

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Monday, April 10, 2017

2:00 PM

Council Chamber, City Hall
600 Fourth Avenue
Seattle, WA 98104

Full Council

Bruce Harrell, Council President

Sally Bagshaw

Tim Burgess

M. Lorena González

Lisa Herbold

Rob Johnson

Debora Juarez

Mike O'Brien

Kshama Sawant

Chair Info: 206-684-8804; bruce.harrell@seattle.gov

A. CALL TO ORDER

The City Council of The City of Seattle met in the Council Chamber in City Hall in Seattle, Washington, on April 10, 2017, pursuant to the provisions of the City Charter. The meeting was called to order at 2:01 p.m., with Council President Harrell presiding.

B. ROLL CALL

Present: 7 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Sawant

Late Arrival: 2 - Juarez, O'Brien

C. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR

[IRC 107](#) April 10, 2017

Motion was made, duly seconded and carried, to adopt the proposed Introduction & Referral Calendar (IRC) by the following vote:

In Favor: 7 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Sawant

Opposed: None

D. APPROVAL OF THE AGENDA

Motion was made, duly seconded and carried, to adopt the proposed Agenda.

Councilmember O'Brien entered the Council Chamber at 2:02 p.m.

E. APPROVAL OF THE JOURNAL

[Min 121](#) April 3, 2017

Motion was made, duly seconded and carried, to adopt the proposed Minutes by the following vote, and the President signed the Minutes:

In Favor: 8 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, O'Brien, Sawant

Opposed: None

F. PRESENTATIONS

There were none.

G. PUBLIC COMMENT

Courtney O'Toole addressed the Council regarding a non-Agenda item.

Councilmember Juarez entered the Council Chamber at 2:05 p.m.

Sean Smith addressed the Council regarding a non-Agenda item.

The Raging Grannies addressed the Council regarding Agenda item 1, Council Bill 118940.

Aydin Arnett addressed the Council regarding a non-Agenda item.

Kirk Greene addressed the Council regarding Agenda item 1, Council Bill 118940.

Nicole Grant addressed the Council regarding Agenda item 1, Council Bill 118940.

Renee McCoy addressed the Council regarding Agenda item 1, Council Bill 118940.

Joseph Grant addressed the Council regarding Agenda item 1, Council Bill 118940.

Don Blakeney addressed the Council regarding Agenda item 1, Council Bill 118940.

Josh Mayer addressed the Council regarding a non-Agenda item.

Mary Bingham addressed the Council regarding a non-Agenda item.

Mike McQuaid addressed the Council regarding Agenda item 1, Council Bill 118940.

Jim Goodsleep addressed the Council regarding Agenda item 1, Council Bill 118940.

Jacqueline Gruber addressed the Council regarding Agenda item 1, Council Bill 118940.

Marielle Brown addressed the Council regarding Agenda item 1, Council Bill 118940.

Jon Grant addressed the Council regarding Agenda item 1, Council Bill 118940.

Kate Brunette addressed the Council regarding Agenda item 1, Council Bill 118940.

Nicole Waters addressed the Council regarding Agenda item 1, Council Bill 118940.

Catherine Stanford addressed the Council regarding Agenda item 1, Council Bill 118940.

Alex Broner addressed the Council regarding Agenda item 1, Council Bill 118940.

Laura Bernstein addressed the Council regarding Agenda item 1, Council Bill 118940.

Lisa Bogardus addressed the Council regarding Agenda item 1, Council Bill 118940.

Adam Glickman addressed the Council regarding Agenda item 1, Council Bill 118940.

Candi Wilbang addressed the Council regarding Agenda item 1, Council Bill 118940.

Susanna Lin addressed the Council regarding Agenda item 1, Council Bill 118940.

Rick McLaughlin addressed the Council regarding Agenda item 1, Council Bill 118940.

By unanimous consent, the Council Rules were suspended to extend the Public Comment period for an additional 20 minutes.

Xochiti Maykovich addressed the Council regarding Agenda item 1, Council Bill 118940.

Simon Stephens addressed the Council regarding a non-Agenda item.

Councilmember Harrell left the Council Chamber at 2:35 p.m.

Lanzi Li addressed the Council regarding Agenda item 1, Council Bill 118940.

Queen Pearl addressed the Council regarding a non-Agenda item.

Councilmember Harrell entered the Council Chamber at 2:36 p.m.

Maria Jose Soerens addressed the Council regarding Agenda item 1, Council Bill 118940.

Erin House addressed the Council regarding Agenda item 1, Council Bill 118940.

Jessa Lewis addressed the Council regarding Agenda item 1, Council Bill 118940.

Monica Mendoza-Castrejon addressed the Council regarding Agenda item 1, Council Bill 118940.

Tierman Martin addressed the Council regarding Agenda item 1, Council Bill 118940.

Joe Lambright addressed the Council regarding Agenda item 1, Council Bill 118940.

H. PAYMENT OF BILLS

[CB 118945](#) **AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 118945.

The Motion carried, the Council Bill (CB) was passed by the following vote, and the President signed the Bill:

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

I. COMMITTEE REPORTS

FULL COUNCIL:

1. [CB 118940](#) **AN ORDINANCE relating to land use and zoning, amending the Official Land Use Map (Chapter 23.32 of the Seattle Municipal Code) to rezone certain land in Downtown, South Lake Union and adjacent IC zones; amending Sections 23.41.012, 23.48.220, 23.48.225, 23.48.230, 23.48.232, 23.48.235, 23.48.245, 23.48.250, 23.48.285, 23.49.008, 23.49.011, 23.49.013, 23.49.014, 23.49.019, 23.49.041, 23.49.058, 23.49.156, 23.49.158, 23.49.164, 23.50.020, 23.50.026, 23.50.028, 23.50.033, 23.50.039, 23.50.053, 23.50.055, 23.52.008, 23.58B.040, 23.58B.050, 23.58C.025, 23.58C.030, 23.58C.035, 23.58C.040, 23.58C.050, 23.76.004, 23.76.006, 23.86.007 and 25.05.675 of the Seattle Municipal Code; amending the Downtown Overlay Maps in Chapter 23.49 of the Seattle Municipal Code; and adding new Sections 23.48.223, 23.48.231, 23.48.290, 23.49.007, 23.49.039, 23.50.041, 23.58B.055, and 23.58C.055 to the Seattle Municipal Code to implement Mandatory Housing Affordability requirements in Downtown and South Lake Union.**

ACTION 1:

Motion was made and duly seconded to pass Council Bill 118940.

ACTION 2:

Motion was made by Councilmember Johnson, duly seconded and carried, to amend Council Bill 118940, by substituting Section 1, which adds a new Exhibit B, as shown in the strike through and underlined language below:

Section 1. ~~((Reserved))~~ The City Council hereby makes the Findings of Fact in Exhibit B to this ordinance.

ACTION 3:

Motion was made by Councilmember Johnson, duly seconded and carried, to amend Council Bill 118940, by amending Seattle Municipal Code Sections 23.48.225 and 23.49.008, adding new Sections 23.48.290 and 23.49.019.J, amending Sections 23.52.008 and 25.05.675, and renumbering Sections 14 - 47 accordingly, as shown in Attachment 1 to the Minutes.

ACTION 4:

Motion was made by Councilmember Herbold, duly seconded and carried, to amend Council Bill 118940, by adding a new Section 47, as shown in the underlined language below, and renumbering the remainder section:

Section 47. Council requests that the Office of Planning and Community Development and the Seattle Department of Construction and Inspections, in consultation with the Construction Codes Advisory Board, report to Council's Planning Land Use and Zoning Committee by September 30, 2017, on the use of lot sub-areas, sometimes referred to as "development sites," for the purposes of the application of Land Use Code development standards and standards in technical codes, such as the Building Code, Electrical Code, Energy Code, and Fire Code. The report shall include (1) a discussion of advantages and disadvantages of application of development standards to lot sub-areas as opposed to the lot itself, including recent illustrative examples, and (2) recommendations on any proposed changes to the Land Use Code and technical codes.

ACTION 5:

Motion was made by Councilmember Herbold and duly seconded, to amend Council Bill 118940, by amending Sections 25.58C.040.A and 23.58.C.050, as shown in Attachment 2 to the Minutes.

The Motion failed by the following vote:

In Favor: 2 - Herbold, Sawant

Opposed: 7 - Bagshaw, Burgess, González, Harrell, Johnson, Juarez, O'Brien

ACTION 6:

Motion was made and duly seconded to pass Council Bill 118940 as amended.

The Motion carried, the Council Bill (CB) was passed as amended by the following vote, and the President signed the Bill:

In Favor: 9 - Bagshaw, Burgess, González, Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

By Unanimous Consent the Council Rules were suspended to allow residents of the West Seattle Bridge homeless encampment to address the Council.

Rebecca Massey addressed the Council.

A resident of the West Seattle Bridge homeless encampment addressed the Council.

2. [CB 118942](#) **AN ORDINANCE amending Ordinance 125248 to modify the effective date of certain sections of that ordinance.**

Motion was made and duly seconded to pass Council Bill 118942.

The Motion carried, the Council Bill (CB) was passed by the following vote, and the President signed the Bill:

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

3. [Res 31741](#) **A RESOLUTION retiring introduced and referred Council Bills, Resolutions, Clerk Files, and Appointments that have received no further action.**

Motion was made and duly seconded to adopt Resolution 31741.

The Motion carried, the Resolution (Res) was adopted by the following vote, and the President signed the Resolution.

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

PLANNING, LAND USE, AND ZONING COMMITTEE:

4. [CB 118753](#) AN ORDINANCE relating to land use and zoning; amending Sections 25.05.675 and 25.05.800 of the Seattle Municipal Code to clarify and update references to the Comprehensive Plan and restore the categorical exemptions for State Environmental Policy Act review of proposed “infill” development.

The Committee recommends that Full Council pass as amended the Council Bill (CB).

In Favor: 3 - Johnson, O'Brien, Herbold

Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Bill:

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

AFFORDABLE HOUSING, NEIGHBORHOODS, AND FINANCE COMMITTEE:

5. [CB 118937](#) AN ORDINANCE relating to the redevelopment of Yesler Terrace by the Housing Authority of the City of Seattle; authorizing the Mayor to execute an amendment to the Yesler Terrace Cooperative Agreement with the Housing Authority of the City of Seattle that was authorized by Ordinance 123961; authorizing the Director of Housing to implement the Cooperative Agreement as amended; and ratifying and confirming certain prior acts.

The Committee recommends that Full Council pass the Council Bill (CB).

In Favor: 3 - Burgess, Herbold, Johnson

Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Bill:

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

6. [CB 118936](#) **AN ORDINANCE relating to a lease agreement for office space; authorizing the Director of Finance and Administrative Services to enter into a lease agreement with NearSU, LLC, a Washington limited liability company, for office space in the 464 12th Avenue Building to be used as the Central Customer Service Center; and ratifying and confirming certain prior acts.**

The Committee recommends that Full Council pass the Council Bill (CB).

In Favor: 2 - Burgess, Johnson

Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Bill:

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

7. [Appt 00625](#) **Appointment of Valerie Tran as member, Historic Seattle Preservation and Development Authority Council, for a term to November 30, 2019.**

The Committee recommends that Full Council confirm the Appointment (Appt).

In Favor: 1 - Burgess

Opposed: None

The Appointment was confirmed by the following vote:

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

8. [Appt 00626](#) **Appointment of Krista Whitters as member, Historic Seattle Preservation and Development Authority Council, for a term to November 30, 2020.**

The Committee recommends that Full Council confirm the Appointment (Appt).

In Favor: 2 - Burgess, Johnson

Opposed: None

The Appointment was confirmed by the following vote:

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

CIVIL RIGHTS, UTILITIES, ECONOMIC DEVELOPMENT, AND ARTS COMMITTEE:

9. [CB 118935](#) **AN ORDINANCE relating to Seattle Public Utilities; updating and consolidating provisions relating to Seattle recycling requirements; and amending Sections 21.36.082 and 21.36.083 of the Seattle Municipal Code.**

The Committee recommends that Full Council pass the Council Bill (CB).

In Favor: 2 - Herbold, O'Brien

Opposed: None

The Appointment was confirmed by the following vote:

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

SUSTAINABILITY AND TRANSPORTATION COMMITTEE:

10. [Appt 00651](#) **Appointment of Katie Garrow as member, Levy to Move Seattle Oversight Committee, for a term to December 31, 2019.**

The Committee recommends that Full Council confirm the Appointment (Appt).

In Favor: 3 - O'Brien, Johnson, Sawant

Opposed: None

The Appointment was confirmed by the following vote:

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

11. [Appt 00652](#) **Appointment of Blake Trask as member, Levy to Move Seattle Oversight Committee, for a term to December 31, 2018.**

The Committee recommends that Full Council confirm the Appointment (Appt).

In Favor: 3 - O'Brien, Johnson, Sawant

Opposed: None

The Appointment was confirmed by the following vote:

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

12. [Appt 00656](#) **Appointment of Margaret McCauley as member, Seattle School Traffic Safety Committee, for a term to March 31, 2020.**

The Committee recommends that Full Council confirm the Appointment (Appt).

In Favor: 3 - O'Brien, Johnson, Sawant

Opposed: None

The Appointment was confirmed by the following vote:

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

13. [Appt 00657](#) **Appointment of Mary Ellen Russell as member, Seattle School Traffic Safety Committee, for a term to March 31, 2020.**

The Committee recommends that Full Council confirm the Appointment (Appt).

In Favor: 3 - O'Brien, Johnson, Sawant

Opposed: None

The Appointment was confirmed by the following vote:

In Favor: 9 - Bagshaw, Burgess, González , Harrell, Herbold, Johnson, Juarez, O'Brien, Sawant

Opposed: None

J. ADOPTION OF OTHER RESOLUTIONS

There were none.

K. OTHER BUSINESS

There was none.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 3:33 p.m.

Emilia M. Sanchez, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on April 17, 2017.

Bruce Harrell, President of the City Council

Monica Martinez Simmons, City Clerk

Att 1 - ACTION 3 of CB 118940

Att 2 - ACTION 5 of CB 118940

[Prepared by: J. Schwinn]

Att 1 – ACTION 3 of CB 118940

Note:
Language proposed to be added by this amendment is shown with a double underline.
Language proposed to be deleted by this amendment is shown with ~~double strikeout~~

* * *

Section 6. Section 23.48.225 of the Seattle Municipal Code, enacted by Ordinance 124883, is amended as follows:

23.48.225 Structure height in South Lake Union Urban Center

A. Base and maximum height limits

* * *

3. In the SM-SLU (~~(85-240)~~) 85-280 zone, except as stated in subsections 23.48.225.C and (~~(23.48.225.E)~~) 23.48.225.E, the base height limit is the applicable height limit for portions of a structure if the structure does not gain extra residential floor area under the provisions of Chapter 23.58A, and the maximum residential height limit is the height limit for portions of a structure in residential use if the structure includes extra residential floor area under the provisions of Chapter 23.58A, and if the structure complies with the standards for residential tower development in this Chapter 23.48.

* * *

D. In the SM-SLU 175/85-280, SM-SLU 240/125-440, and SM-SLU 85-280 zones, an additional 10 feet in height is permitted above the otherwise applicable maximum height limit for residential uses for a structure that includes residential dwelling units that comply with all of the following conditions:

1. Unit number and size. The structure includes a minimum of ten dwelling units that each have a minimum area of 900 gross square feet and include three or more bedrooms; and

2. Amenity area. Each dwelling unit shall have access to an outdoor amenity area that is located on the same story as the dwelling unit and meets the following standards:

a. The amenity area has a minimum area of 1300 square feet and a minimum horizontal dimension of 20 feet; and

b. The amenity area must be common amenity area, except that up to 40% of the amenity area may be private provided that: the private and common amenity area are continuous and are not separated by barriers more than 4 feet in height; and the private amenity areas are directly accessible from units meeting these requirements; and

c. The common amenity area includes children's play equipment; and

d. The common amenity area is located at or below a height of 85 feet.

E. A proposal to build a structure greater than 85 feet in height in the SM-SLU 85/65-160 and SM-SLU 160/85-240 zones and located north of Mercer Street and West of Fairview Avenue within the South Lake Union Urban Center, requires the applicant to show that the proposed structure height will not physically obstruct use of the flight path shown on Map A for 23.48.225 or endanger aircraft operations.

~~(E)~~F. All non-exempt floor area and residential floor area located above the base height is considered extra floor area. Extra floor area may be obtained above the base height, up to the maximum height, only through the provision of public amenities meeting the standards of Section 23.48.021 and Chapter 23.58A.

Section 14. A new Section 23.48.290 is added to the Seattle Municipal Code as follows:

23.48.290 Transportation management programs

A. When a development is proposed that is expected to generate 50 or more employee single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant shall prepare and implement a Transportation Management Program (TMP) consistent with requirements for TMPs in any applicable Director's Rule.

1. For purposes of measuring attainment of SOV goals contained in the TMP, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by employees at the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of employees using an SOV to make a trip during the expected peak hour by the total number of employee person trips during the expected peak hour.

2. Compliance with this section does not supplant the responsibility of any employer to comply with Seattle's Commute Trip Reduction (CTR) Ordinance.

B. An applicant who proposes multifamily development that is expected to generate 50 or more vehicle trips in any one p.m. hour or demand for 25 or more vehicles parking on the street overnight shall prepare and implement a TMP. The TMP shall be consistent with requirements for TMPs in any applicable Director's Rule. For purposes of measuring attainment of the SOV goal, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant

expects the largest number of vehicle trips to be made by residents of the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of residential trips made by SOV during the expected peak hour by the total number of residential person trips.

C.Each owner subject to the requirements of this section shall prepare a TMP as described in rules promulgated by the Director, as part of the requirements for obtaining a master use permit.

D.The TMP shall be approved by the Director if, after consulting with Seattle Department of Transportation, the Director determines that the TMP measures are likely to achieve the mode-share targets for trips made by travel modes other than driving alone for the South Lake Union Urban Center in 2035 that are contained in Seattle’s Comprehensive Plan’s Transportation Element.

E.All requirement to prepare and implement a TMP according to this Section 23.48.290 or to achieve additional floor area or additional height pursuant to subsections 23.48.021.D.2 or 23.48.230.f shall be satisfied solely by compliance with this Section 23.48.290.

Section 15. Section 23.49.008 of the Seattle Municipal Code, last amended by the ordinance introduced as Council Bill 118893, is amended as follows:

23.49.008 Structure height

* * *

F. In all Downtown zones except the IDM 75-85 and PMM-85 zones and all DH1, DH2, and PSM zones, an additional 10 feet in height is permitted above the otherwise applicable maximum height limit for residential uses for a structure that includes residential dwelling units that comply with all of the following conditions:

1. Unit number and size. The structure includes a minimum of ten dwelling units that each have a minimum area of 900 gross square feet and include three or more bedrooms; and

2. Amenity area. Each dwelling unit shall have access to an outdoor amenity area that is located on the same story as the dwelling unit and meets the following standards:

a. The amenity area has a minimum area of 1300 square feet and a minimum horizontal dimension of 20 feet; and

b. The amenity area must be common amenity area, except that up to 40% of the amenity area may be private provided that: the private and common amenity area are continuous and are not separated by barriers more than 4 feet in height; and the private amenity areas are directly accessible from units meeting these requirements; and

c. The common amenity area includes children's play equipment; and

d. The common amenity area is located at or below a height of 85 feet.

Section 20. Section 23.49.019 of the Seattle Municipal Code, last amended by Ordinance 124952, is amended as follows:

23.49.19 Parking quantity, location, and access requirements and screening and landscaping of parking areas

* * *

J. Transportation management programs

1. When a development is proposed that is expected to generate 50 or more employees single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant shall prepare

and implement a Transportation Management Program (TMP) consistent with requirements for TMPs in any applicable Director's Rule.

a. For purposes of measuring attainment of SOV goals contained in the TMP, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by employees at the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of employees using an SOV to make a trip during the expected peak hour by the total number of employee person trips during the expected peak hour.

b. Compliance with this section does not supplant the responsibility of any employer to comply with Seattle's Commute Trip Reduction (CTR) Ordinance.

2. An applicant who proposes multifamily development that is expected to generate 50 or more vehicle trips in any one p.m. hour or demand for 25 or more vehicles parking on the street overnight shall prepare and implement a TMP. The TMP shall be consistent with requirements for TMPs in any applicable Director's Rule. For purposes of measuring attainment of the SOV goal, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by residents of the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of residential trips made by SOV during the expected peak hour by the total number of residential person trips.

3. Each owner subject to the requirements of this section shall prepare a TMP as described in rules promulgated by the Director, as part of the requirements for obtaining a master use permit.

4. The TMP shall be approved by the Director if, after consulting with the Seattle Department of Transportation, the Director determines that the TMP measures are likely to achieve the mode-share targets for trips made by travel modes other than driving alone for the Downtown Urban Center in 2035 that are contained in Seattle's Comprehensive Plan's Transportation Element.

Section ##. Section 23.52.008 of the Seattle Municipal Code, last amended by Ordinance 124378, is amended as follows:

23.52.008 Transportation impact mitigation

* * *

C. Impact mitigation. Based upon the results of the transportation impact analysis the Director may condition permit approval, as a Type I decision, to mitigate or prevent transportation impacts.

1. Except as provided by subsection 23.52.008.C.2, required mitigation may include, but is not limited to:

- a. changes in access;
- b. changes in the location, number and size of curb cuts and driveways;
- c. provision of transit incentives, including transit pass subsidies;
- d. bicycle parking, and shower facilities for bicycle commuters;
- e. signage, including wayfinding;
- f. improvements to vehicular, pedestrian and bicycle traffic facilities or operations including signalization, turn channelization, right-of-way dedication, street widening, pedestrian and bicycle facilities improvements, and lighting;
- g. transportation management plans;

h. parking management strategies including, but not limited to, unbundling parking from building-space leases, reserved parking spaces for vanpools, and reduction in the amount of parking to be provided; and

i. participation in a transportation mitigation payment program or transportation management association, where available.

2. Mitigation that may be required for residential projects in downtown zones or the residential portion of mixed use projects in downtown zones is limited to:

a. signage, including wayfinding;

b. provision of information on transit and ride-sharing programs; ~~((and))~~

c. bicycle parking ~~((=))~~ ; and

d. transportation management plans.

* * *

Section ##. Section 25.05.675 of the Seattle Municipal Code, last amended by Ordinance 125233, is amended as follows:

25.05.675 Specific environmental policies

* * *

R. Traffic and Transportation

* * *

2. Policies.

a. It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety and/or character of a neighborhood or surrounding areas.

b. In determining the necessary traffic and transportation impact mitigation, the decisionmaker shall examine the expected peak traffic and circulation pattern of the proposed project weighed against such factors as the availability of public transit; existing vehicular and pedestrian traffic conditions; accident history; the trend in local area development; parking characteristics of the immediate area; the use of the street as determined by the Seattle Department of Transportation's Seattle Comprehensive Transportation Plan; and the availability of goods, services and recreation within reasonable walking distance.

c. Mitigation of traffic and transportation impacts shall be permitted whether or not the project meets the criteria of the Overview Policy set forth in SMC Section 25.05.665.

d. Mitigation measures which may be applied to residential projects in downtown are limited to the following:

i. Signage;

ii. Provision of information on transit and ride-sharing programs;

~~((and))~~

iii. Bicycle parking ~~((=))~~ ; and

iv. Transportation management plans.

e. Mitigating measures which may be applied to nonresidential projects in downtown are limited to the following:

i. Provision of transit incentives including transit pass subsidies;

ii. Signage;

iii. Improvements to pedestrian and vehicular traffic operations, signalization, turn channelization, right-of-way dedication, street widening, or other improvements proportionate to the impact of the project; and

iv. Transportation management plans.

* * *

Att 2 – ACTION 5 of CB 118940

Note:

Language proposed to be added by this amendment is shown with a double underline.

Language proposed to be deleted by this amendment is shown with ~~double-strikeout~~

Section 40. Subsection 23.58C.040.A of the Seattle Municipal Code, which section was last amended by the ordinance introduced as Council Bill 118914, is amended as follows:

23.58C.040 Affordable housing – payment option

A. Payment amount

1. An applicant complying with this Chapter 23.58C through the payment option shall provide a cash contribution to the City, calculated by multiplying the payment calculation amount per square foot according to Table A or Table B for 23.58C.040 and Map A for 23.58C.050, as applicable, by the total gross floor area in the development, excluding the floor area of parking located in stories or portions of stories that are underground, as follows:

a. In the case of construction of a new structure, the gross floor area in residential use and the gross floor area of live-work units;

b. In the case of construction of an addition to an existing structure that results in an increase in the total number of units within the structure, the gross floor area in residential use and the gross floor area of live-work units in the addition;

c. In the case of alterations within an existing structure that result in an increase in the total number of units within the structure, the gross floor area calculated by dividing the total gross floor area in residential use and gross floor area of

live-work units by the total number of units in the proposed development, and multiplying that quotient by the net increase in units in the structure;

d. In the case of change of use that results in an increase in the total number of units, the gross floor area that changed to residential use or live-work units; or

e. Any combination of the above.

Table A for 23.58C.040	
Payment calculation amounts: In Downtown, SM-SLU, and SM-U 85 zones	
Zone	Payment calculation amount per square foot
<u>DH1/45</u>	<u>Not Applicable</u>
<u>DH2/55</u>	<u>Not Applicable</u>
<u>DH2/75</u>	<u>\$12.75 14.75</u>
<u>DH2/85</u>	<u>Not Applicable</u>
<u>DMC 75</u>	<u>\$12.75 14.75</u>
<u>DMC 85/65-150</u>	<u>Not Applicable</u>
<u>DMC 95</u>	<u>\$12.75 14.75</u>
<u>DMC 145</u>	<u>\$13.00 14.75</u>
<u>DMC 170</u>	<u>\$5.50 14.75</u>
<u>DMC 240/290-440</u>	<u>\$8.25 14.75</u>
<u>DMC 340/290-440</u>	<u>\$8.25 14.75</u>
<u>DMR/C 65/65-85</u>	<u>Not Applicable</u>
<u>DMR/C 65/65-150</u>	<u>Not Applicable</u>
<u>DMR/C 95/75</u>	<u>\$12.75 14.75</u>
<u>DMR/C 145/75</u>	<u>\$11.75 14.75</u>
<u>DMR/C 280/125</u>	<u>\$13.00 14.75</u>
<u>DMR/R 95/65</u>	<u>\$12.75 14.75</u>
<u>DMR/R 145/65</u>	<u>\$11.75 14.75</u>
<u>DMR/R 280/65</u>	<u>\$13.00 14.75</u>
<u>DOC1 U/450-U</u>	<u>\$12.00 14.75</u>
<u>DOC2 500/300-550</u>	<u>\$10.25 14.75</u>
<u>DRC 85-170</u>	<u>\$10.00 14.75</u>
<u>All IDM zones</u>	<u>Not Applicable</u>
<u>All IDR and IDR/C zones</u>	<u>Not Applicable</u>
<u>PMM-85</u>	<u>Not Applicable</u>
<u>All PSM zones</u>	<u>Not Applicable</u>
<u>SM-SLU 85/65-160</u>	<u>Not Applicable</u>
<u>SM-SLU 85-280</u>	<u>\$10.00 14.75</u>
<u>SM-SLU 100/95</u>	<u>\$7.50 14.75</u>
<u>SM-SLU 100/65-145</u>	<u>\$7.75 14.75</u>
<u>SM-SLU 145</u>	<u>\$7.75 14.75</u>
<u>SM-SLU 175/85-280</u>	<u>\$10.00 14.75</u>
<u>SM-SLU 240/125-440</u>	<u>\$10.00 14.75</u>

Table A for 23.58C.040	
Payment calculation amounts: In Downtown, SM-SLU, and SM-U 85 zones	
Zone	Payment calculation amount per square foot
<u>SM-SLU/R 65/95</u>	\$12.75 <u>14.75</u>
SM-U 85	\$13.25 <u>14.75</u> <u>13.25</u>

* * *

Section 41. Section 23.58C.050 of the Seattle Municipal Code, last amended by the ordinance introduced as Council Bill 118914, is amended as follows:

23.58C.050 Affordable housing – performance option

A. Performance amount

1. An applicant complying with this Chapter 23.58C through the performance option shall provide, as part of the units to be developed in each structure, a number of units that meet the requirements according to subsection 23.58C.050.C calculated by multiplying the percentage set aside according to Table A or Table B for 23.58C.050 and Map A for 23.58C.050, as applicable, by the total number of units to be developed in each structure.

2. If the number of units that meet the requirements according to subsection 23.58C.050.C calculated according to subsection 23.58C.050.A.1 equals less than two, the applicant shall:

- a. Round up to two units; or
- b. Provide one dwelling unit that meets the requirements according to subsection 23.58C.050.C that is three bedrooms or larger, as determined by the Director of Housing.

3. If the number of units that meet the requirements according to subsection 23.58C.050.C calculated according to subsection 23.58C.050.A.1 equals two or more and includes a fraction of a unit, the applicant shall:

a. Round up to the nearest whole unit; or

b. Round down to the nearest whole unit and pay a cash

contribution for the fraction of a unit not otherwise provided, calculated by multiplying the performance calculation amount per square foot according to Table A or Table B for 23.58C.040 and Map A for 23.58C.050, as applicable, by the total gross floor area to be developed as measured according to subsection 23.58C.040.A.1, multiplying that product by the fraction of a unit not provided, and dividing the resulting number by the total number of units required to be provided based on the calculation according to subsection 23.58C.050.A.1. Use of cash contributions according to this subsection 23.58C.050.A.3.b shall be governed according to subsection 23.58C.040.B.

4. When the applicant elects to comply with this Chapter 23.58C through the performance option for a development that contains multiple structures and the calculation according to subsection 23.58C.050.A.1 results in fractions of units in more than one structure, the Director may, as a Type I decision in consultation with the Director of Housing, allow such fractions of units to be combined, provided:

a. If the sum of the combined fractions of units calculated according to this subsection 23.58C.050.A.4 equals fewer than two, the applicant shall:

1) Round up to two units; or

2) Provide one dwelling unit that meets the requirements according to subsection 23.58C.050.C that is three bedrooms or larger, as determined by the Director of Housing;

b. If the sum of the combined fractions of units calculated according to this subsection 23.58C.050.A.4 equals two or more and includes a fraction of a unit, the applicant shall:

1) Round up to the nearest whole unit; or

2) Round down to the nearest whole unit and pay a cash contribution for the fraction of a unit not otherwise provided, calculated according to subsection 23.58C.050.A.3.b; and

c. The construction of the structure(s) containing the units that meet the requirements according to subsection 23.58C.050.C shall be completed at the same time or at an earlier time than completion of construction of other structures in the development containing units.

Table A for 23.58C.050	
Performance calculation amounts: In Downtown, SM-SLU, and SM-U 85 zones	
Zone	Percentage set-aside per total number of units to be developed in each structure
<u>DH1/45</u>	<u>Not Applicable</u>
<u>DH2/55</u>	<u>Not Applicable</u>
<u>DH2/75</u>	<u>5.0%</u>
<u>DH2/85</u>	<u>Not Applicable</u>
<u>DMC 75</u>	<u>5.0%</u>
<u>DMC 85/65-150</u>	<u>Not Applicable</u>
<u>DMC 95</u>	<u>5.0%</u>

Table A for 23.58C.050	
Performance calculation amounts: In Downtown, SM-SLU, and SM-U 85 zones	
Zone	Percentage set-aside per total number of units to be developed in each structure
<u>DMC 145</u>	<u>5.05.1%</u>
<u>DMC 170</u>	<u>5.02.1%</u>
<u>DMC 240/290-440</u>	<u>5.03.2%</u>
<u>DMC 340/290-440</u>	<u>5.03.2%</u>
<u>DMR/C 65/65-85</u>	<u>Not Applicable</u>
<u>DMR/C 65/65-150</u>	<u>Not Applicable</u>
<u>DMR/C 95/75</u>	<u>5.0%</u>
<u>DMR/C 145/75</u>	<u>5.04.6%</u>
<u>DMR/C 280/125</u>	<u>5.05.1%</u>
<u>DMR/R 95/65</u>	<u>5.0%</u>
<u>DMR/R 145/65</u>	<u>5.04.6%</u>
<u>DMR/R 280/65</u>	<u>5.05.1%</u>
<u>DOC1 U/450-U</u>	<u>5.04.7%</u>
<u>DOC2 500/300-550</u>	<u>5.04.0%</u>
<u>DRC 85-170</u>	<u>5.03.9%</u>
<u>All IDM zones</u>	<u>Not Applicable</u>
<u>All IDR and IDR/C zones</u>	<u>Not Applicable</u>
<u>PMM-85</u>	<u>Not Applicable</u>
<u>All PSM zones</u>	<u>Not Applicable</u>
<u>SM-SLU 85/65-160</u>	<u>Not Applicable</u>
<u>SM-SLU 85-280</u>	<u>5.03.9%</u>
<u>SM-SLU 100/95</u>	<u>5.02.9%</u>
<u>SM-SLU 100/65-145</u>	<u>5.03.0%</u>
<u>SM-SLU 145</u>	<u>5.03.0%</u>

Table A for 23.58C.050	
Performance calculation amounts: In Downtown, SM-SLU, and SM-U 85 zones	
Zone	Percentage set-aside per total number of units to be developed in each structure
<u>SM-SLU 175/85-280</u>	<u>5.03.9%</u>
<u>SM-SLU 240/125-440</u>	<u>5.03.9%</u>
<u>SM-SLU/R 65/95</u>	<u>5.0%</u>
SM-U 85	6.0%