

Development Agreement Submittal Checklist

Staff Use Only:

DEV #:

Project Name:

DEFINITION AND PURPOSE (SMC 15.100.040)

A Development Agreement is a binding agreement between a person or entity having ownership or control of real property and the City of SeaTac. The purpose of a Development Agreement is to establish development standards and other provisions that shall apply to and govern and vest the development, use, and mitigation of the development of specific real property, to engender funding or providing of services, infrastructure, and other facilities, to permit imposition of impact fees, inspection fees, dedications, other financial contributions, and mitigation measures.

AUTHORITY AND APPLICATION (SMC 15.100.040 and 15.115.030)

- A person or entity having ownership or control of real property may apply for a development agreement.
- The City may only enter into a development agreement if it is determined that a particular and demonstrable public benefits will accrue to the City, pursuant to RCW [36.70B.170](#) through [36.70B.200](#), and the development agreement meets the criteria in [SMC 15.115.030](#).
- The decision to approve or reject a development agreement is a discretionary, legislative action taken by the City Council via a resolution.

REVIEW PROCESS AND PROCEDURES

A Development Agreement shall be processed pursuant to SMC 15.115.030 as follows:

1. The submittal of a development agreement will NOT be accepted for intake if your project has not had the required Pre-Application meeting. To schedule the required meeting, you must complete the required Pre-Application meeting request found [here](#) and submit it to the Permit Center.
2. A Determination of Completeness (DOC) will be made stating whether the application is complete or if additional information is required.
3. Once the application is complete, staff will review the proposed development. The Planning Manager (CED Director designee) may negotiate acceptable terms and conditions of the development agreement with regards to the criteria for approval in SMC 15.115.030(C).
4. If the Planning Manager deems that an acceptable development agreement has been negotiated, he/she will recommend the City Council consider the proposed development agreement at a public hearing during a Council meeting. Prior to the Council meeting, the applicant will need to provide a draft of the negotiated development agreement on form approved by the city.
5. A Notice of Public Hearing will be provided at least fourteen (14) days prior to the scheduled hearing. A Notice of Public Hearing will be published in the newspaper of record and sent to adjacent property owners. A notice board is required to be posted on the subject property on or before the publish date of the Notice of Public Hearing. An Affidavit of Installation shall be submitted to the City that the notice board has been installed on the property.

6. At the Council meeting, the City Council will hold the public hearing, take public testimony, and then may take final action, by resolution, to authorize entry into the development agreement. In addition, the Council may continue the hearing for the purpose of clarifying issues, or obtaining additional information, facts, or documentary evidence. The decision of the Council shall be final immediately upon adoption of a resolution authorizing or rejecting the development agreement.
7. Following approval of a development agreement by the Council, and execution of the same, the development agreement shall be recorded with the King County Recorder.
8. Once recorded, the Official Zoning Map to be amended to notate the properties subject to the approved development agreement.

Application Checklist

The following materials are the minimum that must be submitted to review your application. **Please do not turn in your application until all items listed below have been checked off.** Submittals will not be accepted unless complete. Return completed checklist with application.

**Refer to current fee schedule, and/or contact a permit coordinator @ 206-973-4750 for information regarding required fees at the time of application submittal.*

SUBMITTAL REQUIREMENTS		APPLICANT	STAFF
1	Master Land Use Application form, completed.		
2	Required fee(s) paid.*		
3	Electronic: A thumbdrive with electronic copies of all documents, OR Paper: Original, plus four (4) copies of all documents.		
4	An environmental (SEPA) checklist, if applicable.		
5	A title report dated within 30 days of application submittal.		
6	Legal Description and map of properties subject to the development agreement.		
7	Vicinity map.		
8	A written summary of the proposed development agreement with proposed terms.		
9	Site plans, existing and proposed, for area subject to development agreement		
10	Written response to criteria, as described in the following section.		
11	Additional items as identified in a pre-application meeting, if applicable.		

WRITTEN RESPONSE TO CRITERIA FOR APPROVAL IN SMC 15.115.030(C)		APPLICANT	STAFF
<i>Address each item specifically and in writing</i>			
1	Explain how the proposal conforms to the existing Comprehensive Plan policies. (Identify all applicable policies and make a written comment on how the proposal conforms to each policy)		
2	Explain how the terms of the development agreement are generally consistent with the development regulations of the City (zoning, subdivision, fire, building, street, stormwater)		

WRITTEN RESPONSE TO CRITERIA FOR APPROVAL IN SMC 15.115.030(C)		APPLICANT	STAFF
3	Identify and list how the project or proposal elements, such as permitted uses, residential densities, nonresidential densities and intensities or structure sizes, are adequately provided for in the proposed development.		
4	Explain how the site: 1) Is adequate in size and shape for the proposed project or use; 2) Conforms to the general character of the neighborhood; and 3) Would be compatible with adjacent land uses.		
5	List and explain how specific development mitigation measures, development conditions, and mitigation requirements under the Washington State Environmental Policy Act (SEPA) are provided.		
6	List and explain how adequate and appropriate building/site design standards, such as maximum building heights, building setbacks, drainage and water quality requirements, landscaping, irrigation, lighting, and other development features, as applicable, are provided.		
7	If applicable, list and explain how targets and requirements regarding affordable housing are addressed.		
8	Explain how provisions are sufficient to assure requirements of parks and open space preservation are met.		
9	Explain any proposed interim use and phasing of developing or construction. List all proposed conditions under which the interim use shall be converted to a permanent use, including the time period for the conversion.		
10	Where a “phased” development agreement is proposed, provide a site plan (or plans) clearly show the proposed interim and final use.		
11	List and describe any requested departures from the standards in the municipal code by code section, including if any of the departures are only for a proposed interim use.		
12	If permanent code departures are requested, document how the departures are offset by a benefit to the City of equal or greater value relative to the departure requested.		
13	Describe the build-out or vesting period for the proposal.		
14	Describe the particular public benefit that will accrue to the City if the development agreement is approved.		