Resolution No. 31147

A RESOLUTION stating the City Council's support for developing a new Interlocal Agreement with King County for a rural transferable development rights program, which could possibly integrate or be compatible with a future regional TDR Program.

Related Legislation File: _____

Date Introduced and Referred: 7.20.09	To: (committee): Environment, Emergency Mgmt & Utilities (EEMU)
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 8-10-09	Date Presented to Mayor:
Date Signed by Mayor:	Date Returned to City Clerk:
Published by Title Only _____ Published in Full Text _____	Date Returned Without Concurrence:

The City of Seattle – Legislative Department

Resolution sponsored by: Richard Conlin

Committee Action:

Date	Recommendation	Vote
7/28/09	yes no -2-1 yes passed	Conlin, Burgess yes Mecken no

This file is complete and ready for presentation to Full Council.

Full Council Action:

Date	Decision	Vote
8-10-09	Adopted 9-0	

VallesC/FreemanK
TDRreso
July 14, 2009
Version #13

RESOLUTION 31147

A RESOLUTION stating the City Council's support for developing a new Interlocal Agreement with King County for a rural transferable development rights program, which could possibly integrate or be compatible with a future regional TDR Program.

WHEREAS, the King County Countywide Planning Policies call for programs and regulations to protect and maintain the rural character of farm and forest lands and direct growth to cities and urban centers; and

WHEREAS, the Seattle Comprehensive Plan's Urban Village Element has a goal of implementing regional growth management strategies, such as rural transferable development rights programs, to help preserve rural agriculture and resource lands and reduce sprawl; and

WHEREAS, in November 1999, the City Council passed Ordinances 119738, 119729, and 119730, which together established a rural Transferable Development Rights (TDR) program between the City of Seattle and King County; and

WHEREAS, the rural TDR program enabled the City to accept additional development in the Denny Triangle neighborhood by allowing developers of residential and mixed-use projects to obtain additional floor area above the maximum height limit by purchasing development rights from rural lands in King County; and

WHEREAS, between 2001- 2008, developers in Denny Triangle bought 68 rural development rights, resulting in the protection of 840 acres of rural farm and forest land along the Tolt and Cedar Rivers-- the City's water supply; and

WHEREAS, in exchange for Seattle accepting more development in the Denny Triangle neighborhood, King County contributed funds for public amenities in this neighborhood; and

WHEREAS, the Interlocal Agreement (ILA) establishing a rural TDR program between Seattle and King County expired in July 2008; and

WHEREAS, the Washington State Legislature recently affirmed the value of regional TDR programs by adopting SSHB 1172, which directs the Department of Community, Trade and Economic Development (CTED) to establish a regional TDR program in Central Puget Sound; and

WHEREAS, through a grant from the Environmental Protection Agency, the Puget Sound Regional Council will work with the State, King, Snohomish, and Pierce counties, and the Cascade Land Conservancy to develop rules for a regional TDR program; and

WHEREAS, as it may be some time before a TDR program is in place at the regional level, the City should work with King County to develop a new ILA, which could possibly integrate or be compatible with a regional TDR Program once it is in place; and

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WHEREAS, while the current economic recession has slowed development in downtown Seattle and depressed demand for a TDR program in the near-term, the City Council anticipates that demand will resume once the economy recovers; and

WHEREAS, in April 2008, the Council passed Resolution 31019 establishing a policy framework and goals for the purpose of strengthening the security and sustainability of Seattle's food system; and

WHEREAS, to further the goals of Resolution 31019 and protect Seattle's food system, it is important to preserve rural farmland in the region; and

WHEREAS, a new ILA between Seattle and King County for a rural TDR program will help preserve rural farmland while channeling growth into urban areas that are best suited to accommodate new development; and

WHEREAS, the Seattle Municipal Code currently designates Seattle's Downtown Office Core 1 zone as a receiving site for a rural TDR program if the City renews its ILA with King County (SMC 23.49.011); and

WHEREAS, as part of an anticipated South Lake Union rezone in 2010, Seattle should actively consider including South Lake Union as a receiving area for a rural TDR program; and

WHEREAS, light rail station areas and urban centers in Seattle, such as Northgate and the University District, may also be appropriate receiving areas to include as part of a rural TDR program; and

WHEREAS, a new ILA with King County will need to include funding for public amenities in Seattle neighborhoods that experience greater development as a result of a rural TDR program; and

WHEREAS, King County has signed or is in the process of signing rural TDR agreements with the cities of Issaquah and Bellevue; and

WHEREAS, to help preserve rural agriculture and resource lands on a regional level, Seattle hopes that additional jurisdictions across the region will participate in a rural TDR program and that a regional funding source, or other financing mechanism, will be created to help pay for amenities in jurisdictions accepting greater development; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT,

Section 1. The City Council supports the development of a new Interlocal Agreement (ILA) between The City of Seattle and King County for a rural Transferable Development Rights (TDR) program.

Section 2. The rural TDR program should focus on preserving: (a) rural King County farms and dairies that provide locally grown food to Seattle farmers markets, restaurants and retailers; and (b) key

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properties of the San Souci reach of the Tolt River that provide both critical flood prevention to down-river working farms in the Snoqualmie River Valley and important habitat for threatened Chinook Salmon.

Section 3. The best candidates in Seattle for rural TDR "receiving sites" in the next several years are likely to be South Lake Union and the Downtown Office Core 1 zone. Light rail station areas and urban centers, such as Northgate and the University District, may also be appropriate receiving areas for a TDR program.

Section 4. The ILA should require King County to provide Seattle with funding for public amenities (the amount of this funding is to be determined during negotiations) in Seattle neighborhoods that accept more development under a rural TDR program.

Adopted by the City Council the 10th day of August, 2009, and signed by me in open session in authentication of its adoption this 10th day of August, 2009.

President _____ of the City Council

Filed by me this 10th day of August, 2009.

Acting Carol Shenk
City Clerk

(Seal)

LH COUNCIL CLERK

Form revised May 26, 2009

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Christa Valles/45336	

Legislation Title:

A RESOLUTION stating the City Council's support for developing a new Interlocal Agreement with King County for a rural transferable development rights program, which could possibly integrate or be compatible with a future regional TDR Program.

- **Summary of the Legislation:**
  This resolution states the City Council's support for the City of Seattle to develop a new Interlocal Agreement (ILA) with King County for a rural Transferable Development Rights (TDR) program. It does not commit the City to an agreement with King County, but the resolution encourages negotiations for a new ILA to begin. The legislation also notes that the South Lake Union area would be a good location to receive rural TDR.

- **Background:**
  The City and King County agreed to an ILA for a rural TDR program in 2000. The City designated Denny Triangle as a receiving site for the rural TDR. Between 2000-2008, 68 TDR were purchased for the Denny Triangle Area. The ILA with King County has since expired. This resolution calls for it to be renewed, though there is no commitment to do so.

__X__ This legislation does not have any financial implications

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STATE OF WASHINGTON – KING COUNTY

--ss.

243772 No.
CITY OF SEATTLE,CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:31147 RESOLUTION

was published on

08/21/09

The amount of the fee charged for the foregoing publication is the sum of $ 226.40, which amount has been paid in full.

Subscribed and sworn to before me on

08/21/09

Notary public for the State of Washington,
residing in Seattle

JENNIFER A. PATTER
COMMISSION EXPIRES
NOTARY
PUBLIC

Affidavit of Publication

31147

State of Washington, King County

City of Seattle

RESOLUTION 31147

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Section 3. The best candidates in Seattle for rural TDR "receiving sites" in the next several years are likely to be South Lake Union and the Downtown Office Core 1 zone. Light rail station areas and urban centers, such as Northgate and the University District, may also be appropriate receiving areas for a TDR program.

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Adopted by the City Council the 10th day of August, 2009, and signed by me in open session in authentication of its adoption this 10th day of August, 2009.

Richard Conlin; President of the City Council

Date of publication in the Seattle Daily Journal of Commerce, August 21, 2009.

8/21(243772)