

## Attachment A: Planning Commission Recommended RZC Amendment for Development Agreements for High Capacity Transit Facilities

Excerpt from RZC 21.76.070, Land Use Actions and Decision Criteria

*No changes to sections A-K.*

### L. **Development Agreement.**

1. Purpose. The purpose of this section is to provide a mechanism whereby developers and the City can be certain that upon approval a project may proceed in accordance with existing policies and regulations, and that public facilities and services will be adequate to serve existing and new development at such time as development occurs. Development agreements are authorized by RCW 36.70B.170, et seq.
2. Scope. Any person having ownership or control of real property within the City desiring to enter may apply for a development agreement in order to set forth the development standards and other provisions that will apply to and govern and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement.
3. Decision Criteria. A development agreement may be entered into if the following criteria are met:
  - a. The agreement must be consistent with the applicable development regulations for the property;
  - b. All impacts of the development must be mitigated by the measures set forth in the agreement or the agreement must provide a mechanism for analyzing and mitigating such impacts as they occur;
  - c. The agreement must reserve the City's authority to impose new or different regulations to the extent required by a serious threat to public health and safety;
  - d. The duration of the agreement must be reasonable in light of the anticipated build-out period for the proposed development and the needs of the City; and
  - e. The agreement must be in the public interest and provide a public benefit.
4. Approving Deviations. The City Council may approve deviations from development standards through a development agreement when the agreement concerns the design, construction, or operation of high-capacity transit facilities constructed by or for a regional transit authority established by Chapter 81.112 RCW, except for surface parking lots outside of the High Capacity Transit right-of-way and identified station sites. In approving such deviations, the City Council must find that the deviations facilitate the design, construction, or operation of high-capacity transit facilities in Redmond, and that the development agreement meets the provisions of subsection (3)(b) through (3)(e) of this section.

*No changes to the remainder of RZC 21.76.070.*