where these three parcels are located, and Alternative 5: Preferred Alternative is the alternative that was adopted by the City. These modifications do not result in any new significant environmental impacts, and thus a supplemental EIS is not required (WAC 197-11-706).

This EIS Addendum updates Chapter 2, Proposed Action and Alternatives, and Chapter 6, Environmental Commitments, of the Final EIS as well as Chapter 3, Water Resources; Chapter 4, Earth, Chapter 6, Land Use and Housing; Chapter 6, Noise; Chapter 9, Public Services and Utilities; and Chapter 10, Transportation, in the Draft EIS.

Proposed Action

The proposed non-project action would change the Future Land Use Map and text within the Duvall Comprehensive Plan (City of Duvall, 2017) to allow the annexation of three parcels into the City that are designated as part of the UGA-Reserve North with pre-designated zoning of Residential 4-4.5 units per
These parcels would be designated for zoning as Public Facilities (PF) with the intention of their use by the Riverview School District (RSD) for a new school and associated facilities.

This EIS Addendum evaluates the potential impacts that could occur from the annexation of the three parcels in the UGA-Reserve North with a designated zoning of PF. This alternative is called Alternative 5 Plus, because it includes all components that were evaluated under Alternative 5 in the Final EIS, plus the annexation of the three parcels. Alternative 5 was adopted for the 2015 Comprehensive Plan. The environmental evaluation in this EIS Addendum relies on the existing analysis in the EIS (particularly Alternatives 2 and 5), plus additional information about the subject site. Alternative 2 considered impacts associated with annexation and development of the full UGA-Reserve with R4/4.5 residential use, and as such included the evaluation of existing conditions and potential impacts associated with development across the three parcels associated with the proposal.

Under Alternative 5 Plus, the King County household and employment growth targets would be accommodated within the current (2015) city limits and the North UGA consistent with the 2015 Future Land Use Map and Zoning Map and revised goals and policies in the adopted Comprehensive Plan (City of Duvall, 2017). In addition, the three parcels in the UGA-Reserve North would be designated PF (see Figure 1). Evaluation for this EIS Addendum assumes annexation of the three parcels and development consistent with the proposal. Housing development capacity would be the same as under Alternative 5 in the Final EIS as no additional residential zoning would be proposed for annexation. There would be a slight increase (less than 1%) in employment development capacity because of potential employment opportunities at a new school facility. Potential locations for a middle school were considered at a high level in the EIS and included locating the school outside of the city. Thus, potential employment from a school was not specifically considered in the employment growth used in the EIS.
The elements of the environment evaluated in the EIS include the following: water resources, earth, plants and animals, land use and housing, aesthetics, noise, public services and utilities, and transportation. Of these elements, the following are described below in this EIS Addendum. Impacts to aesthetics would not differ substantially from impact disclosed in the EIS:

- Water Resources
- Earth
- Plants and Animals
- Land Use and Housing
- Noise
- Public Services and Utilities
- Transportation
Water Resources

The three parcels proposed for annexation contain wetlands and a stream. Of the 62.5 total acres, approximately 25.5 acres (41%) are outside of sensitive areas and associated buffers (as required by the Duvall Municipal Code [DMC] 14.42), and could be developed in the future. This assumes that all on-site wetlands would be maintained with a 165-foot standard buffer and that the stream along the southeast project boundary (Cherry Creek Tributary D) would be maintained with a 75-foot standard buffer. Within the UGA Reserve-North, these wetlands are in a predominantly forested area and occur in a headwater position, draining to the upper reaches of Cherry Creek Tributary D (ESA, 2015). The Watershed Plan (developed by ESA for the City of Duvall) prioritizes the watersheds in the UGA-Reserve for conservation (ESA, 2015). The Watershed Plan suggests that any allowed development should ensure that intact water flow processes are maintained. The majority of the UGA-Reserve North area is mapped as a sediment sink (meaning areas that trap sediments, nutrients, and pathogens that could be detrimental to downstream water quality), further suggesting that limiting future development would help safeguard water quality in the subbasins and downstream within Cherry Creek. To maintain hydrologic and water quality conditions for on-site wetlands and streams, and downstream reaches of Cherry Creek Tributary D, any development would need to maximize the retention of existing vegetation and underlying native soils to the greatest extent feasible, including throughout buffers around all surface water features, and provide integrated low impact development (LID) measures within the overall site plan and the storm drainage plan.

As described in the Final EIS, future development in the UGA-Reserve areas under Alternative 2 would likely result in significant cumulative impacts to water resources. Alternative 2 considered the environmental implications of residential development at 4 or 4.5 units per acre throughout the UGA-Reserve area. Sensitive areas requirements, which would apply both during construction and upon completion, would minimize the potential for impacts to water resources; however, not all impacts would be avoided due to the ecological importance and existing conditions throughout the UGA-Reserve areas.

The current proposal (Alternative 5 Plus) is for three parcels at the north edge of the UGA-Reserve areas – approximately 20% of the full 307 acres that were evaluated under Alternative 2. In addition to the reduced extent of potential future impacts, the zoning of the three parcels as PF rather than residential would result in a different form of development. While many of the land use development standards required by the City would result in the same regulatory protections for water resources on the property (and downstream) no matter the future land use, there are several key differences. Future RSD use is anticipated to occur through phased implementation of a cohesive overall site plan. While maximizing the opportunity for property improvements and future RSD use of the proposed public facility area, an overall site plan will include assurance for “full” protection of on-site sensitive areas, including the headwater wetland complex draining to Cherry Creek Tributary D. For purposes of this evaluation, full protection means compliance with all applicable standards in effect at the time the development proposal is submitted.

With implementation of the City-adopted standards for sensitive areas, tree protection, and stormwater management, along with the additional conditions detailed in the Environmental Commitments section of this EIS Addendum, impacts to water resources under Alternative 5 Plus would be less than those described for the UGA-Reserve areas under Alternative 2 in the EIS. By complying with City standards in effect at the time the development proposal is submitted, and implementation of the mitigation conditions provided in the Environmental Commitments section of
This EIS Addendum, significant cumulative impacts to water resources described under Alternative 2 in the EIS would be avoided. Thus, cumulative impacts to water resources would be moderate.

Earth

The three parcels proposed for annexation have existing land cover patterns consistent with other undeveloped and rural properties throughout the UGA-Reserve, with second and third growth forest cover predominant. Soils and overlying vegetation throughout these three properties support important ecological processes, including surface storage of water, maintenance of stream baseflows, and water quality maintenance. No geologically hazardous areas are inventoried throughout the UGA-Reserve; however, downstream of the three parcels the Cherry Creek Tributary D channel flows through steep slopes and known landslide hazard areas. As noted in the Water Resources section, the majority of the UGA-Reserve North area is mapped as a sediment sink by the 2015 Watershed Plan (meaning it has many areas that trap sediments, nutrients, and pathogens that could be detrimental to downstream water quality). To maintain conditions for on-site resources and downstream reaches of Cherry Creek Tributary D, any development would need to maximize the retention of existing vegetation and underlying native soils to the greatest extent feasible, minimize the need for mass clearing within development areas, and provide integrated LID measures within the overall site plan and the storm drainage plan.

As described in the Final EIS, future development in the UGA-Reserve North area under Alternative 2 would likely result in significant cumulative impacts to earth resources. Alternative 2 considered the environmental implications of residential development at 4 or 4.5 units per acre throughout the UGA-Reserve area. The City’s land development standards (including clearing and grading, tree protection, sensitive areas, and stormwater) which would apply both during construction and upon completion, would minimize the potential for impacts to earth resources; however, not all impacts would be avoided due to the ecological importance and existing conditions throughout the UGA-Reserve areas.

As detailed in the Water Resources section of this EIS Addendum, the current proposal (Alternative 5 Plus) is for three parcels that would be designated PF at the north edge of the UGA-Reserve North area, reducing the extent of impact and resulting in a different form of development than what was evaluated under Alternative 2. Review of RSD conceptual development plans for a new school and associated facilities show that grading would be minimized in all areas surrounding on-site sensitive areas, limiting disturbance to native soils in areas most important for protection of earth resources. Proposed tree retention areas and stormwater wetland ponds are additionally located primarily around the perimeter of on-site wetlands, resulting in an overall development plan that avoids any grading or other soil disturbing activities across approximately 50% of the three parcels.

With implementation of the City-adopted standards for clearing and grading, sensitive areas, tree protection, and stormwater management, along with the additional conditions detailed in the Environmental Commitments section of this EIS Addendum, impacts to earth resources under Alternative 5 Plus would be less than those described for the UGA-Reserve areas under Alternative 2 in the EIS. By complying with City standards in effect at the time the development proposal is submitted, and implementation of the mitigation conditions provided in the Environmental Commitments section of this EIS Addendum, significant cumulative impacts to earth resources described under Alternative 2 in the EIS would be avoided. Thus, cumulative impacts to earth resources would be moderate.
Plants and Animals

The three parcels proposed for annexation contain extensive wetlands and the headwater reaches of Cherry Creek Tributary D, along with associated upland terrestrial habitat linking wetland and stream areas on-site and providing corridors to off-site habitats.

As described in the Final EIS, future development in the UGA-Reserve North area under Alternative 2 would likely result in significant cumulative impacts to plants and animals. Alternative 2 considered the environmental implications of residential development at 4 or 4.5 units per acre throughout the UGA-Reserve area. The City’s land development standards (including tree protection and sensitive areas standards), which would apply both during construction and upon completion, would minimize the potential for impacts to plants and animals; however, not all impacts would be avoided due to the ecological importance and existing conditions throughout the UGA-Reserve areas.

The current proposal would reduce the extent of impact and result in a different form of development (school facilities consistent with PF zoning, versus lower density residential) than what was evaluated under Alternative 2 (see Water Resources section for details). As demonstrated by RSD through conceptual development plans prepared in support of Comprehensive Plan amendment considerations, anticipated future development would maintain habitat conditions across approximately 50% of the three properties. The large majority of this area would be required to be protected consistent with sensitive areas standards for wetlands and streams. Conservation of habitat areas would also require consistency with City adopted fish and wildlife habitat conservation area and habitat corridor requirements. These standards, in conjunction with wetland and stream standards, would ensure that corridors of connection would be maintained across the site and to adjoining natural areas within the City and to the south and east.

With implementation of the City-adopted standards for sensitive areas and tree protection, along with the additional conditions detailed in the Environmental Commitments section of this EIS Addendum, impacts to plants and animals under Alternative 5 Plus would be less than those described for the UGA-Reserve areas under Alternative 2 in the EIS. By complying with City standards in effect at the time the development proposal is submitted, and implementation of the mitigation conditions provided in the Environmental Commitments section of this EIS Addendum, significant cumulative impacts to plants and animals described under Alternative 2 in the EIS would be avoided. Thus, cumulative impacts to plants and animals would be moderate.

Land Use and Housing

Impacts to land use would be minor, similar to those described in the Final EIS for Alternative 5, with the addition of urban development on the subject parcels. As described in Alternative 2 in the EIS, additional roads, utilities, and stormwater facilities would need to be constructed to develop this area. There would be noise, transportation, public services, and utility implications as described in the EIS.

Under Alternative 5 Plus, development of a portion of the UGA-Reserve North as a public facility (school) would be compatible with adjacent land uses, as the high school (zoned PF) is across the street to the north of these parcels. Neighboring parcels to the west, south, and east are residential, zoned for one dwelling unit per 5 acres. Most have one home per parcel, but one parcel to the southeast is undeveloped. A new school would create water, noise, transportation, public services, and utilities impacts similar to those described for Alternative 2 in the EIS (see discussion in the Land Use and Housing section). However, none would result in additional significant impacts.
**Noise**

Noise impacts from a school facility could be greater than from residential development at times, primarily because of outdoor activities and events; however, they would still be within the range of impacts evaluated for the EIS because any activities would have to adhere to the City noise regulations (DMC 6.04). In addition, environmental noise would be consistent with the character of noise occurring at the adjacent Cedarcrest High School. The existing high school, along with vegetated native growth protection areas that would be provided on the sides of the primary development site (where the future new school would be), would also provide attenuation between noise associated with a school and surrounding noise sensitive receptors. Impacts would thus be minor to moderate.

**Public Services and Utilities**

**Police and Fire**

Impacts to police and fire services under Alternative 5 Plus would be similar to those described in the EIS for Alternatives 2 and 5. Community demand for police and fire would increase as a result of development generally. Population and employment increases may result in an increase in police and fire response time to service calls because of an increase in traffic congestion. The proposed annexation under Alternative 5 Plus would not substantially affect population or employment.

**Parks and Recreation**

Population and job growth over the 20-year planning period would generate more demand for parks, recreation facilities, and open space across the city. Current deficiencies in meeting City-established level-of-service (LOS) standards will likely continue and result in moderate adverse impacts unless mitigation measures identified in the Final EIS are implemented. Under Alternative 5 Plus, construction of a school and associated sports facilities rather than residential development in a portion in the North UGA-Reserve would result in recreation opportunities without increasing population. This would be a beneficial impact and help mitigate potential deficiencies in City-established LOS standards.

**Schools**

The improvements identified in the 20-Year Capital Facilities Plan (RSD, 2017) would address the capacity deficiencies identified as a result of increased enrollment, assuming the RSD receives voter-approved funding. The City annually adopts the RSD Capital Facilities Plan, ensuring ongoing coordination between the City and the RSD (Thomas, 2015).

Potential locations for a new middle school were considered at a high level in the EIS and included existing school district property adjacent to Cedarcrest High School, along the NE Big Rock Road corridor, or outside the city limits. Development of the three parcels in the UGA-Reserve North was not specifically considered by RSD for a school or other facility at the time of publication of the EIS. Alternative 5 Plus would help RSD meet the need for additional capacity. The EIS included a mitigation measure to work with the RSD to site new facilities.

Under Alternative 5 Plus, the placement of a new school could influence transportation and residential development patterns, because schools within walking distance of homes are considered especially desirable. See the transportation analysis below.
Utilities

Population and commercial growth would increase demand on public and private utility infrastructure. Major improvements, as summarized in the Final EIS, should be implemented to support growth and to avoid moderate adverse impacts.

Under Alternative 5 Plus, the proposed annexation would not substantially affect population or employment, but would increase the demand for utilities. Sufficient sewer, water, and stormwater services are present to accommodate growth associated with Alternative 5 Plus, provided that growth is completed in accordance with Development Standards (City of Duvall, 2013). Impacts to public services and utilities would be minor.

Transportation

Transportation impacts expected under Alternative 5 Plus are similar to those identified in the EIS for Alternatives 2 and 5. However, the school facility associated with Alternative 5 Plus would create higher traffic during weekday AM and PM peak hours, and different distribution patterns than those described in the EIS. Although these impacts would be different than described in the EIS, a school facility in or near Duvall was considered and traffic created from a school was qualitatively considered.

With implementation of all adopted City-adopted street improvement standards for improving public streets and maintaining intersection level of service, along with the additional conditions detailed in the Environmental Commitments section of this EIS Addendum, transportation impacts under Alternative 5 Plus would be similar to our less than those described for the UGA-Reserve areas under Alternative 2 in the EIS. By complying with City standards in effect at the time the development proposal is submitted, and implementation of the mitigation conditions provided in the Environmental Commitments section of this EIS Addendum, impacts from the amendment to the Duvall Comprehensive Plan would not be significant and are in the range of impacts described in the Draft and Final EIS (City of Duvall, 2015, 2016).

Environmental Commitments

To limit potential impacts, the following conditions should be included within any annexation or development agreement associated with Alternative 5 Plus:

Water Resources, Earth Resources, and Plants and Animals

- Develop a comprehensive Habitat Management Plan (HMP) / Sensitive Areas Mitigation Plan for the site that identifies and incorporates opportunities to address past impairments to on-site fish and wildlife habitats and wetland hydrology, and that incorporates measures for adaptive management to be implemented during and following site development activities.

- Incorporate the designation of the site area as “highest priority for conservation” in development plans.

- Provide evaluation and calculations for tree credits, as required by DMC 14.40.050, achieving tree credit and retention above the minimum standards adopted by City code as follows:
  - For tree protection and the associated conservation of underlying native soils, any future development will exceed City requirements for tree density credit, including...
credit achieved through the retention of existing significant and exceptional trees (DMC 14.40).

- Achieve additional tree density credits, resulting in 50 or more credits per acre for all future development activities in the annexation area.
- Achieve a minimum of 60% of credit through retention of existing trees.
- Outside of credit for retention of viable exceptional trees, all other tree retention will be provided within tree groves (along with protection of associated native vegetation within subcanopies) that are adjacent to areas that are proposed to be set aside as native growth protection areas (sensitive areas and protected buffers), such that retained trees and underlying soils provide additional habitat, hydrologic, and water quality functions.

- Any future development of the three parcels will be required to meet the City’s adopted stormwater standards at the time of application (DMC 9.06), including the incorporation of LID techniques to the maximum extent feasible.

- Any development will complete site development that minimizes effective impervious surface through the use of pervious pavers and other pervious solutions for public facility landscaping and pedestrian facilities, required internal emergency access corridors, parking spaces, and athletic facilities.

- Any development will maximize opportunity for infiltration of stormwater runoff to the extent feasible consistent with underlying soil conditions; documentation of site conditions will be provided detailing the limits on infiltration consistent with City requirements.

- Open detention systems that are designed as a stormwater wetland ponds will be used to meet City-required detention and water quality treatment requirements. Alternative stormwater facilities may be approved by the City at the time of development application; however, any acceptable alternative will not include the use of detention vaults and will only be approved if it results in additional vegetated areas adjacent to protected wetlands and is shown to provide additional hydrologic and water quality functions and protections to receiving wetlands and downstream resources.

**Transportation**

- Evaluate opening year and 2035 conditions (weekday AM and PM peak) for a new school for the following State Route (SR) 203 intersections: NE Woodinville-Duvall Road, NE Stephens Street, NE 145th Street, and NE Big Rock Road.

- Address traffic operations and parking needs related to major school events at the site and how they would interact with major school events at the adjacent high school.

- Develop a Transportation Management Plan that includes the high school and the new facility.
References


Thomas, Lara. 2015. Planning Director, Duvall Planning Department, Duvall, WA. Email to Reema Shakra on annual adoption of school district capital facilities plans, August 20, 2015.
Subject: Memorandum of Understanding between the Riverview School District and the City of Duvall – framework for annexation and vesting

Document Type: Other Memorandum of Understanding

Department: Community Development

Contact: Lara Thomas

Attorney Review: Complete

Planning Commission Recommendation: Pending

Handling: Normal

Deadline Date: n/a

Needed from Council: Direction

Recommendation:
At a future meeting, the Council will hold a public hearing and will be asked to approve and authorize the mayor to sign the resolution and Memorandum of Understanding between the Riverview School District and the City of Duvall (framework for annexation and vesting).

At this time, staff is looking for direction on changes discussed at the last Council meeting.

Council Review History:
- Introduced and Council discussion during Committee of the Whole on 12/18/2018
- Continued discussion during Committee of the Whole and in the Administration Presentation during the Council Meeting on 1/15/19
- Council discussion under New Business on 2/19/19
- Council discussion under Unfinished Business 3/5/19

Attachments:
- Updated MOU – emailed March 18, 2019

Routing:
Director: Lara Thomas
Approved: lt 2/18/2019
Administrator: Approved:
Key Facts and Information Summary

The Riverview School District (RSD) and Scott Lennon applied for a Comprehensive Plan Amendment in 2018 to remove parcels from the North UGAR and place them in a separate UGA designation (RSD UGA) and prezone the parcels to Public Facilities. The amendments was approved in 2018. RSD submitted a Memorandum of Understanding (MOU) to set a framework for annexation and vesting of the parcels in the near future. Staff completed the review of the MOU. The Planning Commission is scheduled to hold a public hearing on April 10th and Council on April 16th.

The applicant has requested vesting of sensitive areas and tree policies for a period of ten years (Section 2). The MOU would require an amendment to the Environmental Impact Statement Addendum completed as part of the 2018 Comprehensive Plan Amendment. The addendum allowed the parcels to be removed from the NUGAR. The parcels were then placed in a separate UGA for the purpose of developing the site under the Public Facilities zoning designation and more specifically the Riverview School District intends on improving the three parcels to accommodate for future growth. Staff will process the EIS amendment to the addendum to allow for the vesting of the two polices under the environmental commitments section. This will be completed as part of the 2019 Comprehensive Plan Amendments. If council approves the MOU, the District will apply for annexation in 2019.
MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN THE CITY OF DUVALL
AND THE RIVERVIEW SCHOOL DISTRICT NO. 407
REGARDING VESTING TO CERTAIN DEVELOPMENT REGULATIONS

THIS MEMORANDUM OF UNDERSTANDING (“Agreement”) is made and entered into this _____ day of _______________, 2019, by and between the City of Duvall, Washington a municipal corporation (the “City”) and the Riverview School District No. 407, a political subdivision of the State of Washington (the “District”), collectively, the “Parties.”

RECITALS

A. The District is a public school district with service area boundaries that include the City. The District has identified that additional property is required to service the District’s future school purposes and needs. The District has located three contiguous parcels, totaling 62.56 acres, and located currently immediately adjacent to the City and within the Urban Growth Area. The three parcels are identified by King County Parcel Identification Numbers 1826079016, 1826079015, and 1726079040 (collectively, the “Acquisition Properties”).

B. The City Council approved on December 4, 2018, Resolution #18-17 amending the Future Land Use Map of the City’s Comprehensive Plan to change the future land use designation of the Acquisition Properties from North Urban Growth Area Reserve to Public Facilities (the “2018 Comprehensive Plan Map Amendment”).

C. The City issued an Addendum to the 2015 Comprehensive Plan Environmental Impact Statement on November 14, 2018 (the “EIS Addendum”) to support the 2018 Comprehensive Plan Map Amendment. The EIS Addendum contains conditions to be included within an annexation or development agreement to limit potential impacts of development of the Acquisition Properties.

D. The EIS Addendum references compliance of future development of the Acquisition Properties with all applicable standards in effect at time the development proposal is submitted.

E. The District’s purchase of the Acquisition Properties is contingent upon, among other things, the City’s annexation of the Acquisitions Properties to enable the District to seek permitting by the City of future school facilities on the Acquisition Properties.

F. The District has performed preliminary due diligence reports on the Acquisitions Properties as further detailed herein (the “Sensitive Area and Tree Information”) and submitted such reports to the City as a part of the Comprehensive Plan amendment process.
G. The District will have exclusive ownership and control of the Acquisitions Properties following closing of the purchase (the “Closing”).

H. The District anticipates that, while it may utilize the Acquisitions Properties for some school purposes following Closing, it will not construct all of the anticipated School Facilities, as defined herein, on the Acquisitions Properties until several years after Closing. However, the District anticipates that it will need in the future to fully utilize the developable portions of the Acquisitions Properties for the School Facilities.

I. The District desires through this Agreement and in a future annexation or development agreement, some assurance that it will be able to develop the Acquisitions Properties for the intended School Facilities assuming current Existing Sensitive Areas and Tree Protection Regulations (as defined herein).

J. The District recognizes that the City would need to take future action, at the City’s discretion, to revise the EIS Addendum to provide a baseline for such assurances related to development of the Acquisition Properties using current Existing Sensitive Areas and Tree Protection Regulations.

K. The City believes that the development of the School Facilities will provide significant benefit to the City and its citizens through the provisions of critical public infrastructure, educational programming, and community use opportunities.

L. The City desires to provide the District with a framework for securing certain assurances relating to future development of the Acquisitions Properties if developed by the District for the School Facilities within an agreed time period.

M. The District and the City anticipate that, as a part of any annexation activity, the Parties would enter into a development agreement under the authority of RCW 36.70B.170 as a proper exercise of the City’s police power. In advance of such agreement, the District and the City desire to enter into this Agreement to document the Parties’ intent related to development of the Acquisition Properties pursuant to and consistent with the Existing Sensitive Areas and Tree Protection Regulations and the Sensitive Area and Tree Information.

NOW, THEREFORE, in consideration of the promises and of the agreements herein set forth, the Parties agree as follows:

Section 1. Definitions. As used in this Agreement, the following terms, phrases and words shall have the meanings and be interpreted as set forth in this Section. Terms, phrases and words defined in the Recitals are incorporated herein by reference.

A. “Adopting Resolution” means the Resolution which approves this Agreement.

B. “City Code” means the City municipal code in effect as of the date hereof.
C. “Council” means the duly elected legislative body governing the City of Duvall.

D. “Development Agreement” means any development agreement executed by the Parties pursuant to the authority of RCW 36.70B.170.

E. “Director” means the City’s Community Development Director.

F. “Effective Date” means the effective date of the Adopting Resolution.

G. “Environmental Commitments” means those specific conditions included on pages 10 and 11 in the EIS Addendum to limit impacts to Water/Earth Resources, Plants and Animals, and Transportation.

G. “Existing Sensitive Areas and Tree Protection Regulations” means the ordinances adopted by the City Council of Duvall in effect on the Effective Date of this Memorandum of Understanding and as contained in Chapter 14.42, Sensitive Areas of the City Code and Chapter 14.40, Tree Protection of the City Code, both chapters as attached in full hereto.

H. “School Facilities” means any use or development of the Acquisition Properties for permanent or temporary buildings, parking, access roads, playfields, open space, stormwater facilities, any other ancillary needs associated with the use of the Acquisition Properties for educational and school purposes, as illustrated by way of example on the Highest and Best Use School Facilities Site Plan attached hereto.

I. “Sensitive Area and Tree Information” means the following documents for the Acquisition Properties on file with the Director as of the date hereof: (i) Critical Area Maps, dated October 2018, prepared by Blue Line Group; (ii) Consistency Evaluations for Habitat Corridor Protection Standards pursuant to DMC 14.42.350 and Fish and Wildlife Conservation Areas pursuant to DMC 14.42.360, dated October 14, 2018, prepared by Blue Heron Services; (iii) Arborists Reports, dated October 11, 2018, prepared by ABC Herron Tree LLC; and (iv) Wetland Information, dated October 11, 2018, prepared by Blue Heron Services, all as included in the record for the 2018 Comprehensive Plan Map Amendment.

Section 2. Term of Agreement. This Agreement shall commence upon the Effective Date of the Adopting Resolution approving this Agreement, and shall continue in force until the earlier of (1) the Parties’ execution of the Development Agreement; or (2) for a period of ten (10) years from the date of this Agreement unless extended or terminated as provided herein. Following the expiration of the term or extension thereof, or if sooner terminated, this Agreement shall have no force and effect.

Section 3. Certain Vested Rights of District. The terms of any annexation or development agreement shall, if supported by a preceding revision to the EIS Addendum, provide the District with assurances that the Existing Sensitive Areas and Tree Protection Regulations shall apply to any development of the Acquisition Properties for School Facilities and that the City will look to the Sensitive Area and Tree Information, as updated for purposes of compliance with the Environmental Commitments, for purposes of evaluating compliance with the same.
Section 4. **Permitted Uses and Development Standards.** Other than the specific agreements as set forth herein, the permitting and construction of the School Facilities shall be subject to and in compliance with the City Code provisions and any other applicable regulations in effect at the time of any development application.

Section 5. **Environmental Commitments.** To limit potential environmental impacts from development of the School Facilities, the City will determine the timing, sequence, and implementation of the Environmental Commitments.

Section 6. **Impacts to Sensitive Areas.** Any annexation or development agreement will include the District’s agreement to not impact sensitive areas beyond those impacts shown on the highest and best use depicted on Exhibit A hereto and minimal buffer impacts as allowed by applicable development regulations to address trails construction and public infrastructure needs for utilities to the Acquisition Properties and site frontage on NE 150th Street.

Section 7. **Future Amended Sensitive Area and Tree Protection Regulations.** Nothing herein shall be deemed to limit the District’s discretion to comply with any future amended sensitive area and tree protection regulations that the City may adopt as replacements to the Existing Sensitive Area and Tree Protection Regulations.

Section 8. **Property Transfer; No Third Party Rights.** This Agreement and the District’s rights as set forth herein shall be specific to the Acquisition Properties with the District as owner of such properties. The District shall have no right to sell, assign or transfer this Agreement with all their rights, title and interests therein to any person, firm or corporation at any time during the term of this Agreement. Without limiting the foregoing and by way of example only, any third party owner of all or any portion of the Acquisition Properties shall have no rights under this Agreement.

Section 9. **Termination.** This Agreement shall expire and/or terminate as provided below:

A. This Agreement shall expire and be of no further force and effect if the District fails to purchase the Acquisition Properties by the Closing date, including any agreed extension of such Closing date; provided that, the District’s decision to purchase some but not all of the Acquisition Properties shall not result in any termination of this Agreement but shall instead redefine the Acquisition Properties to include only the property(ies) purchased by the District as of the Closing date.

B. This Agreement shall expire and be of no further force and effect if the District does not construct the School Facilities as contemplated by this Agreement but instead submits applications for development of the Acquisition Properties that is substantially inconsistent with use of the Acquisition Properties for school purposes.

C. This Agreement shall terminate upon the expiration of the term identified in Section 2.
Section 7. **Effect upon Termination on District Obligations.** Termination of this Agreement as to Acquisition Properties or any portion thereof shall not affect any of the District’s obligations to comply with the City Comprehensive Plan, City Code and the terms and conditions or any applicable zoning code(s) or subdivision map or other land use entitlements approved with respect to the Acquisition Properties, or obligations to pay assessments, liens, fees or taxes.

Section 8. **Applicable Law and Attorneys’ Fees.** This Agreement shall be construed and enforced in accordance with the laws of the State of Washington. If litigation is initiated to enforce the terms of this Agreement, the prevailing party shall be entitled to recover its reasonable attorneys’ fees and costs from the non-prevailing party. Venue for any action shall lie in King County Superior Court or the U.S. District Court for Western Washington.

Section 9. **Severability.** If any phrase, provision or section of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, or if any provision of this Agreement is rendered invalid or unenforceable according to the terms of any statute of the State of Washington which became effective after the effective date of the ordinance adopting this Agreement, and either party in good faith determines that such provision or provisions are material to its entering into this Agreement, that party may elect to terminate this Agreement as to all of its obligations remaining unperformed.

Section 10. **Attached Exhibits:** The Parties acknowledge the following exhibits attached to this Agreement:

- Exhibit A: School Facilities Highest and Best Use Site Plan
- Exhibit B: Chapter 14.40 DMC
- Exhibit C: Chapter 14.42 DMC
- Exhibit D: 2015 Comprehensive Plan Environmental Impact Statement Addendum

**SIGNATURES FOLLOW**
IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the dates set forth below.

RIVERVIEW SCHOOL DISTRICT NO. 407

By ________________________________
Its Superintendent

CITY OF DUVALL

By ________________________________
Its Mayor

ATTEST:

By ________________________________
City Clerk

APPROVED AS TO FORM:

By ________________________________
City Attorney
EXHIBIT A
HIGHEST AND BEST USE SCHOOL FACILITIES SITE PLAN