

**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

..title

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at pages 112 and 113 of the Official Land Use Map to rezone land in the 23<sup>rd</sup> and Union node of the 23rd & Union-Jackson Residential Urban Village; amending Section 23.47A.009 of the Seattle Municipal Code to adopt development standards for certain properties in the 23rd & Union-Jackson Residential Urban Village; and amending Sections 23.58C.040 and 23.58C.050 of the Seattle Municipal Code to implement Mandatory Housing Affordability (MHA).

..body

WHEREAS, the Central Area is the historic home of the African American community in

Seattle, and the 23rd & Union-Jackson Urban Village remains the heart of the African

American community within the Central Area. According to 2010 U.S. Census data, the

Black/African American population within the 23rd & Union-Jackson Urban Village

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; and

WHEREAS, the Central Area is a diverse and inclusive neighborhood with a rich history of civic

engagement on matters affecting the Central Area; and

WHEREAS, The City of Seattle is committed to strong partnerships building with communities

engaged in inclusive and innovative community planning, visionary neighborhood plans,

and effective action plans; and

WHEREAS, in 1998, the City Council recognized the Central Area Neighborhood Plan; and

WHEREAS, in 2013 and 2014, the Office of Planning and Community Development (OPCD)

(previously the Department of Planning and Development) and Department of

Neighborhoods (DON) conducted significant public outreach in the Central Area,

1 including outreach to historically underrepresented communities with focus on the  
2 community nodes along 23rd Avenue at Union, Cherry, and Jackson Streets; and

3 WHEREAS, in March 2013, the 23rd Avenue Action Community Team (23rd Avenue ACT)  
4 was formed to work in partnership with the City and the community to hold the Central  
5 Area vision while balancing the different interests of the community. The 23rd Avenue  
6 ACT consists of local leaders representing diverse backgrounds; over 50 percent are  
7 Black/African American, over 30 percent are small business owners, and over 50 percent  
8 are long time Central Area residents. They have worked together to oversee the creation  
9 and implementation of the 23rd Avenue Action Plan (Union-Cherry-Jackson), the  
10 amendments to the Comprehensive Plan Central Area Neighborhood Planning Element,  
11 the Urban Design Framework (UDF) and proposed rezones; and

12 WHEREAS, under the 23rd Avenue ACT's leadership, over 2,000 Central Area residents,  
13 business owners and stakeholders have been engaged in 93 public workshops and  
14 meetings to create the 23rd Avenue Action Plan (Union-Cherry-Jackson), the Urban  
15 Design Framework (UDF), and proposed rezones for these three community nodes that  
16 reflect the vision of the Comprehensive Plan Central Area Neighborhood Planning  
17 Element; and

18 WHEREAS, on September 27, 2014, the 23rd Avenue ACT organized the first Annual Central  
19 Area Block Party. Over 1,000 diverse community members, including many who once  
20 called the Central Area home, met to celebrate a very successful planning effort and offer  
21 additional comments on the proposed 23rd Avenue Action Plan (Union-Cherry-Jackson),  
22 UDF and rezones; and

1 WHEREAS, this robust engagement process with the 23rd Avenue ACT and the broader  
2 community resulted in an Action Plan with five priorities: A Destination with a Unique  
3 Identity; Connected People and Community; A Great Business Community; Livable  
4 Streets for All; and A Healthy and Stable Community; and an Urban Design Framework  
5 containing a broad set of recommendations to address community concerns and indicate  
6 and provide options for zoning changes in the neighborhood; and

7 WHEREAS, on April 28, 2014 and October 16, 2015, the City Council passed Ordinance  
8 124458 and 124887 respectively, amending the Seattle Comprehensive Plan with updates  
9 to the Central Area Neighborhood Planning Element and the Future Land Use Map  
10 changes recommended in the 23rd Avenue Action Plan (Union-Cherry-Jackson); and

11 WHEREAS, the proposed rezones increase the allowed density and intensity of the 23rd and  
12 Union commercial node to concentrate commercial and residential growth, and support a  
13 greater variety of shops, services, and housing including affordable housing; and

14 WHEREAS, on June 29, 2015, the Office of Planning and Community Development (OPCD)  
15 published a Determination of Non-Significance for the proposed rezones that determined  
16 that the rezones will not have a significant adverse environmental impact; and

17 WHEREAS, in September 2014, the City Council adopted Resolution 31546, in which the  
18 Council and Mayor proposed that a Seattle Housing Affordability and Livability Agenda  
19 (HALA) Advisory Committee be jointly convened by the Council and the Mayor to  
20 evaluate potential housing strategies; and

21 WHEREAS, the HALA Advisory Committee provided final recommendations to the Mayor and  
22 City Council on July 13, 2015; and

1 WHEREAS, the HALA Advisory Committee recommended extensive citywide upzoning of  
2 residential and commercial zones and, in connection with such upzones, implementation  
3 of a mandatory inclusionary housing requirement for new residential development and  
4 commercial linkage fees for new commercial development; and

5 WHEREAS, the July 13, 2015, Statement of Intent for Basic Framework for Mandatory  
6 Inclusionary Housing and Commercial Linkage Fee (commonly referred to as the “Grand  
7 Bargain”) states that the mandatory housing affordability requirements for residential and  
8 commercial development should achieve a projected production level over 10 years of no  
9 less than 6,000 units of housing affordable to households with incomes no greater than 60  
10 percent of median income, and that, if the projected production level falls below the  
11 target, all parties agree to develop and consider options to achieve the agreed-upon  
12 production target; and

13 WHEREAS, in November 2015, the City Council adopted Ordinance 124895, which established  
14 the framework for an Affordable Housing Impact Mitigation Program for commercial  
15 development; and

16 WHEREAS, in August 2016, the City Council adopted Ordinance 125108 which established the  
17 framework for mandatory housing affordability for residential development; and

18 WHEREAS, RCW 36.70A.540 authorizes and encourages cities to enact or expand affordable  
19 housing incentive programs providing for the development of low-income housing units  
20 through development regulations or conditions on rezoning or permit decisions, or both;  
21 and

22 WHEREAS, this ordinance would increase development capacity, in the form of an increase in  
23 the amount of height or floor area allowed by zoning, and implement the Affordable

1           Housing Impact Mitigation Program for commercial development and mandatory  
2           housing affordability for residential development in the 23rd Avenue Corridor; and

3 WHEREAS, increased residential development in the 23rd Avenue Corridor will assist in  
4           achieving local growth management and housing policies; and

5 WHEREAS, the proposed rezone increase the allowed density and intensity of neighborhood  
6           commercial areas, and provide for pedestrian-oriented commercial districts by  
7           concentrating commercial and residential growth along 23rd Ave at E Union Street, E  
8           Cherry Street and S Jackson Street. These changes will encourage focused activity, a  
9           greater variety of shops, services and housing including affordable housing that serve the  
10          Central Area community, enhance the sense of community and identity for the Central  
11          Area, and support equitable development and community ownership; and

12 WHEREAS, staff has determined that the increased development capacity provided by this  
13          ordinance in the 23rd and Union node can be achieved subject to consideration of other  
14          regulatory controls on development; and

15 WHEREAS, the Council finds that the proposed rezones meet the Land Use Code rezone criteria  
16          contained in Chapter 23.34, Amendments to Official Land Use Map (Rezoning), as  
17          described in the OPCD Director's Report for this legislation; NOW, THEREFORE,

18 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

19          Section 1. The Official Land Use Map, Section 23.32.016 of the Seattle Municipal Code,  
20 is amended to rezone properties identified on pages 112 and 113 of the Official Land Use Map,  
21 as shown in Exhibit A attached to this ordinance.

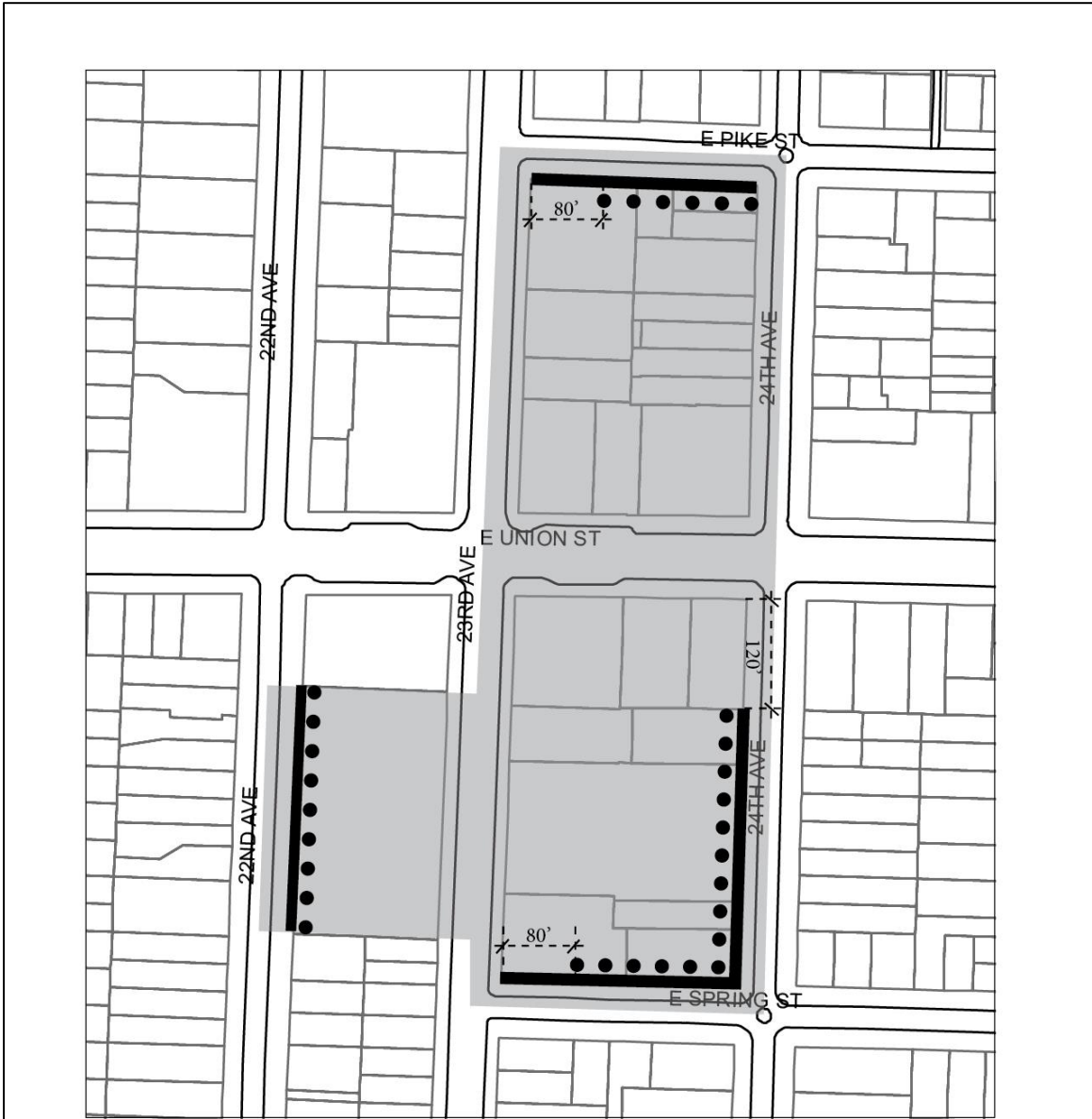


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### Map E for 23.47A.009

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### Standards applicable to specific areas: 23rd & Union



Map E for 23.47A.009: Standards Applicable to Specific Areas: 23rd & Union



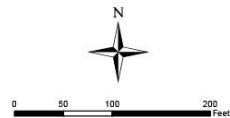
Area where 23rd & Union specific development standards apply



Street frontage where ground level and upper level setbacks are required



Street level residential uses are required



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**Table B for 23.58C.040**  
**Payment calculation amounts:**  
**Outside Downtown, SM-SLU, and SM-U 85 zones**

| Zone                                    | Payment calculation amount per square foot |            |  |
|---|--|------------|--|
|   | Low  | Medium     | High                                   |
| Zones with an (M) suffix                | [RESERVED]                                 | [RESERVED] | <del>((RESERVED))</del> <u>\$20.75</u> |
| Zones with an (M1) suffix               | [RESERVED]                                 | \$20.00    | <del>((RESERVED))</del> <u>\$29.75</u> |
| Zones with an (M2) suffix               | [RESERVED]                                 | [RESERVED] | <del>((RESERVED))</del> <u>\$32.75</u> |
| ((Footnotes to Table B for 23.58C.040)) |  |            |  |

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Section 4. Table B for 23.58C.050 of the Seattle Municipal Code, which section was last amended by Ordinance 125291, is amended as follows:

**23.58C.050 Affordable housing – performance option**

\* \* \*

**Table B for 23.58C.050**  
**Performance calculation amounts:**  
**Outside Downtown, SM-SLU, and SM-U 85 zones**

| Zone                                    | Percentage set-aside per total number of units to be developed in each structure |            |                             |
|---|--|------------|-----------------------------|
|   | Low  | Medium     | High                        |
| Zones with an (M) suffix                | [RESERVED]   | [RESERVED] | (([RESERVED])) <u>7.0%</u>  |
| Zones with an (M1) suffix               | [RESERVED]   | 9.0%       | (([RESERVED])) <u>10.0%</u> |
| Zones with an (M2) suffix               | [RESERVED]   | [RESERVED] | (([RESERVED])) <u>11.0%</u> |
| ((Footnotes to Table B for 23.58C.050)) |  |            |                             |

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\* \* \*

1 Section 5. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2017,  
5 and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of  
6 \_\_\_\_\_, 2017.

7 \_\_\_\_\_  
8 President \_\_\_\_\_ of the City Council

9 Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

10 \_\_\_\_\_  
11 Edward B. Murray, Mayor

12 Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

13 \_\_\_\_\_  
14 Monica Martinez Simmons, City Clerk

15 (Seal)

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21 Exhibit:  
22 Exhibit A – 23rd and Union Rezone Map