



1                   1)     Is owned by or under the control of a regional transit authority  
2                   authorized under Chapter 81.112 RCW for the purpose of developing a light rail  
3                   transit station; and

4                   2)     Is contiguous or is bisected only by streets, alleys, or other public  
5                   rights of way.

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7                   b. The proposed development agreement may set forth development standards  
8                   that vary from otherwise applicable development regulations, subject to the following  
9                   limitations:  
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11                   1)     Any additional structure height allowed may not exceed 85 feet,  
12                   except, where the underlying zone designation is Neighborhood Commercial,  
13                   structures may exceed 85 feet as provided for in subsection 23.47A.012.D;

14                   2)     Uses prohibited in the underlying zone shall not be permitted;

15                   3)     FAR requirements may be varied for an individual lot, however,  
16                   the total FAR as calculated for all lots under the proposed development agreement  
17                   shall not exceed six;

18                   4)     Variations of Green Factor requirements for an individual lot shall  
19                   not result in a Green Factor ratio for the aggregated lots that is less than the ratio  
20                   that would result from imposition of otherwise applicable Green Factor  
21                   requirements to all individual lots; and  
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1                   5)       The provisions of Chapter 23.41 shall apply to development  
2                   proposals within the scope of the development agreement, except that the  
3                   recommendation of the Design Review Board shall be consistent with the  
4                   development agreement, and if there is a conflict between a Design Review Board  
5                   recommendation and the terms of the development agreement, the latter shall  
6                   prevail.

7                   D.       The Director shall prepare a written report on a proposed development agreement.  
8                   The Director shall file the report and proposed development agreement with the City Clerk after  
9                   any applicable SEPA appeal period has lapsed without an appeal being initiated or, if a SEPA  
10                  appeal is timely initiated, after the Hearing Examiner issues a decision affirming the Director's  
11                  compliance with SEPA. The report shall include:

12                  1. An evaluation of the proposal's consistency with any applicable coordinated  
13                  development plan or urban design framework that the Director has developed through a  
14                  community involvement process, any applicable restrictions imposed on the proposal by  
15                  Subsection 23.61.016.C, and any applicable Comprehensive Plan goals and policies;

16                  2. Proposed development standards for the site;

17                  3. All environmental documentation, including any checklist, EIS or DNS; and

18                  4. The Director's recommendation.  
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1           E.     The Council shall hold a public hearing on the proposed development agreement.  
2 Notice of the hearing shall be provided at least 30 days prior to the hearing by inclusion in the  
3 Land Use Information Bulletin.

4           F.     If the Council determines to approve a proposed development agreement, the  
5 Council may:

6           1.     Set forth development standards that vary from otherwise applicable development  
7 regulations, subject to any applicable limitations in subsection 23.61.016.C; and  
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9           2.     Set forth other provisions, unrelated to development standards, that the Council  
10 deems appropriate.  
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12           G.     After its approval by the Council and after all parties to the development  
13 agreement approve and execute it, the City Clerk shall record the development agreement in the  
14 real property records of King County.  
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16           H.     Nothing in this Section 23.61.016 limits the Council’s authority to enter into a  
17 development agreement authorized by Chapter 36.70B RCW in situations other than those  
18 described in subsection 23.61.016.C.  
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20           Section 2. This ordinance shall take effect and be in force 30 days after its approval by  
21 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
22 shall take effect as provided by Seattle Municipal Code Section 1.04.020.  
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1 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2011, and  
2 signed by me in open session in authentication of its passage this  
3 \_\_\_\_ day of \_\_\_\_\_, 2011.

4 \_\_\_\_\_  
5 \_\_\_\_\_  
6 President \_\_\_\_\_ of the City Council  
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8 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2011.  
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10 \_\_\_\_\_  
11 Michael McGinn, Mayor  
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13 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2011.  
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15 \_\_\_\_\_  
16 City Clerk  
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18 (Seal)  
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