

Director's Report on  
the 23rd Avenue Action Plan (Union-Cherry-Jackson)  
Rezone Proposal

Office of Planning and Community Development  
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## **I. Executive Summary**

The Central Area is a neighborhood full of history, character, shops, organizations, schools and most importantly a community of people from a broad diversity of backgrounds. It is a community proud of its culture, heritage, and diversity of people and places. This richness results from the fact that this neighborhood has always been a place of welcome.

The Central Area has experienced changes that cause anxiety, fragmentation and disappointment for some people while also generating excitement and expectation in others. These changes can be seen in the demographics of the 23rd & Union-Jackson Urban Village. The percentage of the Black/African American population declined from 64 percent in 1990 to 28 percent in 2010, while the White population increased from 16 percent to 44 percent in the same time period (Census data). While not an area that historically received significant investment, the neighborhood is currently attracting significant private and public investment.

The Central Area has been, and continues to be, the center of the African American community with engaged youth and seniors; strong businesses; and a vibrant cultural district. It is time to refocus our efforts around key priorities for three community cores – to honor its history and shape its future. Achieving this will require the coordinated effort and investment of multiple city departments.

In 2013, Central Area residents, business interests, property owners, and local institutions began work with the City to create the 23rd Avenue Action Plan (Union – Cherry – Jackson) (referred as 23rd Avenue Action Plan in this document). The 23rd Avenue Action Plan confirms and updates priorities identified in the Central Area Neighborhood Plan while focusing on key community cores along 23rd Avenue at Union, Cherry and Jackson. It gives focus to a set of priorities and actions ripe for implementation. The Mayor's Office and the Office of Planning and Community Development (OPCD) have been leading a coordinated interdepartmental effort to implement the Action Plan, including establishing a commercial revitalization plan and creation of the Historic Central Area Arts and Cultural District. These efforts are all aimed at addressing displacement and improving the sustainability and resiliency of the Central Area.

OPCD is recommending rezones and land use code amendments to implement the Central Area Neighborhood Plan. The plan is an element of the City's Comprehensive Plan and carries out priorities identified by the community during the process for creating the 23rd Avenue Action Plan and Urban Design Framework. The 23rd Avenue Action Plan is not a replacement of the previous Central Area action plans; instead, it focuses on developing community capacity and implementable actions at three key community cores along 23rd Avenue to help make the neighborhood healthier, more equitable for all people who call the Central Area home.

The rezone focuses on three community cores along 23rd Avenue at E Union Street, E Cherry Street, and S Jackson Street. The Central Area has an unusual asset in its multiple community nodes. This allows each to have a different role in the community, to have its own identity and character, while still claiming the larger identity of the Central Area. Great community nodes are places to find goods and services, including culturally specific items; places for gathering, where you can get together with others in your community; and a way to proudly proclaim the Central

Area as a great place. These community nodes together serve the diversity of cultures in the Central Area and continue to be home to businesses and institutions that are central to the African American community.

The rezones are intended to achieve the community's vision and goals to strengthen the Central Area's unique identity and community character as identified in the Central Area goals and polices contained in the Neighborhood Plans section of Seattle's Comprehensive Plan (Seattle 2035). These actions will help create vibrant and resilient commercial districts that encourage pedestrian friendly mixed-use development, support existing and new businesses and development, provide opportunities for a variety of shops, services and affordable housing, and support community ownership and equitable developments that serve the diverse Central Area community.

These rezones are the product of a three-year process that engaged a broad cross section of the community through hands-on and interactive workshops. Various formats were used, including focus group meetings, individual workshops, in-person interviews, business canvassing, and online surveys. There were 93 community meetings (54 city-hosted, 15 community hosted, and 24 Advisory Core Team meetings), online surveys (127 participants), and business canvassing (67 businesses) throughout the planning process (See appendix A). Over 2,000 total participants and 40 community based organizations helped form priorities, goals, strategies, and actions for the project. All of the proposed rezones are within or abutting the 23rd & Union-Jackson Residential Urban Village and are within areas designated as Commercial/Mixed Use or Multi-Family Residential in the Comprehensive Plan's Future Land Use Map. The rezoning for each community core will be sent to City Council as individual legislations.

This report contains analysis of the proposed rezones using general rezone criteria related to commercial, multifamily and single family zones. It also reviews each rezone as it relates to specific criteria for each new zone. The report provides an assessment of the proposal's effect on estimated growth and the ability of local infrastructure and services to support future developments. OPCD has conducted an environmental analysis (SEPA) associated with each community core and made a determination of non-significance for each. OPCD recommends adoption of the entire package of rezone proposals.

The proposed rezone would implement the Mandatory Housing Affordability (MHA) in the rezone area. MHA is one of the recommendations of the Housing Affordability and Livability Agenda (HALA), a multi-pronged approach to address housing affordability in Seattle, and is proposed to be implemented across Seattle as additional development capacity is granted. Under MHA, developers would be required to contribute to affordable housing as part of most commercial or residential development. This contribution would be met through the inclusion of affordable housing units within new development (performance) or paying into a fund that will support development of affordable housing (payment). This requirement is trigger by additional development capacity, in the form of an increase in the amount of height or floor area, granted by this legislation. Together, these changes will both increase the supply of new market-rate housing and result in the creation of new rent- and income-restricted housing. Both strategies support the City's growth management and housing policies and help address housing affordability, support equitable development, and encourage community ownership in the

Central Area. It is estimated that the MHA requirements implemented through this proposal will produce approximately 52 new affordable housing units over 10 years. The individual rezones will produce 22 units in 23rd & Union, four units in 23rd and Cherry, and 26 units in 23rd & Jackson.

## II. Summary of Land Use and Zoning Recommendations

OPCD is recommending eight (8) subareas for rezone in three community cores along 23rd Avenue at E Union Street, E Cherry Street, and S Jackson Street to implement the goals and policies of the 23rd Avenue Action Plan. These rezones will create a vibrant and resilient commercial district at each core that encourages pedestrian friendly mixed-use development, support existing and new businesses, and provide affordable housing. Together these cores serve the diverse Central Area community.

Under this proposal, new commercial or residential development within the rezone area would be required to meet Mandatory Housing Affordability (MHA) requirements. All zones subject to the requirements would include a suffix in parentheses at the end of the zoning title which would vary based on the amount of additional development capacity given as follows:

- A zone that represents a modest increase in capacity, such as SF to RSL, would end in a (M) suffix
- A zone with a slightly larger increase in capacity, such as SF to LR1, would end in a (M1) suffix
- A zone with a larger increase in capacity, such as SF to NC-40, would end in a (M2) suffix

The following are the key elements of the rezone:

### Rezones

The eight proposed rezones include a total of 108 parcels on approximately 22 acres of land, centered on the community cores along 23rd Avenue at E Union Street, E Cherry Street, and S Jackson Street. All of the rezones are depicted on Map A, Map B, and Map C: Rezone Proposal Maps, and described below. All of the rezones include application of the Mandatory Housing Affordability provisions.

#### **23rd Avenue and Union: total 71 parcels approximately 10 acres**

- **Area 1:** **Area 1a(p):** Rezone from Neighborhood Commercial 2 with a pedestrian designation and a height limit of 40 feet (NC2P-40) to Neighborhood Commercial 2 with a pedestrian designation and a height limit of 75 feet (NC2P-75(M1)).  
**Area 1a:** Rezone from Neighborhood Commercial 2 with a height limit of 40 feet (NC2-40) to Neighborhood Commercial 2 with a

height limit of 75 feet (NC2-75(M1)). The existing Pedestrian designation in this area is retained.

**Area 1b(p):** Rezone from Neighborhood Commercial 2 with a pedestrian designation and a height limit of 40 feet (NC2P-40) to Neighborhood Commercial 2 with a pedestrian designation and a height limit of 55 feet (NC2P-55(M)).

**Area 1b:** Rezone from Neighborhood Commercial 2 with a height limit of 40 feet (NC2-40) to Neighborhood Commercial 2 with a height limit of 55 feet (NC2-55(M)). The existing Pedestrian designation in this area is retained.

- **Area 2:** Rezone from Neighborhood Commercial 2 with a pedestrian designation and a height limit of 30 feet (NC2P-30) to Neighborhood Commercial 2 with a pedestrian designation and a height limit of 55 feet (NC2P-55(M1)). The Pedestrian designation in this area is retained.
- **Area 3:** Rezone from Neighborhood Commercial 2 (NC2P-30) to Neighborhood Commercial 2 (NC2P-40(M)). The Pedestrian designation in this area is retained.

#### **23rd Avenue and Cherry: total 20 parcels approximately 3 acres**

- **Area 4:** Rezone from Neighborhood Commercial 1 with a height limit of 30 feet (NC1-30) to Neighborhood Commercial 1 with a height limit of 40 feet (NC1-40(M))
- **Area 5:** Rezone from Single Family (SF 5000) to Neighborhood Commercial 1 with a height limit of 40 feet (NC1-40(M2))
- **Area 6:** Rezone from Lowrise 2 (LR2) to Neighborhood Commercial 1 with a height limit of 40 feet (NC1-40(M1))
- **Area 7:** Rezone from Single Family (SF 5000) to Lowrise 2 Residential Commercial (LR2-RC(M1))

#### **23rd Avenue and Jackson: total 17 parcels approximately 9 acres**

- **Area 8:** **Area 8a:** Rezone from Neighborhood Commercial 3 with a pedestrian designation and a height limit of 65 feet (NC3P-65) to Neighborhood Commercial 3 with a pedestrian designation and a height limit of 75 feet (NC3P-75(M)). The Pedestrian designation in this area is retained  
**Area 8b:** Rezone from Neighborhood Commercial 3 with a height limit of 65 feet (NC3-65) to Neighborhood Commercial 3 with a height limit of 75 feet (NC3P-75(M))

## Amendments to the Land Use Code

**Revisions to the Land Use Code Development Standards to Enhance Transition, Pedestrian Environment and Circulation:** In addition to the rezones, OPCD recommends adopting several new development standards in section 23.47A.009 to limit bulk and enhance transition from higher intensity to single family zones. These development standards are also intended to support a pleasant walking environment and urban form in the core areas. The areas affected by the development standards are depicted on Map D Union Development Standards, and Map E Jackson Development Standards.

### **23rd Avenue and Union (Area 1a(p), 1a, 1b(p)):**

- **Setback.** Setbacks are required in the area shown in *Map D: Union Development Standards* (Proposed Map C for 23.47A.009). A minimum street-level setback of 5 feet along the length of the street property line; and a minimum upper level setback of 15 feet is required for all portions of a structure above a height of 35 feet above the average finished grade. These areas can be generally described as below:
  - North of E Spring Street between 23rd Avenue and 24th Avenue;
  - West of 24th Avenue between E Union Street and E Spring Street where Single Family (SF5000) zones are on the opposite side of 24th Avenue;
  - South of E Pike Street between 23rd Avenue and 24th Avenue; and
  - East of 22nd Avenue between E Union Street and E Spring Street where Single Family (SF5000) zones are on the opposite side of 22nd Avenue.
  
- **Street-level residential use.** Street-level residential uses are required in area shown in *Map D: Union Development Standards* (Proposed Map C for 23.47A.009). Street frontage may contain uses accessory to a residential use including but not limited to residential access, open space or required amenity space. These areas can be generally described as below:
  - North of E Spring Street between 23rd Avenue and 24th Avenue except within 80 feet of the property line on 23rd Avenue
  - West of 24th Avenue between E Union Street and E Spring Street where Single Family (SF5000) zones are on the opposite side of 24th Ave, approximately 120 feet south of property line abutting south of E Union Street;
  - South of E Pike Street between 23rd Avenue and 24th Avenue except within 80 feet of the property line on 23rd Avenue;
  - East of 22nd Avenue between E Union Street and E Spring Street where Single Family (SF5000) zones are on the opposite side of 22nd Avenue

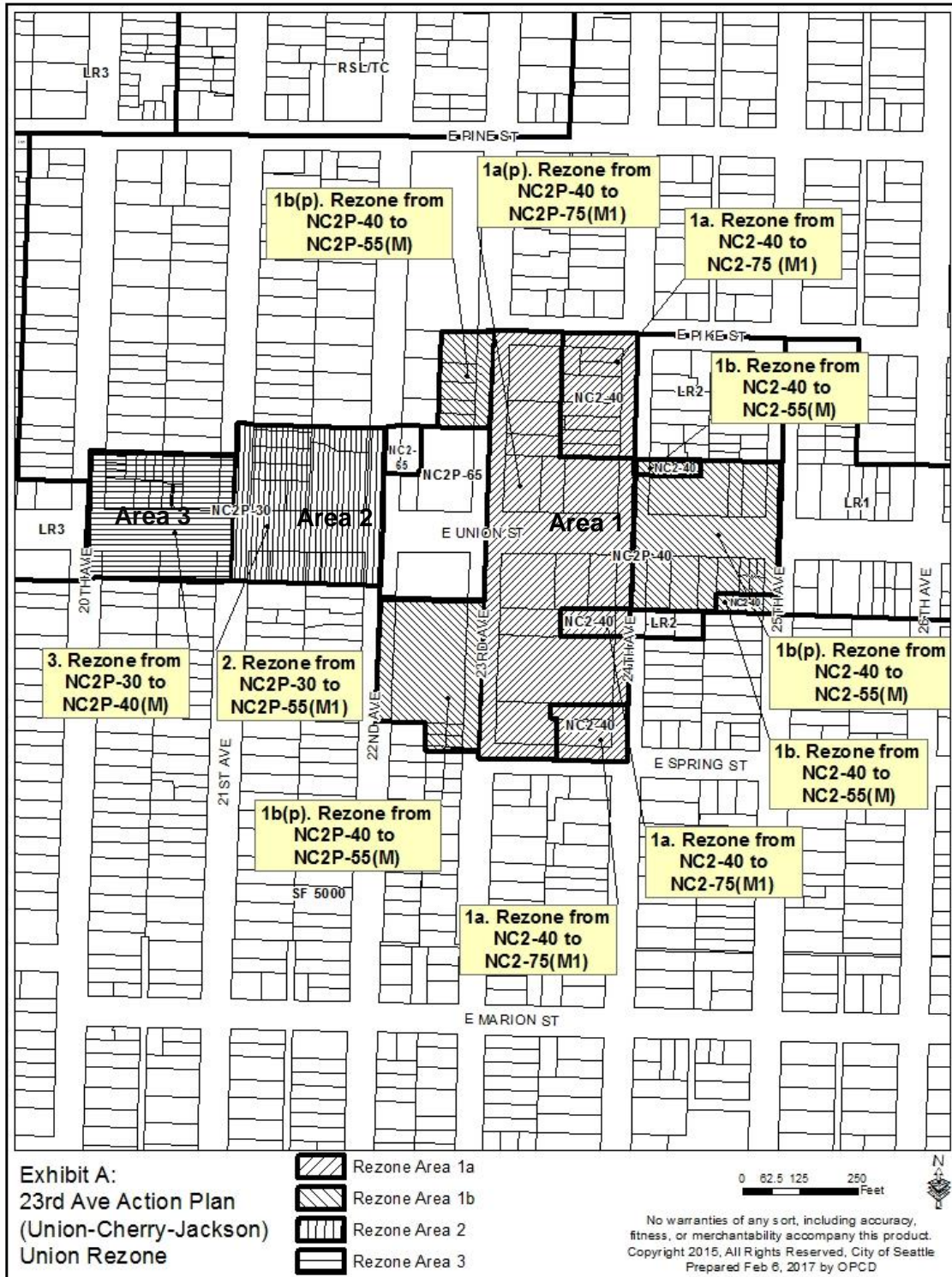
### **23rd Avenue and Jackson (Area 8):**

- **Setback.** Along S Jackson Street property lines as indicated in *Map E Jackson Development Standards* (Proposed Map C for 23.47A.009), a minimum upper level setback of 10 feet is required for all portions of a structure above a height of 45 feet as measured from average finished grade elevation.

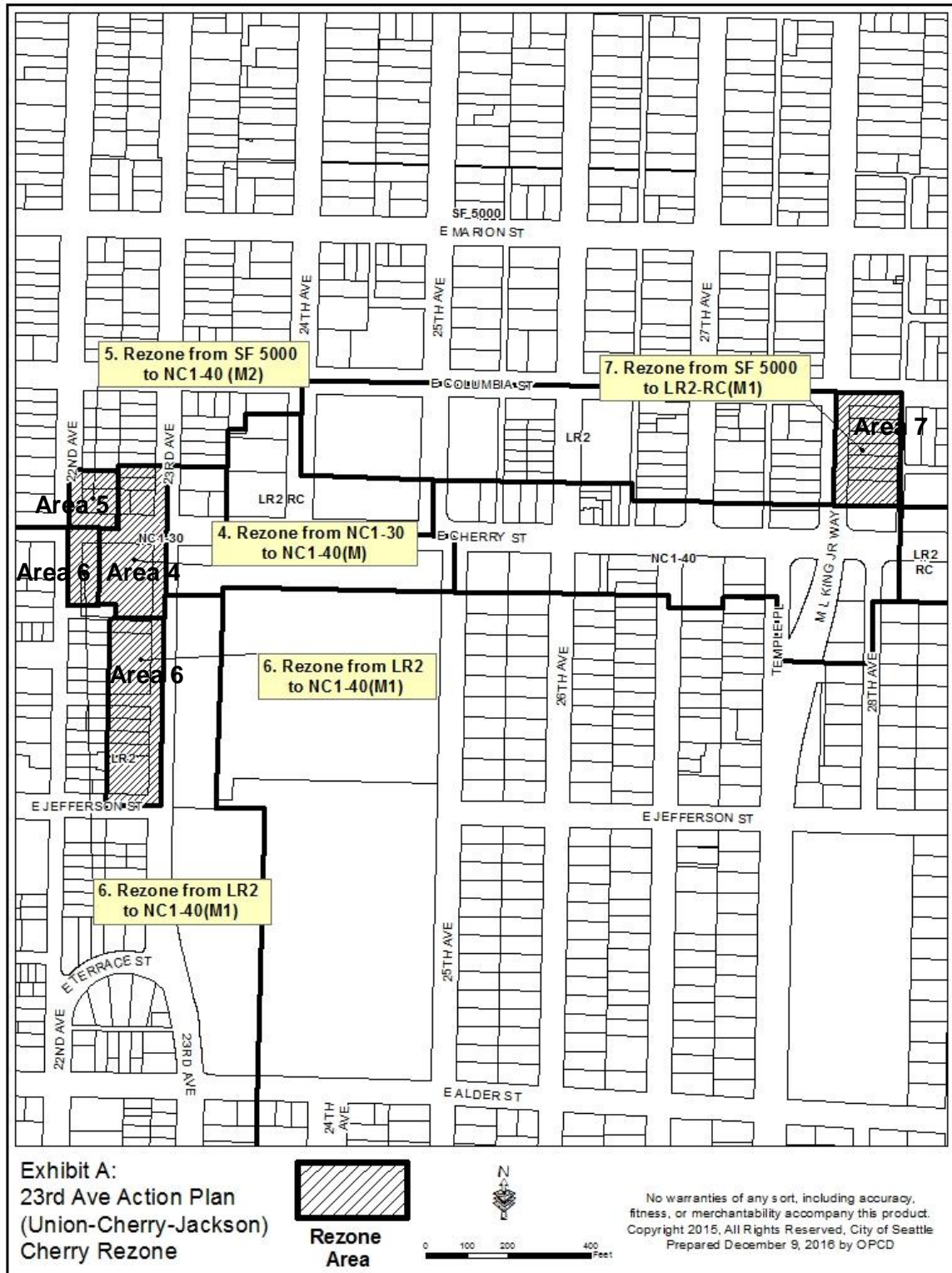
- **Maximum structure width.** The maximum structure width that is facing S Jackson Street or 23rd Avenue is 250 feet. Façade modulation or building separation can be considered as a break in street-facing facade if:
  - a. A portion of the street-facing facade shall project or be recessed from abutting facade by a minimum depth of 15 feet and a minimum width of 15 feet; or
  - b. A separation with a minimum width of 15 feet between structures.
  
- **Pedestrian connection requirement.** A proposal that includes new development between S Main Street and S King Street within 400 feet east of 23rd Avenue S shall provide a paved north-south pedestrian connection on the block in which it is located, subject to the following requirements:
  - a. The connection may be located anywhere as shown on Map F for 23.47A.009 where pedestrian connection is required and should be incorporated into existing or planned sidewalks if it is located next to existing right-of-way.
  - b. The connection should be designed to connect to existing or planned sidewalks and crosswalks to allow for convenient future connection to the adjoining property.
  - c. The connection shall be paved and with a minimum width of 15 feet, and include at least one of the following: entries to retail stores or other buildings; seating areas for pedestrians; street furniture; bicycle parking; landscaping; pedestrian-scale lighting; water features; or overhead weather protection.
  - d. The connection may be located between structures, or may be located in a parking area if the pedestrian area is separated from the parking area with special pavements or other treatments to protect pedestrian from cars.



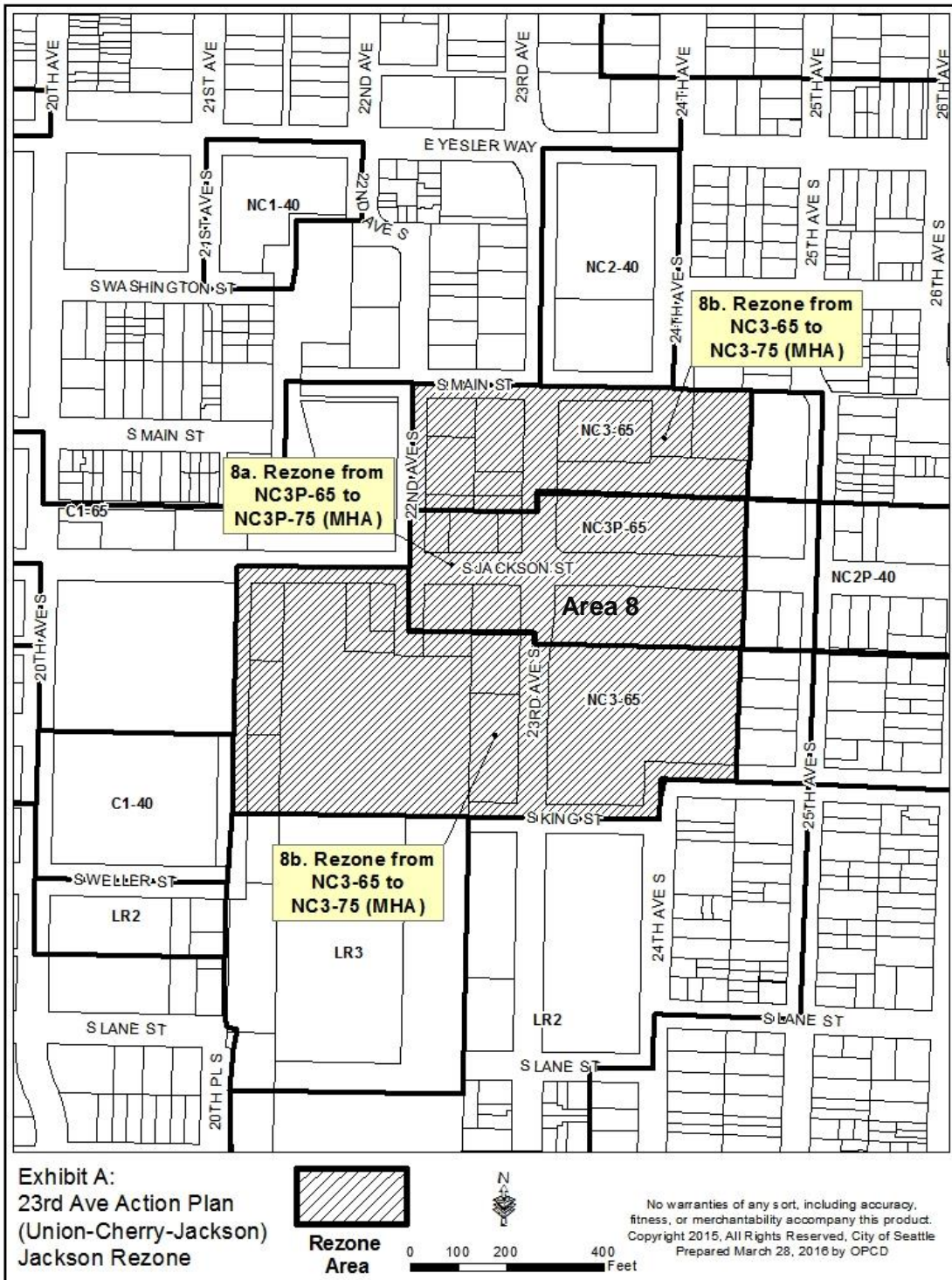
Map A: Union Rezone Proposal Map



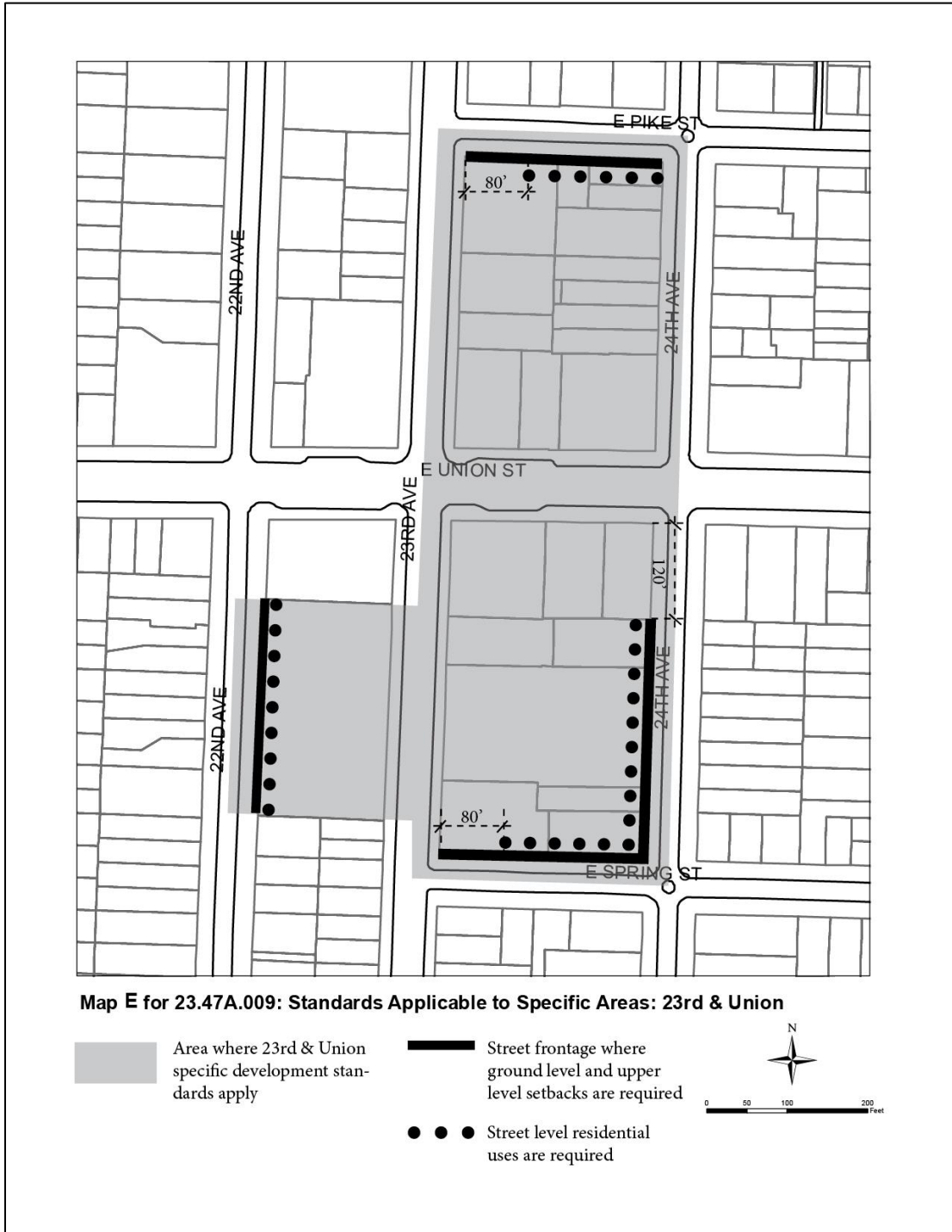
### Map B: Cherry Rezone Proposal Map



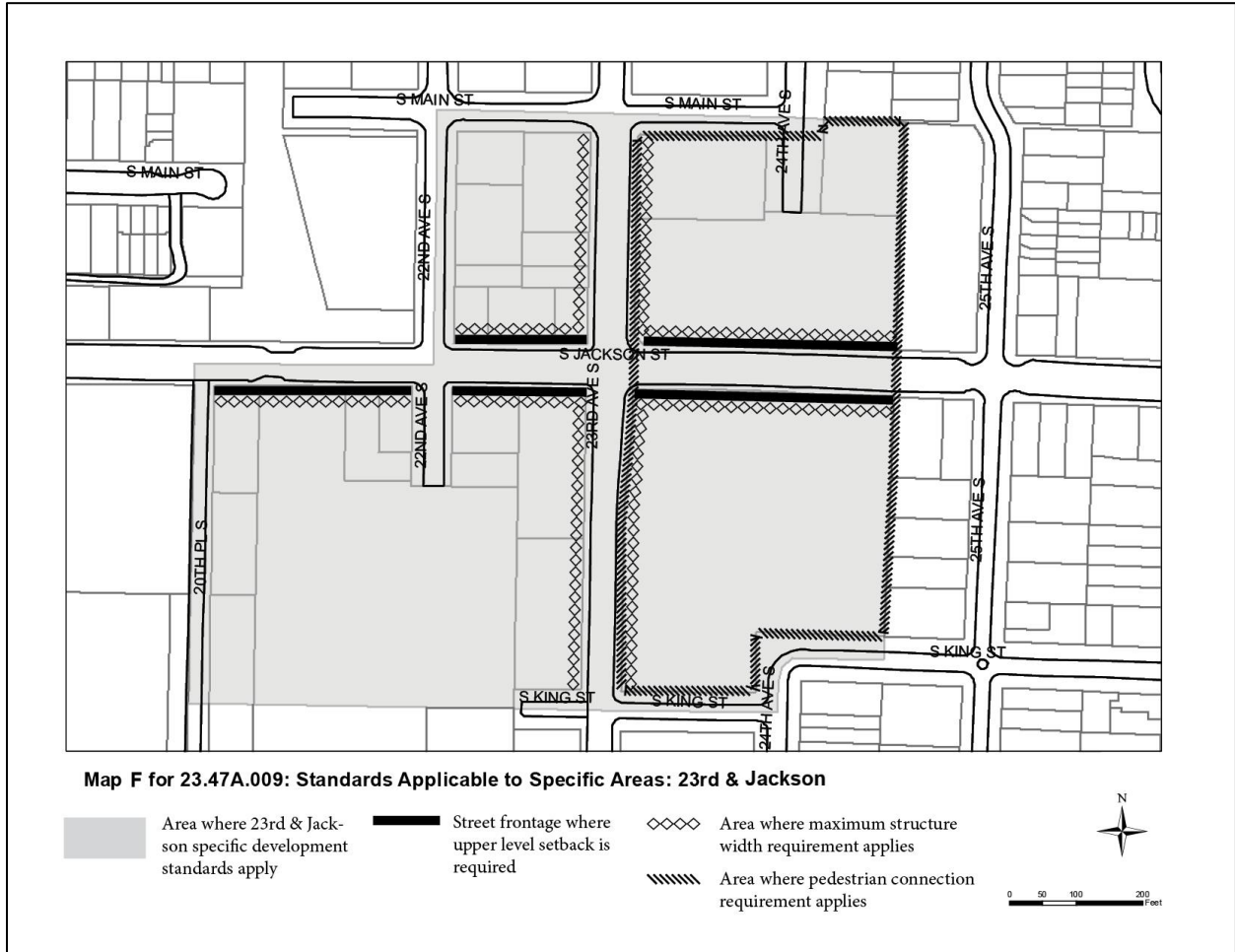
### Map C: Jackson Rezone Proposal Map



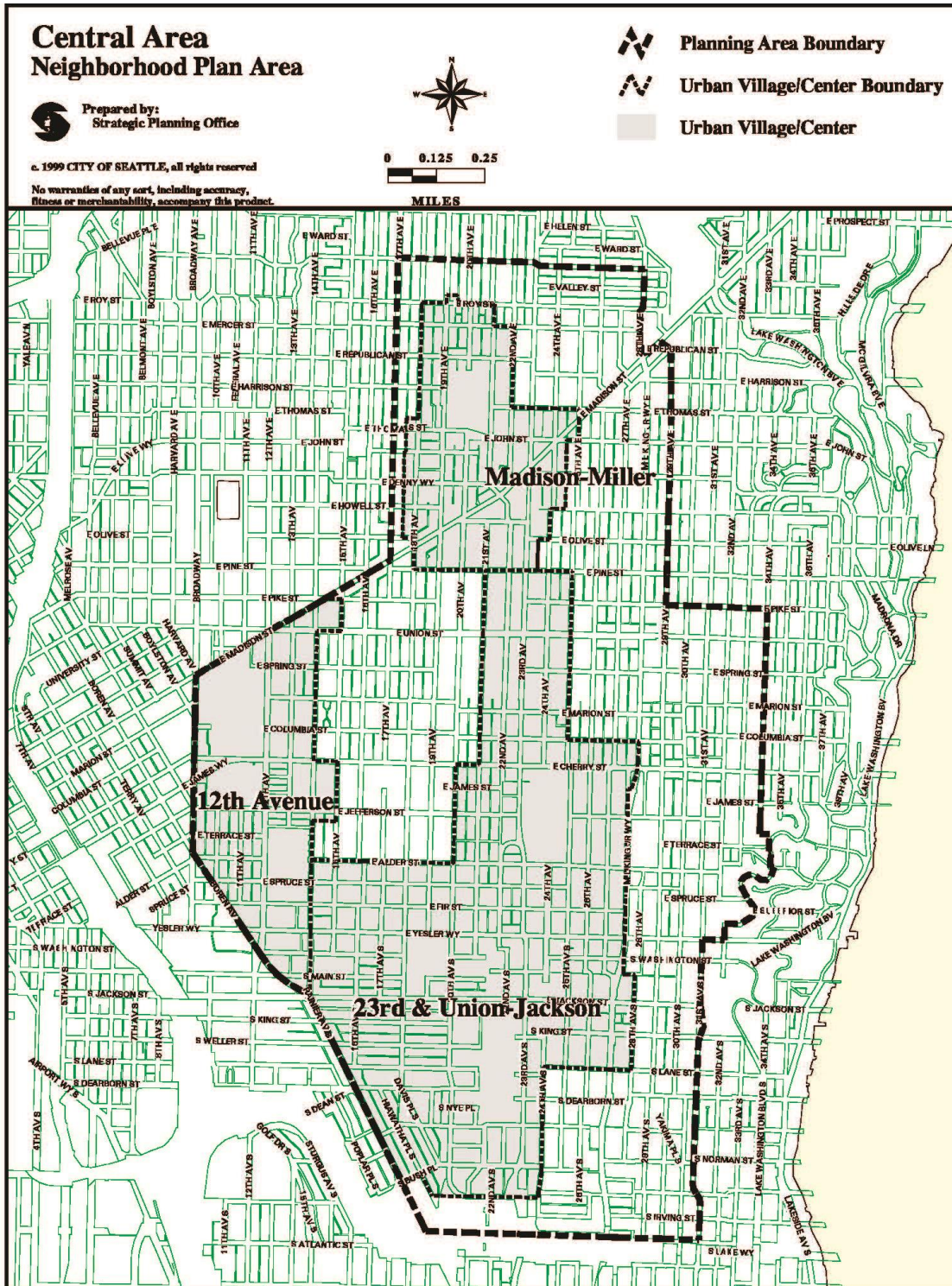
### Map D: Union Development Standards



### Map E: Jackson Development Standards



Map F: Central Area Neighborhood Plan Boundary



### **III. Background**

#### **23rd Avenue Action Plan (Union-Cherry-Jackson) Context and Community Engagement**

The community has worked together to create the Central Area Action Plan I (1992) and Action Plan II (1998) to manage growth and changes. Action Plan I “told the story of trying to recover a neglected neighborhood while keeping a wary eye on the human impact those changes might bring.” In Action Plan II, the primary vision is “about managing the changes that nearly all community members see on the horizon.” It also envisions “a multi-cultural community, proud of its African-American heritage as well as its many links to other cultures.” Physically it pictures the Central Area as “a series of unique individual urban villages and neighborhood magnets linked together in a common economy and a shared destiny.” These plans are living, breathing documents that reflect the vision, goals and character of the Central Area community.

The City and community organizations have completed many major projects since the community completed its last neighborhood plan such as Flo Ware Park renovation, Judkins Playfield Improvements, Ernestine Anderson Place and Village Spirit Center for affordable housing, Jackson and Union street improvements. The 23rd Avenue Action Plan (Union–Cherry–Jackson) (2015) confirms and updates priorities in previous Central Area action plans with focus on 23rd Avenue at Union, Cherry and Jackson, and identifies implementation mechanisms to turn passion into action. This will help make this great neighborhood a healthier, more equitable and viable destination for all people who call the Central Area home.

Public and private investments are happening in this area. Private property owners are exploring redevelopment of several key properties in these three community cores. Seattle Department of Transportation (SDOT) has been working on a street improvement project that aims to improve safety and mobility for people who drive, walk, bike and take transit on 23rd Avenue from E John Street to S Jackson Street. The Office of Economic Development (OED) also supports building partnerships with property owners and businesses to revitalize commercial districts. The Action Plan articulates community vision and priorities so that the City, developers and community stakeholders can work together to honor Central Area’s history and shape its future.

Between 2013-2014, the Office of Planning and Community Development (OPCD) and Department of Neighborhoods (DON) conducted significant public outreach in the Central Area, including outreach to historically underrepresented communities with focus on the community nodes along 23rd Avenue at Union, Cherry, and Jackson Streets. A broad cross-section of community members worked with City staff to assess and address those conditions that have changed since the 1998 Central Area Action Plan II. New neighbors and new voices worked with those who participated in the planning over twenty years ago. Through hands-on and interactive workshops, focus group meetings, individual workshops, in-person interviews, business canvassing, and online surveys, neighbors used a variety of ways to become and stay involved in the project.

In March 2013, the 23rd Avenue ACT Action Community Team (23rd Avenue ACT) was formed to work in partnership with the City and the community to hold the Central Area vision while balancing the different interests of the community. The 23rd Avenue ACT consists of local

leaders representing diverse backgrounds. Over 50 percent are Black/African American, over 30 percent are small business owners, and over 50 percent are long time Central Area residents. They have worked together to oversee the creation and implementation of the 23rd Avenue Action Plan (Union-Cherry-Jackson), the amendments to the Comprehensive Plan Central Area Neighborhood Planning Element, the Urban Design Framework (UDF) and proposed rezones.

Under the 23rd Avenue ACT's leadership, over 2,000 Central Area residents, business owners and stakeholders have been engaged in 93 public workshops and meetings to create the 23rd Avenue Action Plan (Union-Cherry-Jackson), the Urban Design Framework (UDF), and proposed rezones for these three community nodes that reflect the vision of the Comprehensive Plan Central Area Neighborhood Planning Element. On September 27, 2014, the 23rd Avenue ACT organized the first Annual Central Area Block Party. Over 1,000 diverse community members, including many who once called the Central Area home, met to celebrate a very successful planning effort and offer additional comments on the proposed 23rd Avenue Action Plan (Union-Cherry-Jackson), UDF and rezones.

This robust engagement process with the 23rd Avenue ACT and the broader community resulted in an Action Plan with five priorities:

- **A destination with unique identity** recognizes the Central Area as the historical heart of the African American community while welcoming all people in a multicultural and layered environment that celebrates old and new;
- A neighborhood with **connected people and community** where community assets serve and reflect the community and are equitably accessed by all people including youth, seniors and people of color, and where people from all backgrounds connect, engage, and learn from one another;
- **A great business community** where commercial and community cores work together to provide a broad spectrum of goods and services, viable and sustainable commercial centers and proclaim the Central Area's identity;
- A community with **livable streets for all** that includes an inviting street network for all transportation modes that safely connect to key destinations;
- A place that supports **a healthy and stable community** that provides a safe and comfortable environment, opportunities for physical activity, social interaction, and affordable as well as diverse housing choices.

Throughout the planning process, the community also provided direction on the desired character for each community core. These characteristics are described below. The zoning proposals respond to the desirable community character for each core, and address the community priorities mentioned above.

- **23rd and Union:** This is a neighborhood-scaled destination with housing above businesses that draw customers from the larger neighborhood. It builds on what it already has: a cinema, churches and the Casey Family Program foundation. Plans are already underway on two key properties. This vision is to create a cohesive group of buildings and services to establish a destination that draws people in and has an identity.
- **23rd and Cherry:** This is a smaller scaled node with an abundance of community assets, especially for youth. It is home to a park, Garfield High School, community center, teen



center, arts programs, and small businesses including culturally specific restaurants. The focus here is to improve safety through increased pedestrian activity on the sidewalks, more “eyes on the streets,” and to create a finer grained place that allows those things that are special to this node, like Ezell’s, to stay and flourish.

- **23rd and Jackson:** This is a larger scaled node with regional destinations such as Pratt Fine Arts Center, the Wood Technology Center, Seattle Vocational Institute, the Langston Hughes Performing Arts Institute, and Douglass-Truth Library. It also has housing for a broad mix of people, social services and parks. Finally, it is the place to shop for daily household needs.

## Comprehensive Plan

As part of the 2013-2014 and 2014-2015 Comprehensive Plan annual amendments (Ordinances 124458 and 124887), the City amended Central Area neighborhood plan goals and policies and the Future Land Use to respond to recommendations in the 23rd Avenue Action Plan. The State Growth Management Act requires jurisdictions to enact zoning that is consistent with the Comprehensive Plan Future Land Use Map. The proposed rezones align zoning in the neighborhood with the Future Land Use Map.

The following changes to the Future Land Use Map were made:

- Change selected parcels along 23rd Avenue within the 23rd & Union-Jackson Residential Urban Village from Multi-Family Residential to Commercial/Mixed Use.
- Change selected parcels along E Cherry Street within the 23rd & Union-Jackson Residential Urban Village from Single Family Residential and Multi-Family Residential to Commercial/Mixed Use.
- Expand the Urban Village boundary on E Union Street.

Numerous policies of the City’s Comprehensive Plan support the appropriateness of the 23rd Avenue Corridor as a location for both residential and commercial development. Numerous citywide policies encourage focusing growth in areas, such as 23rd Avenue Corridor, which have good access to jobs, transit, and services (GS1.1, GS1.5, GS1.7, GS 2.4). Additionally, many of the Central Area policies directly support additional development and the types of amenities, such as additional businesses, that come with development. Below is a summary of relevant Comprehensive Plan Goals and Policies from the Neighborhood Element.

- CA-G18 - The three community nodes along 23rd Avenue at Jackson, Union and Cherry are each distinct with a different niche, but together they exhibit or demonstrate the shared identity of the Central Area. These community nodes together serve the diversity of cultures in the Central Area and continue to be home to those businesses and institutions that are central to the African American community:
  - 23rd and Jackson - The largest of the three community nodes with larger scaled mixed use developments. It is the community’s center for general goods and services including education, arts, places of worship and gathering, parks, a library, housing, social services

and places to shop for daily household needs. It is a local and regional destination that draws a broad mix of people.

- 23rd and Union - A medium sized community-serving node with mixed use developments. This node has locally owned businesses and institutions and continues to serve as the center of the African American community. It is a neighborhood scaled destination that builds on existing assets and draws customers from the larger neighborhood.
- 23rd and Cherry - This is a smaller scaled community-serving node with finer grained mixed use developments. This node has an abundance of community assets including parks/open space, Garfield High School and Community Center, teen center, arts programs, and small businesses, in particular ethnic restaurants, that create a unique identity for this node. It draws a broad mix of people, especially youth.
- CA-P63 - Encourage new pedestrian-friendly mixed-use development and increased housing density in and around the 23rd Avenue and Jackson Street commercial area. Include small and large businesses, opportunities for startup businesses, and affordable housing while preserving existing gathering spaces.
- CA-P64 - Support additional retail, restaurants, services, and office space at 23rd and Yesler to increase activity on the sidewalks.
- CA-P65 - Encourage new pedestrian-friendly mixed-use development at 23rd and Union that includes neighborhood serving shops and services, opportunities for startup businesses, affordable housing and live/work housing while respecting the small scale and historic character of this node.
- CA-P66 - Preserve small-scale neighborhood character, immigrant and refugee owned businesses while providing a greater variety of shops and services at 23rd and Cherry and an activated street frontage.
- CA-P67 - Improve access and connectivity to community assets at 23rd and Cherry and activate space around Garfield High School, Garfield Community Center, and Medgar Evers Pool.
- CA-G1 - The Central Area is a community proud of its culture, heritage, and diversity of people and places. This richness derives from the fact that this neighborhood has always been a place of welcome and it has been, and continues to be, the center of the African American community.
- CA-P6 - Create an appealing environment that enhances the historic character while providing opportunities for existing and new development to grow, and serve the emerging needs of the diverse community.

- CA-P7 - Create a vibrant commercial district, encouraging dense urban development in the commercial areas and encouraging housing supportive of the community through land use tools, such as rezones, design guidelines and incentives.
- CA-G7 - The Central Area is a culturally and ethnically diverse and economically strong community. Its business districts provide the goods and services needed for the multicultural community who live, work, worship and shop there.
- CA-P38 - Support vibrant, diverse and distinct commercial districts that provide a range of goods and services for the entire community.
- CA-P68 - Consider rezoning single-family zoned parcels to neighborhood commercial to support continuation and expansion of services provided by local institutions such as the Cherry Hill Baptist Church.

### **Mandatory Housing Affordability Requirement**

In recent years, there have been substantial efforts to analyze the need for affordable housing in Seattle and potential strategies to address it.

The critical need for affordable housing in Seattle has been extensively documented. An overview of this information is provided in the [Director's Report for residential MHA framework legislation](#) (May 2016), which is incorporated herein by reference, as well as in the [Housing Appendix of the Comprehensive Plan](#).

As part of its ongoing efforts, the City has commissioned numerous consultants to provide a variety of expert reports addressing the economics of various affordable housing requirements including:

- [Seattle Affordable Housing Incentive Program Economic Analysis](#), October 10, 2014, David Paul Rosen & Associates;
- [Economic Impact Analysis for Low- and Mid-Rise Residential, Mixed Use and Non-Residential Prototypes](#), David Paul Rosen & Associates, May 18, 2015;
- [Recommendations for Implementation of an Affordable Housing Linkage Fee](#), September 12, 2014, memo by Cornerstone Partnership;
- Seattle Non-Residential Affordable Housing Impact and Mitigation Study, September 15, 2015, David Paul Rosen & Associates.
- Seattle Residential Affordable Housing Impact and Mitigation Study, December 16, 2016, David Paul Rosen & Associates.
- Technical Memorandum re: Economic Analysis of MHA, Community Attributes Inc., November 29, 2016

In September 2014, the City Council adopted [Resolution 31546](#), in which the Mayor and City Council proposed convening a Housing Affordability and Livability Agenda (HALA) Advisory Committee to evaluate potential housing strategies. In July 2015, the 28-member Advisory Committee forwarded a [report](#) to Mayor Murray and City Council with 65 recommendations

focused on increasing the production of market-rate and affordable housing, strategically preserving housing to minimize displacement, providing protections for tenants and low-income homeowners, streamlining permitting systems to reduce housing costs, and leveraging resources for production and preservation of affordable housing. Together, it was anticipated that these recommendations would allow Seattle to produce 30,000 market-rate and 20,000 affordable units over the next 10 years. Implementing MHA requirements in conjunction with increases in development capacity was a key recommendation of the committee.

In 2015 and 2016, City Council passed legislation creating Chapters 23.58B and Chapter 23.58C. Together, these pieces of legislation set up the basic parameters and procedural requirements that apply to commercial and residential development where MHA will apply, but did not actually implement the requirements in any area of Seattle.

The proposal addressed in this report would implement MHA requirements codified through the framework legislation in certain areas in connection with increases in development capacity.

## **Central Area Coordinated Work**

The Mayor's Office and OPCD have been leading an interdepartmental effort to continue collaboration and coordination and leverage investment and resources to address anti-displacement and achieve the equitable vision for the Central Area. Specific activities include implementation of the Action Plan such as the rezone legislation, and the followings:

### **1. Supporting Businesses and Commercial Activity**

Central Area Collaborative (CAC): With support and funding from Seattle Office of Economic Development (OED), CAC was formed to create and sustain a framework for commercial vitality, leadership development and cultural legacy preservation focusing on the African American legacy and future commercial development in the Central Area. CAC will help business and property owners come together around a common vision for the business district and attract additional investment. The Collaborative will build relationships between various economic development organizations in the Central Area to work together towards a common vision, and to build a backbone organization that can support the needs of micro and small businesses, and workforce development agencies to achieve the goals listed in the Central Area Commercial Revitalization Plan with the following five key economic development goals:

- GOAL I: Align ongoing commercial development in the Central Area with community input.
- GOAL II: Establish, retain and grow independent, micro, and small businesses in the Central Area.
- GOAL III: Increase job training and social services for special populations living and working in the Central Area.
- GOAL IV: Develop a thriving, high quality, and educational food ecosystem reflective of the African diaspora.
- GOAL V: Establish the Central Area as an African American arts and cultural center.

**Financial support for micro-businesses:** OED will assist low- and moderate-income owned microbusinesses (those with five or fewer employees) overcome a critical obstacle to growth – lack of low-cost capital. OED will support zero percent interest loans and Individual Development Accounts (IDAs), a type of savings account in which a business deposits funds and has that amount matched by City and federal grants. OED's contribution will cover the interest costs, and the private lender will provide the loan capital.

**Mobile Business Consulting:** OED provides one-on-one consulting appointments directly with business owners and experts at a convenient time and location.

**Support the Startup Ecosystem:** OED's Startup Advocate will connect tech startups with resources. The community should know that there are on-ramps and resources for entrepreneurs in the Central Area. No matter where someone is in the process of building their business, they should know that they can get help at StartupSeattle office hours.

**Hack The CD Cultural Innovation Conference:** This conference has been an opportunity to showcase the latest in design, entrepreneurship, and technology. Its purpose is to provide training and mentorship for black entrepreneurs in Seattle, showcase their projects, connect them to the tech industry and nurture the innovation ecosystem forming in the Central Area.

**Community Vision for Technology:** The City is convening local stakeholders to create a collaborative vision around technology and innovation in the Central Area, with the objectives to map the local ecosystem as it relates to technology and innovation and bring local stakeholders together to discuss and create a shared vision.

## **2. Protecting Community and Cultural Anchors**

**Historic Central Area Arts and Cultural District:** To prevent the loss the Central Area's character, while stimulating a growing arts environment in the City worked with community stakeholders from the arts and creative community to create the Historic Central Area Arts and Cultural District. The Arts District designation recognizes the value of this culturally rich neighborhood, and the need to prevents its loss. Tools include Wayfinding, Cultural Space Branding, public art investments, and increasing the visibility of artists and cultural organizations.

**Central Area Neighborhood Design Guidelines:** The Central Area Collaborative, Historic Central Area Arts and Culture District, Land Use Review Committee, and 23rd ACT members joined an ad-hoc work group to spearhead the development of Design Guidelines for the neighborhood. The purpose is to create Design Guidelines that reflect the culture and legacy of the neighborhood and support commercial revitalization including small business spaces.

**Cultural Space:** The Cultural Facilities Fund provides financial capacity to stabilize venues and make them more productive. The tenant improvements the City funds are based on a minimum of 5 years of site control, encouraging longer leases with arts groups. Spacefinder Seattle reduces inefficiencies in the use of existing cultural spaces, making the spaces more productive and

profitable for the cultural organizations, and making cultural space in artists' neighborhoods and communities more accessible and visible. The Cultural Space Inventory is an attempt to take ongoing snapshots of cultural space's presence in Seattle, capturing displacement data and analyzing the pressures and opportunities facing cultural spaces both before and after any potential displacement.

Pop-up activation: Office of Arts and Culture is producing pop-up activations at Promenade 23 with the Historic Central Area Arts and Cultural District and Vulcan redevelopment.

### **3. Affordable and connected transportation**

23rd Avenue Corridor Improvements Project: This project improves safety and mobility for people who drive, walk, bike, and take transit in the Central Area. Phase One of the project (between S. Jackson and E. John streets) includes modifying 23rd Avenue from two lanes in each direction to one lane in each direction with a center turn lane. This phase also includes replacing the 100-year-old water main, storm drainage upgrades, new pavement, sidewalk improvements, traffic signal upgrades, and better lighting. As part of the 1 percent for Art program for the 23rd Avenue Corridor Improvement project, street art works are proposed at the intersection of 23rd Avenue and Union to create gateway features to improve identity and sense of arrival into the heart of the Central Area.

Central Area Neighborhood Greenway: As part of Seattle Department of Transportation (SDOT)'s 23rd Avenue Corridor Improvement Project, SDOT is constructing a neighborhood greenway near this busy arterial. Neighborhood greenways are non-arterial streets that prioritize bicycle and pedestrian travel by providing a more comfortable environment for people to walk, run, and bike. Small improvements to streets with already low car volumes and speeds add up to a big difference. Greenways can provide access to schools, trails, parks, transit, and neighborhood businesses. They can be especially beneficial for families, children and seniors who might find these routes more comfortable than busier nearby streets.

Madison Bus Rapid Transit: BRT service will provide fast, frequent, reliable, all-day and safe public transportation between First Avenue in downtown Seattle and Martin Luther King Jr Way.

Route 48 South Electrification: The project will improve transit service by adding new trolley wire, bus stop improvements, thicker pavement at bus stops, upgrades to passenger amenities, and access improvements for pedestrians and bicyclists to bus stops.

### **4. Affordable housing and preventing displacement**

Housing Affordability and Livability Agenda (HALA) and Mandatory Housing Affordability (MHA): The Urban Design Framework Study in the 23rd Avenue Action Plan (Union-Cherry-Jackson) includes recommendations to make zoning changes to nodes at Union, Jackson, Cherry to preserve community assets, influence future development, and promote affordable housing.

**Rental Rehabilitation Financing:** This new 2016 Housing Levy financing tool will be deployed in the Central Area to improve housing quality, preserve existing housing, and ensure participating apartments stay affordable for existing residents. Rental Rehab Financing provides private property owners with low cost rehab loans; in exchange, at least half of the units will be rent and income restricted at or below 60 percent of median income. The Office of Housing will engage in targeted outreach to avail this financing to Central Area properties to help prevent displacement of existing low income residents, with a focus on property owners with community ties and properties with long term residents.

**Sustainable Homeownership Tools:** Two new 2016 Housing Levy homeownership programs—Foreclosure Prevention Loans and Home Repair Grants—will be targeted to low-income Central Area homeowners to help them remain safe and stable in their homes.

**Foreclosure Prevention Loans:** Loans of up to \$30,000 will assist low-income homeowners at or below 80 percent of median income become current on delinquent mortgage payments, real-estate tax payments and/or homeowner association dues. Home Repair Grants of up to \$10,000 will assist low-income homeowners at or below 50 percent of median income to address critical home repair needs that could otherwise compel a homeowner to sell the home and leave the community. The Office of Housing will engage in targeted outreach to Central Area community and faith organizations to deploy the loans and grants to Central Area.

**Liberty Bank Site with Community Ownership MOU:** The City invested \$12.2 million in funding for Capitol Hill Housing to help build 115 units affordable to individuals and families earning \$18,000 to \$54,000 a year (24rd and Union). A Memorandum of Understanding signed by Africatown Center, Capitol Hill Housing, Black Community Impact Alliance, and Centerstone is intended to carry on community-based vision of empowering the Black community and other affected communities of color.

**Preservation of Kuniyuki Apartments:** Funded the strategic acquisition of the Kuniyuki Apartments (14th Avenue and Yesler)—a privately-owned building in the Central Area at risk of losing affordability restrictions. The Office of Housing worked with Catholic Housing Services and community partners from the Central Area to acquire and preserve this property for use as affordable housing for generations to come.

**Affirmative Marketing of Affordable Housing:** The Office of Housing will work with Central Area properties participating in the Multifamily Tax Exemption (MFTE) and Mandatory Housing Affordability (MHA) programs to affirmatively market vacancies to Central Area residents who are at risk of displacement to promote fair access to City-supported housing.

## **5. Open Space**

There are 33.48 acres of existing parks and open space within and abutting the 23rd & Union-Jackson Urban Village. The 23rd Avenue ACT has been working with the City to improve areas within and around the Garfield campus area between E Cherry Street and E Jefferson Street and between 23rd Avenue and 25th Avenue for a safer, more walkable and inviting community

gathering place. These improvements include paving, lighting, landscaping and picnic table/chairs.

Seattle Parks and Recreation (SPR) is working on the 2017 Development Plan, a 6-year plan that documents and describes SPR's facilities and lands, looks at Seattle's changing demographics and lays out a vision for the future from the lens of accessibility and equity. The anticipated outcomes for the plan include:

- Have an approach to Open Space and Recreation Facility distribution that is based upon access, opportunity, equity, and real time data.
- Have a user friendly data interface that the public can access via story mapping and other new technologies.
- Maintain a Baseline Level of Service for Citywide Open Space.
- Have refined long-term strategies that look to acquire more land to add to the park network over time, and to increase the capacity of existing facilities to allow expanded use (e.g., converting grass fields to synthetic turf fields or adding a walking path in a park), where feasible.

#### **IV. Rezone Overview**

##### **Current zoning overview**

The rezone area contains a mix of Neighborhood Commercial (NC1, NC2, and NC3), Lowrise (LR2) and Single-Family (SF5000) zoning.

- **23rd and Union:** Properties along E Union Street are generally zoned Neighborhood Commercial 2 (NC2) which allows for moderate-scale mixed-use commercial/residential buildings. A pedestrian (P) designation applies to properties fronting on E Union Street and 23rd Avenue between 20th Avenue and 25th Avenue. In limited areas, multifamily zoning – Lowrise 1 (LR1), Lowrise 2 (LR2) or Lowrise 3 (LR3) provides for multifamily development that serves as a transition between single-family and commercial areas.
- **23rd and Cherry:** Properties along E Cherry Street are generally zoned Neighborhood Commercial 1 (NC1) which allows for small-scale mixed-use commercial/residential buildings. Properties along 23rd Avenue are generally zoned Lowrise 2 (LR2). In limited areas, multifamily zoning – Lowrise 2 (LR2) or Lowrise 2 – Residential Commercial (LR2-RC) provides for multifamily development that serves as a transition between single-family and commercial areas.
- **23rd and Jackson:** Properties along S Jackson Street and 23rd Avenue are zoned Neighborhood Commercial 3 (NC3) which allows for larger scale mixed-use commercial/residential buildings. In most areas, multifamily zoning – Lowrise 1 (LR1), Lowrise 2 (LR2) or Lowrise 3 (LR3) provides for multifamily development that serves as a transition between single-family and commercial areas.



### **Pedestrian Overlay**

A Pedestrian (P) designation already exists along E Union St between 20th Ave and 25th Avenue. The existing P designation will remain in these areas.

On May 11, 2015, the City Council passed Ordinance 124770 adding a Pedestrian designation along S Jackson Street from 22nd Avenue S to M L King Jr. Way S approximately 120' deep along both sides of S Jackson (see below description) and designated S Jackson Street as a Principal Pedestrian Street in the citywide pedestrian legislation.

The Pedestrian designation at the Jackson node accommodates the community desire for an improved pedestrian environment along S Jackson as well as the ability to locate drive-through retail (such as pharmacies) in the non-pedestrian designated portions of the area.

### **Current Development Activities**

The following are some examples of known activities on private properties.

#### **23rd and Union:**

- Developer has completed one 6-story mixed use building at the southwest corner of 23rd recently and is planning to construct another one at the northwest corner of 23rd and Union.
- A contract rezone and master use permit to increase height from 40' to 85' is underway for the midtown property at the southeast corner of 23rd and Union.
- A contract rezone and master use permit to increase height from 40' to 65' is underway at the northwest corner of 24th and Union for affordable housing development with ground floor retail and community ownership.
- A new artwork has been proposed at the southwest corner of 23rd and Union as part of the 1 percent for Art program for the 23rd Avenue Corridor Improvement project, to create gateway features to improve identity and sense of arrival into the heart of the Central Area.

#### **23rd and Cherry:**

- At the northwest corner of 23rd Avenue and E Jefferson Street, the owner of Ezell's Famous Chicken, a long time black owned business, is exploring options for future expansion with a supportive zoning designation after legislative rezone.
- Cherry Hill Baptist Church is looking to expand current service and include additional housing after legislative rezone.
- The 23rd Avenue ACT has been working with the City to improve areas within and around the Garfield campus area between E Cherry Street and E Jefferson Street and between 23rd Avenue and 25th Avenue for a safer, more walkable and inviting community gathering place. These improvements include paving, lighting, landscaping and picnic table/chairs.

### **23rd and Jackson:**

- At the southeast corner of the 23rd Avenue S and South Jackson Street, Vulcan has proposed a 40,000 square foot commercial space and 570 housing units on the Promenade 23 shopping plaza site under current NC3-65 and NC3P-65 zoning designations.

### **Intent of zoning changes**

In general, the proposed rezones increase the allowed density and intensity of neighborhood commercial areas, and provide for pedestrian-oriented commercial districts by concentrating commercial and residential growth along 23rd Avenue at E Union Street, E Cherry Street, and S Jackson Street. These changes will encourage focused activities, a greater variety of shops, services and housing including affordable housing in the community cores that serve the Central Area community, enhance the sense of community and identity for the Central Area, and support community ownership for the African American community. The proposed zoning supports the Goals and Policies of the Central Area Neighborhood Plan in the Comprehensive Plan, and the 23rd Avenue Action Plan (Union-Cherry-Jackson).

**23rd and Union:** This area includes locally-owned businesses and institutions and continues to serve as the center of the African American community. This node lacks a coherent urban design as one parcel was rezoned with a 65' height limit while much of the rest is zoned to 40'. In addition, the southeast corner is largely vacant now that the Post Office has essentially moved out. Public safety is a concern. The rezone will allow for a medium sized mixed-use commercial node with increased vitality and commercial energy. The proposed zoning will also support a coherent identity for this node and serve as a gateway for the Central Area.

**23rd and Cherry:** This node has an abundance of community assets including parks/open space, Garfield High School and Community Center, teen center, arts programs and small businesses. There are also several ethnic restaurants that create a unique identity for this node. It draws a broad mix of people, especially youth. There are inconsistencies between existing zoning and current uses, and existing zoning and future land use map designations. The proposed zoning will support a small scaled community-serving node that allows mixed-use commercial development along 23rd Avenue across the street from the Garfield High School campus, activates street frontage and enables existing landmark businesses (such as Ezell's) and institutions (such as Cherry Hill Baptist Church) to expand. It will also support increased development capacity along MLK Jr Way S, which is a major arterial. The proposed rezone will align zoning, current uses and future land use map designations. The Neighborhood Commercial zone designation along 23rd Avenue will require ground floor retail, which make some existing residential-only buildings non-conforming. Future development of these buildings can apply for departures of such requirement.

**23rd and Jackson:** This is the largest of the three nodes and is zoned to include larger scaled mixed-use developments. It is the community's primary destination for general goods and services including education, arts, places of worship and gathering, parks, a library, housing, social services and places to shop for daily household needs. It is a local

and regional destination that draws a broad mix of people. The node currently lacks urban design coherence and is auto-dominated. The rezone will encourage new pedestrian-friendly mixed-use development, and increase housing density and opportunity including affordable housing in and around the 23rd Avenue and S Jackson St commercial area, and expand retail choices.

## V. Development Standards Analysis

### Revisions to the Land Use Code to Provide Transition and Limit Bulk

OPCD recommends inclusion of several new development standards in subsection 23.47A.009 to improve the transition of bulk and scale to lower intensity zones. Additional development standards are also intended to improve pedestrian circulation and urban form in the core areas. All of the development standards are depicted on Map D Union Development Standards, and Map E Jackson Development Standards.

#### **23rd Avenue and Union** (See Map D Union Development Standards):

- **Setback Requirements:** Setbacks are required in the Neighborhood Commercial zone area shown in Map D: Union Development Standards (Proposed Map C for 23.47A.009). A minimum street-level setback of 5 feet along the length of the street property line; and a minimum upper-level setback of 15 feet for all portions of a structure above a height of 35 feet above the average finished grade. These requirements aim to provide transitions to single family zones at the edges, and bring light to the street and reduce the perceived bulk of buildings to create a more pedestrian friendly environment. The 35 feet upper-level setback requirement corresponds to the height of single family residential across the street. These areas can be generally described as below:
  - a. North of E Spring Street between 23rd Avenue and 24th Avenue;
  - b. West of 24th Ave between E Union Street and E Spring Street where Single Family (SF5000) zones are on the opposite side of 24th Avenue;
  - c. South of E Pike Street between 23rd Avenue and 24th Avenue;
  - d. East of 22nd Avenue between E Union Street and E Spring Street; Street where Single Family (SF5000) zones are on the opposite side of 22nd Avenue.
- **Street-level residential uses:** Street-level residential uses are required in areas shown in Map D: Union Development Standards (Proposed Map C for 23.47A.009). Street-level, street-facing frontages may contain uses accessory to a residential use including residential access, open space or required amenity space and other uses. This requirement aims to preserve the residential feel of the street and respect adjacent single family zones. 80 feet of the street property line aligns with the single-family lot length across the residential streets and at the same time provides retail frontage opportunity along 23rd Avenue arterial streets. These areas can be generally described as below:
  - a. North of E Spring Street between 23rd Avenue and 24th Avenue except within 80 feet of the street property line of 23rd Avenue;

- b. West of 24th Avenue between E Union Street and E Spring Street where Single Family (SF5000) zones are on the opposite side of 24th Avenue, approximately 120 feet south of property line abutting south of E Union Street;
- c. South of E Pike Street between 23rd Avenue and 24th Avenue except within 80 feet of the street property line of 23rd Avenue;
- d. East of 22nd Avenue between E Union Street and E Spring Street where Single Family (SF5000) zones are on the opposite side of 22nd Avenue.

**23rd Avenue and Jackson** (See Map E Jackson Development Standards):

- **Setback Requirements:** Along S Jackson Street property lines as shown in Map E Jackson Development Standards (Proposed Map C for 23.47A.009), a minimum upper-level setback of 10 feet is required for all portions of a structure above a height of 45 feet as measured from average finished grade elevation. This requirement aims to provide more light onto the street and reduce the perceived bulk of buildings to create a more pedestrian friendly environment. This upper-level setback requirement is applied to S Jackson Street to promote a stronger main street and promenade character.
- **Maximum structure width:** The maximum width of structure that is facing S Jackson Street or 23rd Avenue S is 250 feet. Façade modulation or building separation can be considered as a break in the maximum width of structure if the below requirements are met. This requirement aims to achieve massing and scale more compatible with the existing neighborhood context, achieve a human scale, and ensure more light penetration to the street level.
  - a. A portion of the street-facing facade shall project or be recessed from abutting facade by a minimum depth of 15 feet and a minimum width of 15 feet; or
  - b. A building separation is provided with a minimum width of 15 feet between principal structures
- **Pedestrian connection requirement:** A proposal that includes new development between S Main Street and S King Street within 400 feet east of 23rd Avenue S shall provide an improved north-south pedestrian connection on the block in which it is located. This requirement aims to connect existing and future commercial and residential development in the surrounding area with pedestrian connection along the public sidewalk or within the block. This is consistent with the community vision for a pedestrian friendly environment at this key community node. The specific requirements for the pedestrian connection are listed below:
  - a. The connection may be located anywhere as shown on Map F for 23.47A.009 where pedestrian connection is required and should be incorporated into existing or planned sidewalks if it is located next to existing right-of-way.
  - b. The connection should be designed to connect to existing or planned sidewalks and crosswalks to allow for convenient future connection to the adjoining properties.
  - c. The connection shall be paved and with a minimum width of 6 15 (?) feet, and include at least one of the following: entries to retail stores or other buildings; seating areas for pedestrians; street furniture; bicycle parking; landscaping; pedestrian scale lighting; water features; or overhead weather protection.

- d. The connection, may be located between structures, or may be located in a parking area if the pedestrian area is separated from the parking with special pavements or other treatments to protect pedestrian from cars.

## VI. Application of Mandatory Housing Affordability Requirement

Under this proposal, new commercial or residential development within the rezone area would be required to meet MHA requirements. This contribution would be met by including affordable housing units within new development (performance) or paying into a fund that will support development of affordable housing (payment). Specific standards for using either the payment or performance option are included in SMC Chapter 23.58B for commercial development and Chapter 23.58C for residential development. The performance and payment requirements would vary based on the use of the building (residential vs. commercial) and amount of additional development capacity that was given. In areas where the proposed increase in development capacity would be greater than the standard MHA increase, MHA payment and performance amounts would also be higher in recognition of the higher value of the additional development capacity. All zones subject to the requirements would include a suffix in parentheses at the end of the zoning title which would vary based on the amount of additional development capacity given as follows:

- A zone which got a modest increase in capacity, such as SF to RSL, would end in a (M) suffix
- A zone which got a slightly larger increase in capacity, such as SF to LR1, would end in a (M1) suffix
- A zone which got a larger increase in capacity, such as SF to NC-40, would end in a (M2) suffix

Below is a summary of the specific requirements based on use and the suffix of the zone. These requirements are consistent with those proposed for other areas considered to be “high” areas for the purposes of MHA.

### *Proposed Performance and Payment Requirements*

	Residential Uses		Commercial Uses	
	%	\$	%	\$
<b>Zones with M suffix</b>	7%	\$20.75	5%	\$8.00
<b>Zones with M1 suffix</b>	10%	\$29.75	8%	\$12.75
<b>Zones with M2 suffix</b>	11%	\$32.75	9%	\$14.50

Performance percentages are calculated for residential development as a percentage of total units and for commercial development as a percentage of gross floor area that would be required to be devoted to affordable housing (measured by the rentable area of units). Payment amounts would be measured in dollars per gross square foot of residential and commercial development, excluding portions of buildings that are underground as well as commercial area exempted from

floor area ratio (FAR) calculations such as certain ground floor retail. Payment amounts will adjust automatically on an annual basis in proportion to changes in the Consumer Price Index (CPI).

The 23rd Avenue Action Plan and the Comprehensive Plan provide considerable support for making new height contingent on provision of affordable housing. Below are specific policies and strategies included in the Action Plan that are relevant:

Policy 11: Ameliorate the potential impacts of gentrification and displacement of existing residents through a variety of affordable housing programs including preserving existing multi-family affordable housing and producing new affordable housing.

Strategies:

- Develop affordable housing strategies, preserve existing and create new subsidized housing
- Increase affordable housing access to many cultures in the Central Area especially the African American community
- Encourage green built affordable housing

Policy 12: Maintain and create affordable housing to keep a range of housing prices and unit sizes including affordable family-sized units with amenities for families, and a balance of rental and owner-occupied housing.

Strategies:

- Encourage and require a mix of home prices and sizes through incentives, direct funding, and surplus property programs.
- Achieve a balance of affordable rental and homeownership housing through incentives, direct funding, and surplus property programs.
- Increase family size housing in both single family and multifamily stocks to support families
- Track housing trends

Policy 14: Encourage affordable housing in close proximity or with easy access to community assets and amenities.

- Expand affordable multi-family housing in the core areas

Policy 17: Provide development incentives to multi-family housing developers for providing of affordable housing units within market rate housing projects.

Below are specific policies and strategies from the Comprehensive Plan that are relevant:

**GSG1** Keep Seattle as a city of unique, vibrant, and livable urban neighborhoods, with concentrations of development where all residents can have access to employment, transit, and retail services that can meet their daily needs.

- GS1.5** Encourage infill development in underused sites, particularly in urban centers and villages.
- GS1.7** Promote levels of density, mixed-uses, and transit improvements in urban centers and villages that will support walking, biking, and use of public transportation.
- GSG2** Accommodate a majority of the city's expected household growth in urban centers and urban villages and a majority of employment growth in urban centers.
- LUG1** Achieve a development pattern consistent with the urban village strategy, concentrating most new housing and employment in urban centers and villages, while also allowing some infill development compatible with the established context in areas outside centers and villages.
- HG2** Help meet current and projected regional housing needs of all economic and demographic groups by increasing Seattle's housing supply.
- HG3** Achieve a mix of housing types that provide opportunity and choice throughout Seattle for people of various ages, races, ethnicities, and cultural backgrounds and household sizes, types, and incomes.
- HG5** Make it possible for households of all income levels to live affordably in Seattle and reduce over time the unmet housing needs of lower income households in Seattle.
- H5.1** Pursue public and private funding sources for housing preservation and production to provide housing opportunities for lower-wage workers, people with special needs, and those who are homeless or at risk of being homeless.
- H5.3** Promote housing affordable to lower-income households in locations that help increase access to education, employment, and social opportunities, while supporting a more inclusive city and reducing displacement from Seattle neighborhoods or from the city as a whole.
- H5.6** Increase housing choice and opportunity for extremely low- and very low-income households in part by funding rent/income-restricted housing throughout Seattle, especially in areas where there is a high risk of displacement. Also increase housing choice in areas where lower-cost housing is less available but where there is high frequency transit service and other amenities, even if greater subsidies may be needed.
- H5.13** Seek to reduce cost burdens among Seattle households, especially lower-income households and households of color.
- H5.15** Encourage a shared responsibility between the private and public sectors for addressing affordable housing needs.

**H5.16** Consider implementing a broad array of affordable housing strategies in connection with new development, including but not limited to development regulations, inclusionary zoning, incentives, property tax exemptions, and permit fee reductions.

**H5.18** Consider implementing programs that require affordable housing with new development, with or without rezones or changes to development standards that increase development capacity.

**H5.20** Implement strategies and programs to help ensure a range of housing opportunities affordable for Seattle's workforce.

City staff have determined that the increased residential development capacity can be achieved within the rezone area, subject to consideration of other regulatory controls on development, as required under RCW 36.70A.540.3.c.

## **VII. Recommendation**

OPCD recommends adoption of the proposed rezones and text amendments. This proposal will help implement that goals and policies of the 23rd Avenue Action Plan and the City's Comprehensive Plan by directing growth to the community cores along 23rd Avenue in a manner that will foster a vibrant neighborhood core and encourage living-wage employment opportunities, a range of housing including affordable housing, neighborhood-focused services, and public gathering spaces - a hub that is well served by a range of comfortable and convenient travel options.

### **Appendix:**

- A. Rezone Criteria Analysis
- B. Summary of community meetings
- C. Relationship between Payment and Performance Amounts
- D. 23rd Avenue Action Plan (Union-Cherry-Jackson)
- E. 23rd Avenue Action Plan Urban Design Framework



## Appendix A: Rezone Criteria Analysis

### Neighborhood-wide Rezone Criteria

#### General Rezone Criteria (SMC [23.34.008](#))

The table below analyzes the broad rezone proposal for all 8 rezone areas against a set of general rezone criteria.

Criterion	Met?	Analysis – 23rd Avenue Action Plan
<i>In urban centers and urban villages the zoned capacity for the center or village taken as a whole shall be no less than 125 percent of the growth estimates adopted in the Comprehensive Plan for that center or village. (SMC 23.34.008.A.1)</i>	Yes	Based on the Seattle Comprehensive Plan 2035, the zoned capacity before rezone is 4,295 housing unit within the 23rd & Union-Jackson Urban Village, which is over 125% of the housing unit growth estimate of 1,600 units. The proposal represents an increase in the development capacity available in the neighborhood, thus this criterion is met.
<i>For the area within the urban village boundary of hub urban villages and for residential urban villages taken as a whole the zoned capacity shall not be less than the densities established in the Urban Village Element of the Comprehensive Plan. (SMC 23.34.008.A.2)</i>	Yes	The Comprehensive Plan defines the 23rd & Union-Jackson as a residential urban village with zoning that permits at least 12 dwelling units per gross acre. The zoned capacity before rezone will reach a density of 18.9 units per gross acre, which exceeds the growth accommodation established in the Comprehensive Plan. The proposal represents an increase in the development capacity available in the neighborhood, thus this criterion is met.
<i>The most appropriate zone designation shall be that for which the provisions for designation of the zone type and the locational criteria for the specific zone match the characteristics of the area to be rezoned better than any other zone designation. (SMC 23.34.008.B)</i>	Yes	A specific analysis of each individual rezone in relationship to criteria for the specific zones is provided in the Zone-specific Rezone Criteria section (see page 42 of this report).
<i>Previous and potential zoning changes both in and around the area proposed for rezone shall be examined. (SMC 23.34.008.C)</i>	Yes	Previous and potential zoning changes were examined, and were not found to conflict with this proposal.

Criterion	Met?	Analysis – 23rd Avenue Action Plan
<p><i>Council adopted neighborhood plans that apply to the area proposed for rezone shall be taken into consideration. (SMC 23.34.008.D.2)</i></p>	<p>Yes</p>	<p>The proposals are consistent with the Comprehensive Plan, the 1998 Central Area Neighborhood Plan and the proposed 23rd Avenue Action Plan (Union-Cherry-Jackson). See page 16-17 of this report for a listing of specific neighborhood plan goals and policies applicable to this rezone.</p>
<p><i>Where a neighborhood plan establishes policies expressly adopted for the purpose of guiding future rezones, but does not provide for rezones of particular sites or areas, rezones shall be in conformance with the rezone policies of such neighborhood plan. (SMC 23.34.008.D.3)</i></p>	<p>Yes</p>	<p>The proposed rezones conform to the Central Area goals and policies CA-G1, CA-G7, CA-G18, CA-P6, CA-P7, CA-P38, CA-P63, CA-P65, CA-P66, and CA-P67 as amended by Ordinance 124458, and CA-P68 as amended by Ordinance 124887.</p>
<p><i>The impact of more intensive zones on less intensive zones or industrial and commercial zones on other zones shall be minimized by the use of transitions or buffers, if possible. A gradual transition between zoning categories, including height limits, is preferred. Physical buffers may provide an effective separation between different uses and intensities of development. (SMC 23.34.008.E.1)</i></p>	<p>Yes</p>	<p>The rezone proposal locates more intensive Neighborhood Commercial zones in the community cores around 23rd Avenue at Union, Cherry and Jackson.</p> <p>In 23rd and Union Core, the proposed development standards in rezone Area 1a, 1a(p) and 1b(p) would require street and upper level setbacks to respect adjacent single family zones, and reduce the perceived bulk of buildings to create a more pedestrian-friendly environment. The proposed 55' in Area 1b and 1b(p) and Area 2 provides transition between the proposed 75' in Area 1a and 40' Area 3 and the adjacent residential zones. The proposed 40' in Area 3 provides a gradual transition between the proposed 55' in Area 1b &amp; 2 and the adjacent residential zones.</p> <p>In 23rd and Cherry Core Area 7, the rezone proposal locates Lowrise (LR) multi-family zones between the arterial and single family zones to provide a transition.</p> <p>In 23rd and Jackson core rezone Area 8, the proposed upper level setback requirement will</p>

Criterion	Met?	Analysis – 23rd Avenue Action Plan
		<p>provide more light onto the street and reduce the perceived bulk of buildings to create a more pedestrian-friendly environment, and the maximum length of street-facing facade will ensure pedestrian scale street front, solar access, view and relief.</p> <p>In all other areas where commercial zones abutting residential zones, the existing setback requirements in the Land Use Code section 23.47A.014 provide an appropriate transition between uses.</p>
<p><i>Physical buffers may provide an effective separation between different uses and intensities of development. (SMC 23.34.008.E.2)</i></p>	<p>Yes</p>	<p>The proposed rezones consider and use the available physical buffers such as street right-of-way.</p>
<p><i>In establishing boundaries the following elements shall be considered:</i></p> <ul style="list-style-type: none"> <li>• <i>Physical buffers;</i></li> <li>• <i>Platted lot lines.</i></li> </ul> <p><i>Boundaries between commercial and residential areas shall generally be established so that commercial uses face each other across the street on which they are located, and face away from adjacent residential areas. An exception may be made when physical buffers can provide a more effective separation between uses (SMC 23.34.008.E.3).</i></p>	<p>Yes</p>	<p>In a majority of instances, the proposed rezones will result in Neighborhood Commercial (NC) zoned lots facing each other along 23rd Avenue, E Union Street, E Cherry Street, and S Jackson Street.</p> <p>In the 23rd and Union core, rezones to Neighborhood Commercial zones include areas that are either abutting or across streets from single family zones (Rezone Area 1a, 1a(p), 1b and 1b(p), 2 &amp; 3 on Map A, page 8). In Rezone Area 1b, 1b(p) &amp; 2, commercial zones that are abutting single family zones will face streets away from single family uses. In Rezone Area 1a where commercial zones are across streets from single family zones, existing streets will provide physical buffers. In addition, the proposed development standards in Area 1a recommend limiting ground floor to residential uses in these areas to preserve the residential feel of the street.</p> <p>In the 23rd and Cherry core, rezone area 4,5 and 6 to Neighborhood Commercial zone (NC1-40)</p>

Criterion	Met?	Analysis – 23rd Avenue Action Plan
		<p>are separated from residential zones by 23rd Avenue arterial street or 22<sup>nd</sup> Avenue residential street. Rezone area 7 to Lowrise 2 Residential Commercial zone along ML King Jr. Way S will face away from adjacent residential areas and act as a transition between commercial activities at Cherry and MLK and single family residential zones.</p> <p>In the 23rd and Jackson core, rezone area 8 follows the existing 65' Neighborhood Commercial zones. The pedestrian designation along S Jackson Street follows platted lot lines or the abutting NC2-40 zone as described below. This accommodates the community's desire for an improved pedestrian environment along S Jackson Street the ability to locate drive-through retail (such as pharmacies) in the non-pedestrian designated portions of the area, and development flexibility.</p> <ul style="list-style-type: none"> <li>• Between 22nd and 23rd Avenues both sides of the street – follows the rear lot line of the parcels at the northeast and southeast corners of 22nd Avenue S and S Jackson Street.</li> <li>• Between 23rd Avenue and ML King Jr. Way S – follows the existing NC2-40 zone boundary and extends the same line across the large parcels to 23rd Avenue.</li> </ul> <p>In all other areas where commercial zones abut residential zones, existing setback requirements in the Land Use Code section 23.47A.014 provide sufficient buffer.</p>
<p><i>In general, height limits greater than forty (40) feet should be limited to urban villages. (SMC 23.34.008.E.4).</i></p>	<p>Yes</p>	<p>All proposed rezones greater than 40 feet are within the 23rd &amp; Union-Jackson Residential Urban Village.</p>
<p><i>Negative &amp; positive impacts on the area, including factors such as housing (particularly low-income housing), public services, environmental factors (noise, air</i></p>	<p>Yes</p>	<p>The rezone proposal provides for a modest increase of intensity in neighborhood commercial and multifamily structures. This could result in minor negative impacts such as increase in shadowing by new structures,</p>

Criterion	Met?	Analysis – 23rd Avenue Action Plan
<p><i>&amp; water, flora &amp; fauna, odor, glare &amp; shadows, energy), pedestrian safety, manufacturing activity, employment activity, architectural or historic character, shoreline review, public access and recreation, should be examined. (SMC 23.34.008.F.1).</i></p>		<p>replacement of some existing single family and smaller scale housing structures, and some minor increase in local traffic. The area is largely built-out so impacts on natural systems are limited.</p> <p>Minor negative impacts described above would be offset by positive impacts. For instance, new development could enhance vegetative cover by complying with Seattle's Green Factor and Drainage Code. Since the City's Mandatory Housing Affordability program (MHA) will be applied, new affordable housing units are likely to be created.</p> <p>Development following the proposed zoning would increase pedestrian-focused retail activity; enhance the neighborhood's employment opportunities; increase housing opportunities and diversify the area's housing stock; improve pedestrian safety by improved sidewalks with new development; and allow new residences and businesses in close proximity to the community cores so as to increase travel by walking, biking and transit.</p>
<p><i>Development which can reasonably be anticipated based on the proposed development potential shall not exceed the service capacities which can reasonably be anticipated in the area, including street access, street capacity, transit service, parking capacity, utility and sewer capacity. (SMC 23.34.008.F.2).</i></p>	<p>Yes</p>	<p>The 23rd &amp; Union-Jackson Residential Urban Village is served by several arterial roadways and a full range of existing utility infrastructure. The 23rd Avenue Corridor Improvements Project has enhanced transit's reliability and pedestrian environment. And the neighborhood greenway parallel to 23rd Avenue will prioritize bicycle and pedestrian travel by providing a more comfortable environment for people to walk, run, and bike. In addition, encouraging the creation of more pedestrian-oriented shopping will provide a broader range of goods and services for the surrounding neighborhood and greater Central Area. Additional car trips to outlying shopping areas can be reduced.</p>
<p><i>Evidence of changed circumstances shall be taken into</i></p>	<p>Yes</p>	

Criterion	Met?	Analysis – 23rd Avenue Action Plan
<p><i>consideration in reviewing proposed rezones, but is not required to demonstrate the appropriateness of a proposed rezone. Consideration of changed circumstances shall be limited to elements or conditions included in the criteria for the relevant zone and/or overlay designations in this chapter. (SMC 23.34.008.G).</i></p>		<p>In the 23rd and Union core, developer has completed one 6-story mixed-use building at the southwest corner of 23rd recently and is planning to construct another one at the northwest corner of 23rd and Union. A contract rezone and master use permit to increase height from 40' to 85' is underway for the midtown property at the southeast corner of 23rd and Union. A contract rezone and master use permit to increase height from 40' to 65' is underway at the northwest corner of 24th and Union for affordable housing development with ground floor retail and community ownership.</p> <p>In the 23rd and Cherry core, the owner of Ezell's Famous Chicken, a long time African American owned business, is exploring options for future expansion with a supportive zoning designation after legislative rezone. Cherry Hill Baptist Church is looking to expand current service and include additional housing after legislative rezone.</p> <p>In the 23rd and Jackson core, Vulcan is proposing 40,000 s.f. commercial space and 570 housing units on the Promenade 23 shopping plaza using current zoning NC3-65 and NC3P-65.</p>
<p><i>If the area is located in or adjacent to a critical area, the effect of the rezone on the critical area shall be considered. (SMC 23.34.008.I).</i></p>	<p>Yes</p>	<p>No impacts to critical areas are expected to result from the rezone proposal. The area is already an intensely developed urban environment and is mostly flat.</p>
<p><b>Conclusion:</b> OPCD has weighed and balanced these criteria together, and determined that the areas generally meet the rezone criteria and therefore that the areas are appropriate for proposed rezones.</p>		

**Criteria for Height Limits of Proposed Zones (SMC 23.34.009),**

The table below analyzes the broad rezone proposal for all 8 rezone areas against a set of criteria setting height limits.

Criterion	Met?	Analysis – 23rd Avenue Action Plan
<p><i>Height limits for commercial zones shall be consistent with the type and scale of development intended for each zone classification. The demand for permitted goods and services and the potential for displacement of preferred uses shall be considered. (SMC 23.34.009.A)</i></p>	<p>Yes</p>	<p>The 23rd Avenue Action Plan encourages businesses that serve the needs of the community. The proposal is estimated to create new opportunities for mixed use development. The proposed rezones will increase the commercial and housing development capacity and would likely increase the diversity of available options for locating small businesses in the neighborhood.</p> <p>In the 23rd and Union core, the highest proposed height of 75' in the rezone Areas 1a and 1a(p) is 35' higher than the currently allowed height in the neighborhood, and is in scale with recent or planned development at the southwest corner of 23rd Avenue and Union Street. The proposed height of 55' in the rezone Areas 1b, 1b(p) &amp; 2 are 15' higher than the existing 40' allowed height. The proposed height of 40' in the rezone area 3 is 10' higher than the existing allowed height of 30' in the neighborhood core. The increase in height is consistent with current construction underway in this node and typical mixed use development scale found within urban villages and centers, and it reflects community's vision for this core as a moderate size pedestrian-oriented mixed-use destination that includes neighborhood serving shops, services and housing.</p> <p>In the 23rd and Cherry core, the highest proposed height of 40' in the rezone Areas 4, 5 &amp; 6 is 5'-10' higher than currently allowed height in neighborhood. In the rezone Area 7, the height limit for the proposed Lowrise zone is the same as the existing single family zone. The increase in height is consistent with existing zoning at this node along E Cherry St and typical mixed use development scale found within urban villages and centers, and it reflects community's vision for</p>

Criterion	Met?	Analysis – 23rd Avenue Action Plan
		<p>this core as a smaller scaled community-serving node with finer grained mixed use developments.</p> <p>In the 23rd and Jackson core, the highest proposed height of 75' in the rezone Area 8 is 10' higher than currently allowed 65' height in the neighborhood. The 75' zone is proposed to be located in areas where a significant amount of land is under-developed or lacking in retail and service uses. The increase in height reflects the community vision for this core as the largest of the three community nodes with larger scaled mixed use developments, the community's center for general goods and services, and a local and regional destination that draws a broad mix of people.</p>
<p><i>Height limits shall reinforce the natural topography of the area and its surroundings, and the likelihood of view blockage shall be considered. (SMC 23.34.009.B)</i></p>	<p>Yes</p>	<p>Existing and proposed height limits respond primarily to the context of the urban grid and the major arterial axis of 23rd Avenue and Union, Cherry and Jackson streets. While some views from private and public properties may be impacted by future development that benefit from additional height, it is not anticipated that view impacts would be significantly greater than might be expected from development permissible under the existing height limit. The proposed development standards intend to mitigate these impacts.</p>
<p><i>The height limits established by current zoning in the area shall be given consideration. In general, permitted height limits shall be compatible with the predominant height and scale of existing development, particularly where existing development is a good measure of the area's overall development potential. Height limits for an area shall be compatible with actual and zoned heights in surrounding areas. (SMC 23.34.009.C)</i></p>	<p>Yes</p>	<p>Heights are proposed to increase throughout most of the proposed rezone areas. The existing context consists of mix of multifamily and mixed-use buildings, commercial buildings, and single-family. The commercial buildings are generally built considerably below the existing development potential.</p> <p>In the 23rd and Union core, a 75' height limit proposed in rezone Areas 1a, 1a(p) and 55' in Area 1b, 1b(p) &amp; 2 are compatible with current 65' development pattern. A number of properties are likely to redevelop in the near future. These will likely use the allowed heights thereby</p>



Criterion	Met?	Analysis – 23rd Avenue Action Plan
		<p>establishing a future context of 55'-75' building heights in the rezone area subject to the Mandatory Housing Affordability requirements and providing a transition between the commercial core with a 75' height limit and adjacent single family residential zones.</p> <p>In the 23rd and Cherry core, the height increase as a result of the proposed rezones is 5'-10'. This presents a slight increase over the existing neighborhood height and scale along 23rd Avenue and E Cherry Street, which are arterial streets.</p> <p>In the 23rd and Jackson core, a 75' height limit proposed in rezone Areas 8 is compatible with recent six story developments. A number of properties are likely to redevelop in the near future. These will likely use the allowed heights thereby establishing a future context of 65' - 75' building heights in the rezone area subject to Mandatory Housing Affordability program for affordable housing.</p> <p>OPCD is proposing development standards including additional setbacks, maximum length of street-facing facade and pedestrian access that would manage the bulk of structures in some specific areas.</p>
<p><i>A gradual transition in height and scale and level of activity between zones shall be provided unless major physical buffers are present. (SMC 23.34.009.D.2.)</i></p>	<p>Yes</p>	<p>In general, the proposed rezones are consistent with the traditional zoning pattern established in the neighborhood in which more intensive (commercial) zones are buffered from least intensive (single-family) zones by moderately intensive (multifamily) zones.</p> <p>Overall, areas identified for upzone are generally located in the existing neighborhood core and are mostly zoned Neighborhood Commercial and a few for Lowrise.</p> <p>In the 23rd and Union core, rezone in Area 1a&amp;1a(p) to Neighborhood Commercial zones (NC2-75 and NC2P-75) includes areas that are</p>

Criterion	Met?	Analysis – 23rd Avenue Action Plan
		<p>either abutting or across streets from single family zones (Map A, page 9). In areas abutting single family zones, the existing setback requirements in the Land Use Code will provide a gradual transition in height and scale. In areas across streets from single family zones, existing streets will provide physical buffers. In addition, the proposed setback requirements at 23rd Avenue and E Union Street will help provide a gradual transition. Rezones in Area 1b, 1b(p), 2 &amp; 3 will include existing setback requirements to provide transitions to single family zones at the edges, bring light to the street, and reduce the perceived bulk of buildings to create a more pedestrian-friendly environment. Overall, the recommended height limit of 75' and 55' around the intersection to create a consistent identity, reflect development pattern and provide a better transition to surrounding uses at this important intersection.</p> <p>In the 23rd and Jackson core (Rezone Area 8), the proposed development standards for upper-level setbacks will provide more light onto the street and reduce the perceived bulk of buildings to create a more pedestrian friendly environment, and the maximum structure width will ensure pedestrian scale street fronts, solar access, views and relief of building bulk.</p> <p>Generally, in all areas where commercial zones are abutting residential zones, existing setback requirements in the Land Use Code 23.47A.014 will provide sufficient buffer.</p>
<p><i>Particular attention shall be given to height recommendations in business district plans or neighborhood plans adopted by the City Council subsequent to the adoption of the 1985 Land Use Map. (SMC 23.34.009.E.)</i></p>	<p>Yes</p>	<p>The Central Area Neighborhood Plan recognizes the importance of 23rd and Union, Cherry and Jackson commercial nodes as community's shopping center and destinations, but does not recommend specific heights in these nodes. The proposed increase in height limit is a recommendation developed during the extensive community engagement that occurred during the 23rd Avenue Action Plan. It aims to achieve community's vision and goals to strengthen the</p>

Criterion	Met?	Analysis – 23rd Avenue Action Plan
		<p>Central Area’s unique identity and community character, and create vibrant and resilient commercial districts that encourage pedestrian friendly mixed use development, support existing and new businesses and development, provide opportunities for a variety of shops, services and housing that serve the diverse Central Area community. The Action Plan is recommended to be adopted through this legislative process.</p>
<p><b>Conclusion:</b> OPCD has weighed and balanced these criteria, and determines that the areas meet the criteria and therefore the proposed allowed heights are appropriate.</p>		

## Zone-specific Rezone Criteria

This section of the rezone analysis reviews each of the 8 proposed rezones according to the specific functional and locational criteria for the proposed zoning designation. According to the rezone criteria in 23.34.008, the characteristics of the area proposed for rezone should match the locational criteria of the proposed zone better than any other zoning designation.

1

### **Increase Allowed Heights from 40' to 55' and 75'**

**Rezone Proposal:** rezone existing neighborhood commercial properties located on E. Union St between 22<sup>nd</sup> Ave and 25<sup>th</sup> Avenue (See Area 1, Map A, page 9 above.)

**Area 1a(p):** Rezone from Neighborhood Commercial 2 with a pedestrian designation and a height limit of 40 feet (NC2P-40) to Neighborhood Commercial 2 with a pedestrian designation and a height limit of 75 feet (NC2P-75(M1))

**Area 1a:** Neighborhood Commercial 2 with a height limit of 40 feet (NC2-40) to Neighborhood Commercial 2 with a height limit of 75 feet (NC2-75(M1)). The existing Pedestrian designation in this area is retained.

**Area 1b(p):** Rezone from Neighborhood Commercial 2 with a pedestrian designation and a height limit of 40 feet (NC2P-40) to Neighborhood Commercial 2 with a pedestrian designation and a height limit of 55 feet (NC2P-55(M))

**Area 1a:** Rezone from Neighborhood Commercial 2 with a height limit of 40 feet (NC2-40) to Neighborhood Commercial 2 with a height limit of 55 feet (NC2-55(M)). The existing Pedestrian designation in this area is retained.

This rezone is only for height. The change in allowed heights from 40' to 55' and 75' are evaluated in section "Criteria for Height Limits of Proposed Zones" on pages 37.

**Existing Conditions:** This area has a mix of retail/service, office, single family and multifamily residential, and institution uses.

2

### **Increase Allowed Heights from 30' to 55'**

**Rezone Proposal:** Rezone from Neighborhood Commercial 2 with a pedestrian designation and a height limit of 30 feet (NC2P-30) to Neighborhood Commercial 2 with a pedestrian designation and a height limit of 55 feet (NC2P-55(M1)) for existing neighborhood commercial properties located on E. Union St between 21st Ave and 22nd Avenue (See Area 2, Map A, page 9 above.)

This rezone is only for height. The change in allowed heights from 30' to 55' is evaluated in section "Criteria for Height Limits of Proposed Zones" on page 37.

**Existing Conditions:** This area has a mix of retail/service, office, single family, multifamily residential, and institutions uses.

3

### **Increase Allowed Heights from 30' to 40'**

**Rezone Proposal:** Rezone from Neighborhood Commercial 2 (NC2P-30) to Neighborhood Commercial 2 (NC2P-40(M)) for existing neighborhood commercial properties located on E. Union St between 20th Ave and 21st Avenue (See Area 3, Map A, page 9, above.)

This rezone is only for height. The change in allowed heights from 30' to 40' is evaluated in section "Criteria for Height Limits of Proposed Zones" on page 37.

**Existing Conditions:** This area has a mix of retail/service, office, single family and multifamily residential uses.

4

#### **Increase Allowed Heights from 30' to 40'**

**Rezone Proposal:** Rezone from Neighborhood Commercial 1 with a height limit of 30 feet (NC1-30) to Neighborhood Commercial 1 with a height limit of 40 feet (NC1-40(M)) for existing neighborhood commercial properties located at the northwest and southwest corner of 23rd Avenue and E. Cherry Street (See Area 4, Map B, page 10, above.)

This rezone is only for height. The change in allowed heights from 30' to 40' is evaluated in section "Criteria for Height Limits of Proposed Zones" on pages 37.

**Existing Conditions:** This area has a mix of retail/service, office, single family, multifamily residential, and institutions uses.

5

#### **Change Zoning from Single Family (SF5000) to Neighborhood Commercial 1 (NC1-40(M2))**

**Rezone Proposal:** Rezone from Single Family (SF 5000) to Neighborhood Commercial 1 with a height limit of 40 feet (NC1-40(M2)) for existing Cherry Hill Baptist Church properties located northwest of 22nd Ave and E. Cherry Street (See Area 5, Map B, page 10, above.)

**Existing Conditions:** This area has the existing Cherry Hill Baptist Church and its parking area.

This rezone requires consideration of the rezone criteria for single-family, designation of Commercial Zones, and function and locational criteria for neighborhood commercial zones.

**Rezone of Single-family Zoned Areas (SMC 23.34.010.B.2)**

Criterion	Met?	Analysis – Area 5
<p><i>B. Areas zoned single-family or RSL that meet the criteria for single-family zoning contained in subsection B of Section 23.34.011 and that are located within the adopted boundaries of an urban village may be rezoned to zones more intense than Single-family 5000 when all of the following conditions are met:</i></p> <p><i>1. A neighborhood plan has designated the area as appropriate for the zone designation, including specification of the RSL/T, RSL/C, or RSL/TC suffix, if applicable;</i></p> <p><i>2. The rezone is:</i></p> <p><i>d. Within a designated Urban Center or Urban Village and the underlying Future Land Use Map designation is a designation other than Single-Family. (SMC 23.34.010.B.2.d).</i></p>	<p>Yes</p>	<p>The 23rd Avenue Action Plan (Union-Cherry-Jackson) has identified more appropriate zones for a few single family zoned areas in Area 5.</p> <p>These areas are within the 23rd &amp; Union-Jackson Residential Urban Village and have been designated on the Comprehensive Plan's Future Land Use Map as Commercial/Mixed use areas.</p> <p>This rezone will allow the existing institution Cherry Hill Baptist Church to provide expanded services to the community including businesses, services and housing including affordable housing. It will also provide more activities on the street with more people working, visiting and living in the area, which could improve the safety and image of the area.</p>
<p><b>Conclusion:</b> OPCD has weighed and balanced these criteria together, and determines that the areas generally meet the rezone criteria for single family and therefore that the areas are appropriate for proposed rezones.</p>		

**Criteria for Designation of Commercial Zones (SMC 23.34.072)**

Criterion	Met?	Analysis – Area 5
<p><i>The encroachment of commercial development into residential areas shall be discouraged. (SMC 23.34.072.A)</i></p>	<p>Yes</p>	<p>The rezone area is abutting Neighborhood Commercial zones to east, and a residential street to the west. The residential street can act as a buffer between the existing residential zones and proposed Neighborhood Commercial zones and would not encroach upon adjacent residential areas.</p>

Criterion	Met?	Analysis – Area 5
<i>Areas meeting the locational criteria for a single-family designation may be designated as certain neighborhood commercial zones as provided in Section <u>23.34.010</u>. (SMC 23.34.072.B)</i>	N/A	The proposal includes rezone from Single Family to Neighborhood Commercial. The rezone meets the requirement stated in Section 23.34.010.
<i>Preferred configuration of commercial zones shall not conflict with the preferred configuration and edge protection of residential zones as established in Sections <u>23.34.010</u> and <u>23.34.011</u> of the Seattle Municipal Code. (SMC 23.34.072.C)</i>	Yes	The preferred configuration of the commercial zones will remain the same as the existing configuration. Council re-designated Area 5 from Single Family Residential to Commercial/Mixed Use in the Future Land Use map as part of the 2014-15 Comprehensive Plan annual amendments.
<i>Compact, concentrated commercial areas, or nodes, shall be preferred to diffuse, sprawling commercial areas. (SMC 23.34.072.D)</i>	Yes	The proposal's intent is described in Policy 7 of the Central Area Neighborhood Planning Element of the Comprehensive Plan: "Create a vibrant commercial district, encouraging dense urban development in the commercial areas and encouraging housing supportive of the community through land use tools, such as rezones, design guidelines and incentives" The proposal concentrates the commercial area around the 23rd Avenue and Cherry Street intersection, consistent with this criterion.
<i>The preservation and improvement of existing commercial areas shall be preferred to the creation of new business districts. (SMC 23.34.072.E)</i>	Yes	The proposal does not create a new business district – rather, it would encourage a variety of shops, services and housing in the existing neighborhood commercial core around the 23rd Avenue and Cherry. It is intended to enhance the neighborhood scaled commercial core, and improve streetscape and safety through more pedestrian activities and eyes on the streets.
<b>Conclusion:</b> OPCD has weighed and balanced these criteria together, and determines that the areas generally meet the criteria for Designation of Commercial Zones and therefore that the areas are appropriate for proposed rezones.		



**Neighborhood Commercial 1 (NC1) zones, function and locational criteria (SMC 23.34.074)**

Criterion	Met?	Analysis – Area 5
<p>A. <i>Function: To support or encourage a small shopping area that provides primarily convenience retail sales and services to the adjoining residential neighborhood, where the following characteristics can be achieved: (SMC 23.34.074.A)</i></p>	<p>Yes</p>	<p>The proposed rezone for Area 5 would support the continuation and expansion of services provided by the Cherry Hill Baptist Church. The proposed NC1-40 zoning would also enable other uses such as housing, offices, and mixed use development that provides primarily convenience retail sales and services and activates street frontage along E Cherry Street and encourages access to these services and shops by foot, bike or vehicle and create more eyes on the street to improve safety around the Cherry community core.</p>
<p>1. <i>[can achieve] A variety of small neighborhood-serving businesses; (SMC 23.34.074.A.1)</i></p>	<p>Yes</p>	<p>The proposal to rezone Area 5 to NC1-40 zone will enable more flexibility in providing space for small neighborhood-serving businesses similar to those around the 23rd Avenue and E Cherry Street, and along E Cherry Street between 23rd Avenue and ML King Jr. Way.</p>
<p>2. <i>[can achieve] continuous storefronts built to the front lot line; (SMC 23.34.074.A.2)</i></p>	<p>Yes</p>	<p>The proposal to rezone Area 5 to NC1-40 would encourage continuous storefronts built to the street-facing lot line similar to those around the 23rd Avenue and E Cherry Street, and along E Cherry Street between 23rd Avenue and ML King Jr. Way.</p>
<p>3. <i>[can achieve] an atmosphere attractive to pedestrians; (SMC 23.34.074.A.3)</i></p>	<p>Yes</p>	<p>The proposed NC1-40 zoning for Area 5 would help achieve an atmosphere attractive to pedestrians in addition to existing pedestrian activities around the Cherry community core.</p>
<p>4. <i>[can achieve] Shoppers can walk around from store to store; (SMC 23.34.074.A.4)</i></p>	<p>Yes</p>	<p>The proposed NC1-40 zoning would enable shoppers to walk from store to store around the 23rd Avenue and E Cherry Street, and along E Cherry Street between 23rd Avenue and ML King Jr. Way.</p>
<p><i>Locational Criteria. A Neighborhood Commercial 1 zone designation is most appropriate on land that is generally characterized by the following conditions: (SMC 23.34.074.B)</i></p>		

Criterion	Met?	Analysis – Area 5
<i>1. Outside of urban centers and urban villages, or within urban centers or urban villages where isolated or peripheral to the primary business district and adjacent to low-density residential areas; (SMC 23.34.074.B.1)</i>	Yes	Area 5 at 22 <sup>nd</sup> Avenue and E Cherry Street is within the strong community core that attracts businesses and community activities within the 23rd & Union-Jackson Residential Urban Village. It is adjacent to the primary business district along 23rd Avenue at Union and Jackson, and long E Cherry Street. It is adjacent to low-density residential uses.
<i>2. Located on streets with limited capacity, such as collector arterials; (SMC 23.34.074.B.2)</i>	Yes	Area 5 is located along E Cherry Street, a minor arterial. A NC1 designation will provide opportunities for small neighborhood scale businesses and services as well as create a more active storefront along E Cherry Street.
<i>3. No physical edges to buffer the residential areas; (SMC 23.34.074.B.3)</i>	Yes	There is no physical edge to buffer Area 5 from the adjacent single family residential zoned area.
<i>4. Small parcel sizes; (SMC 23.34.074.B.4)</i>	Yes	Area 5 consists of 2 small parcels. One is 5,160 sq. ft., the other is 3,870 sq. ft.
<i>5. Limited transit service. (SMC 23.34.074.B.5)</i>	Yes	The area has limited transit service along E Cherry Street.
<b>Conclusion:</b> The rezone proposal meets the functional criteria of the NC1 zone, and meets all locational criteria. OPCD determines that Area 5 generally meets the functional and locational criteria of the NC1 zone and therefore is appropriate for the proposed NC1 zone.		

**6 Change Zoning from Lowrise 2 (LR2) to Neighborhood Commercial 1 (NC1-40(M1))**

**Rezone Proposal:** Rezone from Lowrise 2 (LR2) to Neighborhood Commercial 1 with a height limit of 40 feet (NC1-40(M1)) for existing neighborhood commercial and residential properties located west of 23rd Avenue between E. Jefferson Street and south of E. Cherry Street (See Area 6, Map B, page 10, above.)

**Existing Conditions:** This area has a mix of retail, single family and multifamily residential, and institution uses.

This rezone requires consideration of the criteria for designation of Commercial Zones, and function and locational criteria for neighborhood commercial zones.

**Criteria for Designation of Commercial Zones (SMC 23.34.072)**

Criterion	Met?	Analysis – Area 6
<i>The encroachment of commercial development into residential areas shall be discouraged. (SMC 23.34.072.A)</i>	Yes	The site proposed for rezone to a Neighborhood Commercial 1 zone is occupied by a mix of residential and commercial uses including Ezell's Famous Chicken, memorial facility and learning center, and Cherry Hill Baptist Church. Commercial development on this site will be consistent with the current use, development pattern and would not encroach upon adjacent residential areas.
<i>Areas meeting the locational criteria for a single-family designation may be designated as certain neighborhood commercial zones as provided in Section 23.34.010. (SMC 23.34.072.B)</i>	N/A	The proposal includes rezone from Single Family to Neighborhood Commercial. The rezone meets the requirement stated in Section 23.34.010.
<i>Preferred configuration of commercial zones shall not conflict with the preferred configuration and edge protection of residential zones as established in Sections 23.34.010 and 23.34.011 of the Seattle Municipal Code. (SMC 23.34.072.C)</i>	Yes	The preferred configuration of the commercial zones will remain the same as the existing configuration. Council re-designated these areas from Multi-Family Residential to Commercial/Mixed Use in the Future Land Use map as part of the 2013-14 Comprehensive Plan annual amendments in Ordinance 124458, and as part of the 2014-15 Comprehensive Plan annual amendments in Ordinance 124887.
<i>Compact, concentrated commercial areas, or nodes, shall be preferred to diffuse, sprawling commercial areas. (SMC 23.34.072.D)</i>	Yes	The proposal's intent is described in Policy 7 of the Central Area Neighborhood Planning Element of the Comprehensive Plan: "Create a vibrant commercial district, encouraging dense urban development in the commercial areas and encouraging housing supportive of the community through land use tools, such as rezones, design guidelines and incentives" The proposal concentrates the commercial area around the 23rd Avenue and Cherry Street intersection, consistent with this criterion.

Criterion	Met?	Analysis – Area 6
<i>The preservation and improvement of existing commercial areas shall be preferred to the creation of new business districts. (SMC 23.34.072.E)</i>	Yes	The proposal does not create a new business district – rather, it would provide existing businesses a conforming zoning designation and supplement the existing neighborhood commercial core around the 23rd Avenue and Cherry core with a great variety of shops, services and housing. It is intended to enhance the neighborhood scaled commercial core, and improve streetscape and safety through more pedestrian activities and eyes on the streets.
<p><b>Conclusion:</b> OPCD has weighed and balanced these criteria together, and determines that the areas generally meet the criteria for Designation of Commercial Zones and therefore that the areas are appropriate for proposed rezones.</p>		

**Neighborhood Commercial 1 (NC1) zones, function and locational criteria (SMC 23.34.074)**  
The proposed rezone must meet the general functional and locational criteria of the NC1 zone.

Criterion	Met?	Analysis – Area 6
<i>A. Function. To support or encourage a small shopping area that provides primarily convenience retail sales and services to the adjoining residential neighborhood, where the following characteristics can be achieved: (SMC 23.34.074.A)</i>	Yes	The proposed rezone for Area 6 would support the existing businesses and institution uses on the west side of 23rd Avenue by aligning the zoning with existing uses and future development pattern. The proposed NC1 – 40 zone would also enable other uses such as housing, offices, and mixed-use development that would activate street frontage along 23rd Avenue and create more eyes on the street to improve safety around Garfield campus.
<i>1. [can achieve] A variety of small neighborhood-serving businesses; (SMC 23.34.074.A.1)</i>	Yes	The proposal to rezone Area 6 to NC1 – 40' zone will enable more flexibility in providing space for small neighborhood-serving businesses similar to those around the 23rd Avenue and E Cherry Street, and along E Cherry Street between 23rd Avenue and ML King Jr. Way.

Criterion	Met?	Analysis – Area 6
2. <i>[can achieve] continuous storefronts built to the front lot line; (SMC 23.34.074.A.2)</i>	Yes	The proposal to rezone Area 6 to NC1 – 40 would encourage continuous storefronts built to the front lot line similar to those around the 23rd Avenue and E Cherry St, and along E Cherry Street between 23rd Avenue and ML King Jr. Way.
3. <i>[can achieve] an atmosphere attractive to pedestrians; (SMC 23.34.074.A.3)</i>	Yes	The proposed NC1 – 40 zoning for Area 6 would help achieve an atmosphere attractive to pedestrians in addition to existing pedestrian activities around the Garfield campus and along 23rd Avenue and E Cherry Street. This is also consistent with the goal of the 23rd Avenue corridor improvement project to improve pedestrian environment and activities along 23rd Avenue.
4. <i>[can achieve] Shoppers can walk around from store to store; (SMC 23.34.074.A.4)</i>	Yes	The proposed NC1 – 40 zoning would enable shoppers to walk from store to store around the 23rd Avenue and E Cherry St, and along E. Cherry St between 23rd Avenue and ML King Jr Way.
<i>Locational Criteria. A Neighborhood Commercial 1 zone designation is most appropriate on land that is generally characterized by the following conditions: (SMC 23.34.074.B)</i>		
1. <i>Outside of urban centers and urban villages, or within urban centers or urban villages where isolated or peripheral to the primary business district and adjacent to low-density residential areas; (SMC 23.34.074.B.1)</i>	Yes	Area 6 at 23rd Avenue and E Cherry Street is within the strong community core that attracts businesses and community activities within the 23rd & Union-Jackson Residential Urban Village. It is adjacent to the primary business district along 23rd Avenue at Union and Jackson, and along E Cherry Street. It is adjacent to low-density residential uses.
2. <i>Located on streets with limited capacity, such as collector arterials; (SMC 23.34.074.B.2)</i>	No	Area 6 is located along 23rd Avenue, which is a principal arterial. A NC1 designation will provide existing neighborhood scale businesses and institution uses a consistent zoning as well as create a more active storefront while minimize business competition from existing primary business district along 23rd Avenue at Union and Jackson, and along E Cherry Street.

Criterion	Met?	Analysis – Area 6
<i>3. No physical edges to buffer the residential areas; (SMC 23.34.074.B.3)</i>	Yes	There is no physical edge to buffer Area 6 from the abutting Lowrise residential area. Area 6 can act as a buffer between 23rd Avenue and the abutting residential areas.
<i>4. Small parcel sizes; (SMC 23.34.074.B.4)</i>	Yes	Area 6 consist of 7 parcels, 5 of which have an approximate size of 3,000 sq. ft., and the other two parcels are between 9,000 and 14,800 sq. ft.
<i>5. Limited transit service. (SMC 23.34.074.B.5)</i>	No	The area has good transit service along 23rd Avenue.
<p><b>Conclusion:</b> The rezone proposal meets the functional criteria of the NC1 zone, and meets 3 of 5 locational criteria. OPCD determines that Area 6 generally meets the functional and locational criteria of the NC1 zone and therefore is appropriate for the proposed NC1 zone.</p>		

7

**Change Zoning from Single Family (SF 5000) to Lowrise 2 Residential Commercial (LR2-RC(M1))**

**Rezone Proposal:** Rezone from Single Family (SF 5000) to Lowrise 2 Residential Commercial (LR2-RC(M1)) for residential properties located at the northeast corner of E. Cherry Street and ML King Jr Way (See Area 7, Map B, page 10, above.)

**Existing Conditions:** This area has a mix of single family and institution uses.

This rezone requires consideration of the rezone criteria for Single-Family, criteria for Designation of Multifamily Zones, and function and locational criteria for Lowrise2 and Residential Commercial zones.

**Rezone of Single-family Zoned Areas (SMC 23.34.010.B.2), and Criteria for Designation of Multifamily Zones (SMC 23.34.013)**

<b>Criterion</b>	<b>Met?</b>	<b>Analysis – Area 7</b>
<p><i>An area zoned single-family that meets the criteria of Section 23.34.011 for single-family designation, may not be rezoned to multifamily except as otherwise provided in Section 23.34.010 B. (SMC 23.34.010)</i></p> <p><i>B. Areas zoned single-family or RSL that meet the criteria for single-family zoning contained in subsection B of Section 23.34.011 and that are located within the adopted boundaries of an urban village may be rezoned to zones more intense than Single-family 5000 when all of the following conditions are met:</i></p> <p><i>1. A neighborhood plan has designated the area as appropriate for the zone designation, including specification of the RSL/T, RSL/C, or RSL/TC suffix, if applicable;</i></p> <p><i>2. The rezone is:</i></p> <p><i>d. Within a designated Urban Center or Urban Village and the underlying Future Land Use Map designation is a designation other than Single-Family. (SMC 23.34.010.B.2.d).</i></p>	<p align="center">Yes</p>	<p>The 23rd Avenue Action Plan (Union-Cherry-Jackson) has identified more appropriate zones for a few single family zoned areas. These areas are within the 23rd &amp; Union-Jackson Residential Urban Village and have been designated on the Comprehensive Plan's Future Land Use Map as Multifamily Residential areas.</p> <p>This rezone will create a consistency between the existing single-family zoning and the Comprehensive Plan Future Land Use Map designation and increase development capacity along ML King Jr. Way.</p>
<p><i>An area zoned single-family that meets the criteria of Section 23.34.011 for single-family designation may not be rezoned to multifamily except as otherwise provided in Section 23.34.010.B. (SMC 23.34.013)</i></p>	<p align="center">Yes</p>	<p>See above</p>

**(LR2) zone, function and locational criteria (23.34.018)**

Criterion	Met?	Analysis – Area 7
<p><i>The dual functions of the LR2 zone are to:</i></p> <ol style="list-style-type: none"> <li><i>1. Provide opportunities for a variety of multifamily housing types in existing multifamily neighborhoods and along arterials that have a mix of small scale residential structures; and</i></li> <li><i>2. Accommodate redevelopment in areas within urban centers, urban villages, and Station Area Overlay Districts in order to establish multifamily neighborhoods of low scale and density.</i></li> </ol>	<p>Yes</p>	<p>Area 7 is in the existing Multifamily residential area as designated in the Comprehensive Plan's Future Land Use map. It will provide low scale and density multifamily use within the 23rd &amp; Union-Jackson Residential Urban Village.</p>
<p><i>Locational Criteria. The LR2 zone is most appropriate in areas generally characterized by the following conditions: (SMC 23.34.018.B)</i></p>		
<ol style="list-style-type: none"> <li><i>1. The area is either:</i> <ol style="list-style-type: none"> <li><i>a. located in an urban center, urban village, or Station Area Overlay District where new development could help establish a multifamily neighborhood of small scale and density; or</i></li> <li><i>b. located in or near an urban center, urban village, or Station Area Overlay District, or on an arterial street, and is characterized by one or more of the following conditions:</i> <ol style="list-style-type: none"> <li><i>1) small-scale structures generally no more than 35 feet in height that are compatible in scale with SF and LRI zones;</i></li> <li><i>2) the area would provide a gradual transition between SF or LRI zones and more intensive multifamily or neighborhood commercial zones;</i></li> </ol> </li> </ol> </li> </ol> <p><i>(SMC 23.34.018.B.1)</i></p>	<p>Yes</p>	<p>Area 7 is currently located within the 23rd &amp; Union-Jackson Residential Urban Village.</p> <p>Area 7 is adjacent to a multifamily neighborhood of small scale and density.</p> <p>Area 7 is adjacent to SF5000, LR2, LR2-RC and NC1-40 and compatible in scale with the surrounding height. It can provide a gradual transition between single family and more intensive multifamily, residential commercial or neighborhood commercial zones across E Cherry Street and ML King Jr. Way.</p>



Criterion	Met?	Analysis – Area 7
2. <i>The area is characterized by local access and circulation conditions that accommodate low density multifamily development; (SMC 23.34.018.B.2)</i>	No	Area 7 is along ML King Jr. Way and E Cherry Street, which are both arterial streets. It is characterized by a mix of local and external access and circulation conditions that accommodate low density single family, multifamily and small scale neighborhood commercial development.
3. <i>The area has direct access to arterial streets that can accommodate anticipated vehicular circulation, so that traffic is not required to use streets that pass through lower density residential zones; and; (SMC 23.34.018.B.3)</i>	Yes	Area 7 has direct access to ML King Jr. Way, a minor arterial street.
4. <i>The area is well supported by existing or projected facilities and services used by residents, including retail sales and services, parks, and community centers, and has good pedestrian access to these facilities; (SMC 23.34.014.B.4)</i>	Yes	Area 7 is well supported by existing facilities. Within half mile of Area 7, there are a Garfield Community Center, Medgar Evers Pool, P-Patch, Powell Barnett Park, Nora's Woods, and Gerber Park, and a variety of retail sales services along E Chery St and ML King Jr. Way. The area has good pedestrian access to these facilities
<p><b>Conclusion:</b> The rezone proposal meets 6 of 7 of the functional and locational criteria of the LR2 zone. OPCD has determined that Area 7 is appropriate for the proposed LR2 zone.</p>		

**Residential-Commercial (RC) zone, function and locational criteria (23.34.070)**

The proposed rezone must meet the general functional and locational criteria of the Residential-Commercial (RC) Zone (SMC 23.34.070)

Criterion	Met?	Analysis – Area 7
<i>A residential-commercial designation shall be combined only with a multifamily designation. (SMC 23.34.070.B.1)</i>	Yes	The rezone combines Residential Commercial with Lowrise 2
<i>Other Criteria. Residential-Commercial zone designation is most appropriate in areas generally characterized by the following: a. Existing Character.</i>	Yes	The rezone area is at the edge of the Urban Village surrounded mostly by residential uses. However it abuts existing retail

Criterion	Met?	Analysis – Area 7
<p><i>(1) Areas which are primarily residential in character (which may have either a residential or commercial zone designation), but where a pattern of mixed residential/commercial development is present; or</i></p> <p><i>(2) Areas adjacent to commercial areas, where accessory parking is present, where limited commercial activity and accessory parking would help reinforce or improve the functioning of the commercial areas, and/or where accessory parking would help relieve spillover parking in residential areas. (SMC 23.34.070.B.2.a)</i></p>		<p>cluster at E Cherry Street and ML King Jr. Way intersection. This presents a pattern of mixed residential/commercial development.</p>
<p><i>Physical Factors Favoring RC Designation.</i></p> <p><i>(1) Lack of edges or buffer between residential and commercial uses;</i></p> <p><i>(2) Lack of buffer between major arterial and residential uses;</i></p> <p><i>(3) Streets with adequate access and circulation;</i></p> <p><i>(4) Insufficient parking in adjacent commercial zone results in parking spillover on residential streets. (SMC 23.34.070.B.2.b)</i></p>	<p>Yes</p>	<p>The rezones front ML King Jr. Way, a minor north-south arterial. The proposed LR2-RC will act as a buffer between arterials and residential uses.</p>
<p><b>Conclusion:</b> OPCD has determines that the areas generally meet the criteria for general functional and locational criteria of the Residential-Commercial and therefore that the areas are appropriate for proposed rezones.</p>		

### **Increase Allowed Heights from 65' to 75'**

8

**Rezone Proposal:** rezone existing commercial properties around 23rd Avenue S and S Jackson Street (See Area 8, Map C, page 10, above.)

- **Area 8a:** Rezone from Neighborhood Commercial 3 (NC3P-65) to Neighborhood Commercial 3 (NC3P-75(MHA))
- **Area 8b:** Rezone from Neighborhood Commercial 3 (NC3-65) to Neighborhood Commercial 3 (NC3P-75(MHA))

This rezone is only for height. The change in allowed heights from 65' to 75' is evaluated in section "Criteria for Height Limits of Proposed Zones" on page 37.

**Existing Conditions:** This area has a mix of retail/service, office, single family and multifamily residential, and institution uses.

## Appendix B: Summary of community meetings 2013-2014 City Hosted Community Meetings

Date	Community Meetings	# of Attendees	Types of Engagement
4-Feb-13	Property Owner Group (Monica's Village Place)	11	Meeting
12-Feb-13	Housing Group (SMT)	9	Meeting
18-Feb-13	Hispanic/Latino POEL workshop #1 (Casa Latina)	5	
19-Feb-13	Community Organization Group (Coyote Central)	15	Meeting
20-Feb-13	Business Owner Group (Monica's Village Place)	19	Meeting
7-Mar-13	Hispanic/Latino POEL workshop #2 (Casa Latina)	62	Meeting
9-Mar-13	Umofifest (Garfield Community Center)	20	Meeting
13-Apr-13	Community Mtg (Garfield Community Center)	130	Meeting / Workshop
19-Apr-13	Senior POEL workshop (Central Area Senior Center)	9	Meeting
23-Apr-13	Senior POEL workshop (Ernestine Anderson Place)	3	Meeting
29-Jun-13	Joint OPCD & SDOT Open House and Workshop	95	Open house & workshop
17-Jul-13	Full-day Community Open House	37	Open House
21-Sep-13	Community Mtg (Garfield Community Center)	100	Meeting
18-Dec-13	ACT and Action Team special meeting on Urban Design (Garfield Community Center - Multipurpose Room)	25	Meeting
7-Jan-14	Action Team Meeting - Livable Streets for All (Garfield Community Center - Multipurpose Room)	16	Meeting
10-Mar-14	ACT and Action Team special meeting on Market Retail Study Presentation (Centerstone)	15	Meeting
7-May-14	Action Team Meeting - Unique Identity (Monica's Village Place)	7	Meeting
24-Apr-14	Action Team Meeting - Livable Streets for All (Douglass-Truth Library)	9	Meeting
3-Sep-14	ACT special meeting with Weingarten on Promenade 23 rezone	20	Meeting
22-Sep-14	ACT special meeting on Block Party planning		Meeting
27-Sep-14	Central Area Block Party (Cherry St)	1,000	Block Party & Open House
10-Nov-14	ACT special meeting on 23rd and Union art	20	Meeting
Mar 2013 - Dec 2014	ACT regular monthly meeting - - <b>total 19 meetings</b>		
<b>TOTAL PARTICIPANTS</b>		<b>1,627</b>	
<b>TOTAL MEETINGS</b>		<b>41</b>	

**Community Based Organization hosted meetings (briefed by City staff)**

<b>Date</b>	<b>CBOs</b>	<b># of Attendees</b>	<b>Types of Engagement</b>
14-Jan-13	Jackson Place Community Council	45	Meeting
16-Jan-13	Central Area Community Development Coalition	50	Meeting
14-Feb-13	Central Area Neighborhood District Council (Central Area Senior Center)	19	Meeting
20-Feb-13	Central Area Community Development Coalition	37	Meeting
2-Mar-13	SDOT 23rd Avenue Open House	82	Open House
26-Mar-13	United Black Clergy	15	Meeting
26-Mar-13	Central Area Community Development Coalition	27	Meeting
27-Mar-13	Center Stone board meeting (Firehouse)	12	Meeting
11-Apr-13	Central Area Neighborhood District Council	18	Meeting
5-Aug-13	Central Area Chamber of Commerce meeting	8	Meeting
8-Apr-14	Jackson Place Community Council	17	Meeting
8-Apr-14	Garfield Advisory Council	4	Meeting
12-Apr-14	Squire Park Community Council	20	Meeting
16-Apr-14	LURC	16	Meeting
3-Sep-14	Leshi Community Council	30	Meeting
<b>TOTAL PARTICIPANTS</b>		<b>400</b>	
<b>TOTAL MEETINGS</b>		<b>15</b>	

## Other Outreach and Meetings

Date	Community Meeting	# of Attendees	Types of Engagement
Feb - Apr 2013	Business canvassing (Feb 7 & 28, Mar 30, Apr 2)	95	Business Canvassing
4-Apr-13	Residential canvassing		Residential Canvass
July, 2013	Business canvassing and survey	22	
Ongoing	other POEL outreach (over 100 people)	100	POEL
27-Mar-13	Mt Calvary Christian Center	2	Meeting
13-Aug-13	CAYA (Central Area Youth Association)	2	CBO meeting
14-Aug-13	Central Area Senior Center	2	Meeting
15-Aug-13	Seattle Neighborhood Group	2	Meeting
22-Aug-13	Centerstone	2	Meeting
22-Aug-13	Pratt Art center	2	Meeting
28-Aug-13	Coyote Central	2	Meeting
<i>1-Apr-14</i>	<i>Property owner meeting (Union) - Jean Tinnea, Selome Teshome, Zach Teshome</i>	<i>3</i>	<i>Meeting</i>
<i>11-Sep-14</i>	<i>Cherry Hill Baptist Church</i>	<i>2</i>	<i>Meeting</i>
<i>9-Jul-14</i>	<i>Property owner meeting (Jackson) - Lance with Weingarten</i>	<i>3</i>	<i>Meeting</i>
<i>30-Jul-14</i>	<i>Property owner meeting (Jackson) - Lance with Weingarten</i>	<i>3</i>	<i>Meeting</i>
<i>19-Aug-14</i>	<i>Property owner meeting (Cherry) - Ezell's family (at Garfield Community Center)</i>	<i>3</i>	<i>Meeting</i>
<i>4-Sep-14</i>	<i>Property owner meeting (Union) - Bangasser's rezone</i>	<i>2</i>	<i>Meeting</i>
<b>TOTAL PARTICIPANTS</b>		<b>247</b>	
<b>TOTAL MEETINGS</b>		<b>13</b>	

## **Appendix C: Relationship between Payment and Performance Amounts**

RCW 36.70A.540 provides that “Affordable housing incentive programs may allow a payment of money or property in lieu of low-income housing units if the jurisdiction determines that the payment achieves a result equal to or better than providing the affordable housing on-site, as long as the payment does not exceed the approximate cost of developing the same number and quality of housing units that would otherwise be developed.” This document outlines how the proposed MHA-R payment and performance requirements for the 23rd Avenue Corridor would meet this standard.

### Relationship of payment to cost of developing

In setting required performance and payment amounts for the various zones in the 23rd Avenue Corridor, the City established a conversion factor for determining the relationship between the payment amount and the performance amount. The conversion factor reflects the following methodology:

Payment amount = Capitalized value of difference between market and affordable rental rate (e.g., rent subsidy) + 10 percent

The capitalized value of the rent differential is intended to reflect the value of the revenue that would be lost by an owner due to providing rent-restricted units under the performance option. The 10 percent adjustment reflects a number of factors associated with provision of affordable housing by the City using payment proceeds, specifically the City's cost to administer payment revenue and the resulting delay between the time payments are collected and the ultimate production of affordable housing. Administering payment revenue entails a wide range of activities, including tracking of funds, soliciting and underwriting affordable housing proposals, preparing and reviewing legal documents, closing and disbursement of loans in coordination with other investors and lenders, monitoring of construction progress, and general oversight of projects to ensure consistency with funding policies and procedures. These activities mean some amount of time to translate payments into the actual production of affordable housing. Additional time can be expected based on the time it takes projects to assemble financing and obtain building permits.

The City created several different scenarios for capturing the relationship between performance and payment using the foregoing methodology, based on high, medium, and low rent levels. The “high” scenario was used for the 23rd Avenue Corridor. The scenarios used average rents for buildings 85 feet in height or less.

Table A shows the calculations that were used to determine the payment amount per unit of affordable housing required.

Table A: Calculation of Payment Amount Per Affordable Unit Required

	Market Rate In High Area	Affordable Rate (60% of AMI)
Rent per net square foot	\$3.04	
Average One-bedroom Unit Size (Net SF)	654	
Monthly Gross Rent per Unit	\$1,988	\$1,008
Annual Gross Rent per Unit	\$23,858	\$12,096
<i>Less Vacancy</i>	<i>(\$1,193)</i>	<i>(\$605)</i>
<i>Less Monitoring Fee</i>		<i>(\$150)</i>
Annual Net Income per Unit	\$22,665	\$11,341
Capitalized Value of Net Income per Unit with 5.25% Cap Rate	\$431,715	\$216,023
Rent Subsidy (Market Value-Affordable Value)	\$215,692	
Payment Amount per Affordable Unit Required (Rent Subsidy plus 10%)	\$237,261	
Payment Amount per Net Square Foot of Affordable Unit Required	\$363	

The Payment Amount per Affordable Unit Required figures represent the payment cost for one performance unit in areas with different rent levels. The City started with the performance amount and used the conversion factor to set the payment amount.

Table B shows the cost of development of a unit in market-rate development in comparison to the cost of the payment option per affordable unit calculated above in High Areas. The Cost of Development figures come directly from the Seattle Affordable Housing Incentive Program Economic Analysis Report created by David Paul Rosen and Associates (DRA), October 10, 2014.

Table B: Cost of Development and Cost of Payment Option per Net Square Foot of Affordable Unit in High Area

	Area or Zone (DRA Prototype Numbers)	Rental Units	Ownership Units
Cost of Development from DRA Study (per net square foot)	Downtown highrise (1A, 2A)	\$523	\$620
	South Lake Union highrise (4A, 5A)	\$511	\$595
	South Lake Union Mid-rise (4B, 5B)	\$414	\$476
	LR3 (7B, 8B)	\$458	\$503
	MR (7A, 8A)	\$442	\$496
	NC40 (9B, 10B)	\$448	\$500
	NC65 (9A, 10A)	\$469	\$525
	NC85 (11A, 12A)	\$521	\$523
Payment Amount per Net SF of Affordable Unit Required (from Table A)		\$363	\$363



For all prototypes, the development costs in Table B are greater than the amounts used for purposes of establishing the relationship between performance and payment as set forth in Table A and shown by the last row in the chart. This data also indicates that the cost of the payment option would in all cases be less than the cost of development by non-profit developers, who tend to build low- to mid-rise projects (e.g., the type typical in LR3, MR, and NC zones) and have development costs that are generally equal to or slightly higher than market-rate costs.

The cost of the payment option per affordable unit also remains below an affordability gap cost as determined by DRA (e.g., the capital subsidy required to develop housing affordable to families at target income levels). DRA's affordability gap analysis in the Seattle Non-Residential Affordable Housing Impact and Mitigation Study (DRA, September 15, 2015, pp. 11-13) calculated the cost to make housing affordable to households at the target income level by subtracting per unit development costs from the per unit mortgage supportable from affordable rents at 60 percent of area median income, based on the cost of building new low- or mid-rise multifamily housing. Table C shows how these figures compare to cost of the payment option, based on the 650 net square foot unit size used by DRA.

Table C: DRA Affordability Gap and Cost of Payment Option in a High Area

DRA Affordability Gap (per NSF)	\$371
Payment Amount per NSF of Affordable Unit Required (from Table A)	\$363

For all the foregoing reasons, the payment amount per required affordable unit used for purposes of the conversion factor does not exceed the cost of developing the same quality of unit that would otherwise be developed under the performance option. Thus, the performance and payment requirements for the various 23rd Avenue Corridor zones, whose relationship was determined using that conversion factor, ensure that the payment for a building does not exceed the approximate cost of developing the same number and quality of housing units that would otherwise be developed under the performance option, in compliance with the statutory requirement of RCW 36.70A.540.

#### Equal or better result

For purposes of implementing MHA-R in the 23rd Avenue Corridor, payment achieves a result equal to or better than providing the affordable housing on-site.

First, when creating housing with the same level of income and rent restrictions, payment results in the production of far more units of affordable housing than would be produced by on-site performance, due to the City's ability to use payment proceeds to leverage additional funds that would otherwise not be available. In the past, the City's Office of Housing has leveraged approximately \$3.50 in non-City funding for every \$1 of City funding invested. Among projects that utilize 4% Low Income Housing Tax Credits and tax exempt bonds, which are currently non-competitive and leave a large portion available for additional projects to access in Washington State, the City has leveraged approximately \$3 in non-City funding for every \$1 of City funding invested. Using an even more conservative estimate of \$2.25 in leverage for every \$1 of City funding going forward, the Office of Housing estimates it will still produce substantially more affordable housing than would be achieved through on-site performance. The

Office of Housing, which administers in-lieu payments, has a history of effectiveness in aligning resources to maximize production, and has been particularly successful in leading statewide efforts to streamline and coordinate capital funding as well as long-term asset management and compliance monitoring of affordable housing.

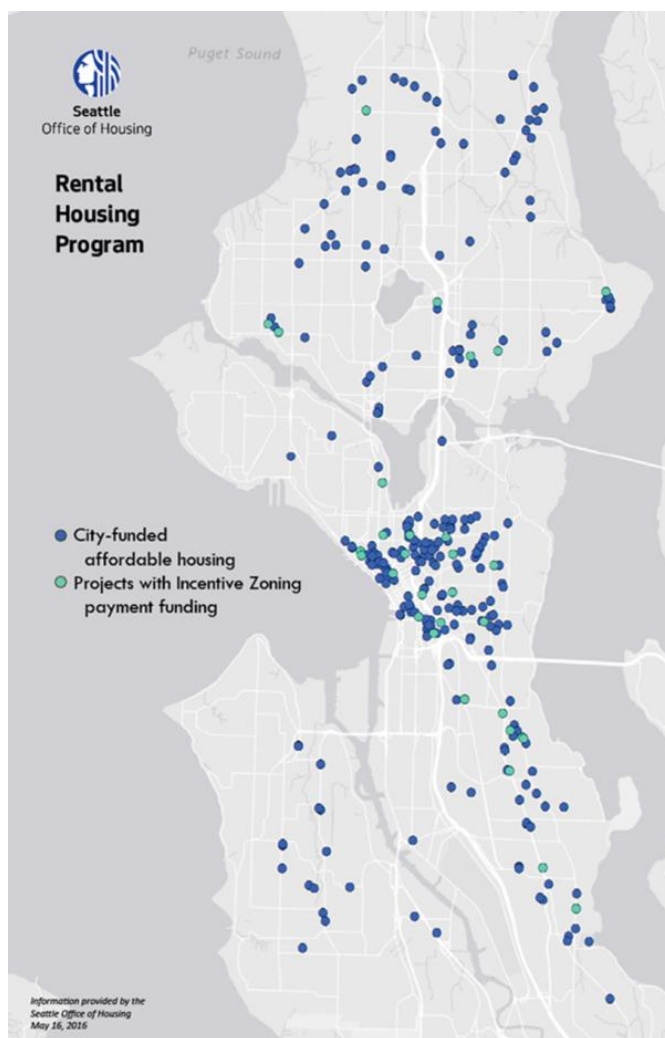
Second, unlike with housing produced on-site, the investment of payment funds allows the flexibility to create housing affordable to households with incomes even lower than 60 percent AMI. While this may create some tradeoffs with the amount of housing produced, the City has in many cases made the policy choice to support housing for individuals and families with incomes lower than the maximum target income level, due to compelling cases that can be made for prioritizing housing for those with the greatest needs.

Third, the Office of Housing has a history of affirmatively furthering fair housing choice by investing in housing throughout the city, including high cost neighborhoods such as the 23rd Avenue Corridor. This record has been confirmed by independent study and is reflected in adopted policies that establish criteria for where funds are invested. The following map illustrates where the City has funded affordable housing, including the locations of projects that have received funding from payments under the City's existing incentive zoning system.

In the proposed MHA program, the City will invest funds in locations that advance the following factors:

- a. Affirmatively furthering fair housing choice;
- b. Locating within an urban center or urban village;
- c. Locating in proximity to frequent bus service or current or planned light rail or streetcar stops;
- d. Furthering City policies to promote economic opportunity and community development and addressing the needs of communities vulnerable to displacement.
- e. locating near developments that generate cash contributions.

While requiring an affordable unit to be in a market-rate building is one way of trying to ensure that low-income residents are integrated with higher-income residents, the City has not found compelling research-based evidence that this strategy results in more meaningful integration than investing in affordable housing projects in strategic locations throughout the



city, particularly where that investment occurs in neighborhoods that provide high levels of opportunity. In addition, the City has received input that some low-income residents place greater value on the opportunity to live in their communities and benefit from existing social networks, as compared to moving to a neighborhood with no existing social supports.

With the new Seattle 2035 Comprehensive Plan, the City has developed a detailed approach to analyzing issues related to displacement and access to opportunity. [See Seattle 2035 Growth and Equity report, May 2016](#). The locational factors for investing payment proceeds under MHA support the recommended equitable development strategies identified in the Growth and Equity report. *See* Growth and Equity report, pp. 11-12.

Comparing the geographic analysis of access to opportunity in the Growth and Equity report to the City's practice in investing payment proceeds confirms that the City has been quite successful in targeting affordable housing investments in areas with high access to opportunity, and high risk of displacement. This demonstrates the importance of a strategic approach to investing in affordable housing projects in a variety of locations based on criteria such as those applicable under MHA.

Finally, funds invested in affordable housing can result in a range of other community benefits. For instance, public investment can stimulate economic development in areas of the city that lack private investment; preserve historic buildings that would otherwise be lost to deterioration or demolition; and help stabilize rents in areas where residents are at risk of displacement. On the whole, funds can be strategically invested to maximize housing choice throughout the city. Projects funded by the City must comply with the statewide Evergreen Sustainable Development Standard, which furthers energy and water efficiency, improves health and safety, and creates operational savings that benefit low-income residents over the long-term. In addition to leveraging other investment in housing, other public funds can also leverage investments in a range of non-residential spaces such as affordable childcare, small business space, and social service facilities. Finally, affordable housing projects often include resident service programs and other connections to social services that help individuals and families to thrive. These types of benefits are generally not achieved through new market rate developments.

Based on the foregoing, City staff has concluded that the investment of payment funds will result in outcomes that are equal or better than those resulting from provision of affordable housing on-site.

## **Appendix D: 23rd Avenue Action Plan (Union-Cherry-Jackson)**

The following is the full report of the 23rd Avenue Action Plan (Union-Cherry-Jackson) developed by OPCD.

This report is also available on the City's website at

<http://www.seattle.gov/dpd/cityplanning/completeprojectslist/unionjackson/projectdocuments/index.htm>

## **Appendix E: 23rd Avenue Action Plan Urban Design Framework**

The following is the full report of the Urban Design Framework developed by OPCD for the 23rd Avenue Action Plan (Union-Cherry-Jackson).

This report is also available on the City's website at

<http://www.seattle.gov/dpd/cityplanning/completeprojectslist/unionjackson/projectdocuments/index.htm>