



Staff use Area	Permit Number: _____
	Project Number: _____
	Related Permit(s): _____ _____
	Pre-App Complete? <input type="checkbox"/> Yes <input type="checkbox"/> No _____ Staff Initials

SECTION 1: HOW TO USE THIS CHECKLIST

This checklist identifies the minimum requirements the Applicant must submit for the City of Kenmore (“City” or “department”) to accept the application. Should any of the following minimum items not be provided, the application may not be accepted by the department. Acceptance of the application does not deem the application complete. If you think an item is not applicable to your project, you must verify this prior to intake by emailing permittech@kenmorewa.gov.

The documents listed in Section 3 are required elements of an initial Development Agreement application; these documents help describe key elements of the project, including the anticipated public benefit, so that Kenmore City Council (“Council”) can make a threshold determination. Additional documents may be required by the City either before or after the Council’s threshold determination. Prior to being scheduled on Council’s agenda, the application must be accepted by the department and all outstanding fees paid.

Council will make a threshold decision on each application for a Development Agreement at a regular council. If a majority of the whole council approves further review of the Development Agreement (threshold determination), the agreement shall be processed as described in KMC 18.110. No threshold decision is needed for Development Agreement applications for an increased density bonus for affordable housing located on property owned or controlled by a religious organization as defined in RCW 36.01.290.

SECTION 2: IMPORTANT INFORMATION

- A pre-application meeting is required prior to intake for this project type.
- Applications are accepted online at www.MyBuildingPermit.com. No appointment needed. Log on, create an account, and begin managing your project electronically. When applying, select “Land Use,” “Any Project Type,” “Deviations, Modifications, Variances or Waivers,” and “Development Agreement.”
- All application fees are due at intake (see fee schedule).
- Forms are available online at <https://www.kenmorewa.gov/formslibrary>.
- For questions regarding this checklist or the submittal process, please contact Development Services at 425-398-8900 or permittech@kenmorewa.gov.

SECTION 3: REQUIRED DOCUMENTS

The items described on this checklist are intended to represent the required documents for a Development Agreement threshold determination.

1. **Permit application** (form #101)
2. **Owner Authorization** (if different from the applicant)
3. **Development Agreement package: Narrative, site plan, renderings, and other required documents**

A. Project Narrative to describe elements of the project, including but not limited to:

- | | | |
|----------------------|---------------------------------|--|
| ▪ Zoning | ▪ Public benefit | ▪ Property restrictions, covenants, overlays, P-suffix, or other conditions placed on the property |
| ▪ Uses and densities | ▪ Critical areas and shorelines | ▪ Anticipated environmental impacts |
| ▪ Affordable housing | ▪ Mitigation measures | |
| ▪ Code deviations | ▪ Draft phasing plan | |

B. Site Plan

- | | | |
|-----------------------|------------------------------|--|
| ▪ North arrow | ▪ Parking | ▪ Property lines (existing and proposed) |
| ▪ Legible scale | ▪ Public and private streets | ▪ Easements (existing and proposed) |
| ▪ Topography/contours | ▪ Conceptual drainage | ▪ Significant trees |

- Roads and access
- Proposed buildings, uses, densities, and setbacks
- Proposed impervious surfaces
- Building locations
- Open space and landscaping
- Critical areas and buffers
- Shorelines and buffers
- Public benefit elements

C. Color Renderings and Perspective Drawings to illustrate different elements of the project, such as:

- Location of buildings
- Mass and bulk
- Building height
- Tree preservation
- Landscaping
- Critical areas and shorelines
- Public spaces
- Pedestrian connectivity
- Roads, access, and parking
- Design elements and sense of place
- Physical characteristics of the property

D. Other documents, as identified in the pre-application meeting comments

SECTION 4: PROCESSING PROCEDURE

Procedure:

- Review Kenmore Municipal Code (KMC) Chapter 18.110 – Development Agreements in its entirety. The information provided below is not intended to replace the Kenmore Municipal Code (KMC).
- An application for a development agreement shall be filed by the owner of real property within the city on forms provided by the department. An application shall be accompanied by an application fee pursuant to the city’s current fee schedule and a signed agreement on forms provided by the department to reimburse the city for any city consultant fees, including fees of the city attorney pursuant to the city’s current agreement with the city attorney. The development agreement may provide for assignment of a portion of the application fee to other permit fees if a development agreement is ultimately approved by the Council.
- The Council shall make a threshold decision on each application for a development agreement at a regular meeting of the Council. If a majority of the whole Council approves further review of the development agreement, the agreement shall be processed as described in this section
- Before voting on a proposed development agreement, the Council shall hold a public hearing on the development agreement. Consistent with KMC 18.110.030.B, two public hearings shall be held on the development agreement if deviations from the uses, residential densities, floor area ratio limitations, or maximum structure height allowed in the underlying zoning district are requested. The Council shall approve, disapprove or modify a development agreement by ordinance. Approval of a development agreement requesting deviations from the uses, residential densities, floor area ratio limitations, or maximum structure height allowed in the underlying zoning district requires the vote of a majority plus one of the whole Council.
- The city manager shall prepare a recommendation to the Council on a proposed development agreement. The city manager shall provide the recommendation to the Council, and make it available to the public, at least 10 calendar days prior to the public hearing on the proposed development agreement
- If a development agreement is associated with a Type V land use decision such as a comprehensive plan amendment, the development agreement shall be processed concurrently with the Type V land use decision. A recommendation of the planning commission to the Council on the Type V land use decision shall be issued at least 10 calendar days prior to the public hearing on the proposed development agreement.
- If the owner files an application for a Type 2, 3 or 4 land use decision or a Type 1 land use decision subject to SEPA, the city shall review and process the application concurrently with the development agreement, and the owner shall sign a written waiver of the deadline for issuance of the final land use decision. A final decision of the city manager or hearing examiner on such Types of land use decisions shall become effective on the date that the Council passes the ordinance for the development agreement. The period for appealing such final decision shall commence on the date that the Council passes such ordinance. A recommendation of the city manager or hearing examiner to the Council on such Types of land use decisions shall be issued at least 10 calendar days prior to the public hearing on the proposed development agreement.
- The city shall give notice of the meeting at which the Council considers a proposed development agreement, and of the public hearing(s) on the proposed development agreement, as follows:
 - Not less than 10 calendar days prior to the public hearing date, a notice of the public hearing shall be sent to property owners within 1,000 feet of the property subject to the development agreement and to others who have submitted comments and/or requested notice.
 - Notice of the public hearing shall be posted on the property subject to the development agreement not less than 10 calendar days prior to the hearing date. Notice shall be posted in the manner required by KMC 19.25.065.
 - Notice of the Council meeting and public hearing shall be published in the city’s official newspaper not less than 10 calendar days prior to the meeting or hearing date.
 - All costs associated with the public notice shall be borne by the applicant/ owner.
 - All notices shall state that the city manager’s recommendation on the proposed development agreement is available for review at the front desk of City Hall and on the City’s website.
- Any subsequent land use decisions shall be reviewed for compliance with the terms of the development agreement and any associated land use decisions.