

**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 118 and 119 of the Official Land Use Map to rezone land in the 23rd and Jackson node of the 23rd & Union-Jackson Residential Urban Village to support community vision and implement Mandatory Housing Affordability (MHA); and 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.

..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,

including outreach to historically underrepresented communities with focus on the

community nodes along 23rd Avenue at Union, Cherry, and Jackson Streets; and

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

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

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

21 WHEREAS, this robust engagement process with the 23rd Avenue ACT and the broader  
22 community resulted in an Action Plan with five priorities: A Destination with a Unique  
23 Identity; Connected People and Community; A Great Business Community; Livable

1 Streets for All; and A Healthy and Stable Community; and an Urban Design Framework  
2 containing a broad set of recommendations to address community concerns and indicate  
3 and provide options for zoning changes in the neighborhood; and

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

8 WHEREAS, the proposed rezones increase the allowed density and intensity of the 23rd and  
9 Jackson commercial node to concentrate commercial and residential growth, and support  
10 a greater variety of shops, services, and housing including affordable housing; and

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

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

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

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

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

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

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

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

18 WHEREAS, this ordinance would increase development capacity, in the form of an increase in  
19 the amount of height or floor area allowed by zoning, and implement the Affordable  
20 Housing Impact Mitigation Program for commercial development and mandatory  
21 housing affordability for residential development in the 23rd Avenue Corridor; and

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

1 WHEREAS, staff has determined that the increased development capacity provided by this  
2 ordinance in the 23rd Avenue Corridor can be achieved subject to consideration of other  
3 regulatory controls on development; and

4 WHEREAS the Council finds that the proposed rezones meet the Land Use Code rezone criteria  
5 contained in Chapter 23.34, Amendments to Official Land Use Map (Rezones), as  
6 described in the OPCD Director’s Report for this legislation; NOW, THEREFORE,

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

8 Section 1. The Official Land Use Map, Section 23.32.016 of the Seattle Municipal Code,  
9 is amended to rezone properties identified on pages 118 and 119 of the Official Land Use Map,  
10 as shown in Exhibit A attached to this ordinance.

11 Section 2. Section 23.47A.009 of the Seattle Municipal Code, last amended by **the**  
12 **ordinance introduced as Council Bill \_\_\_\_\_ [OPCD 23rd Ave and Union Rezone]**, is  
13 amended as follows:

14 **23.47A.009 Standards applicable to specific areas**

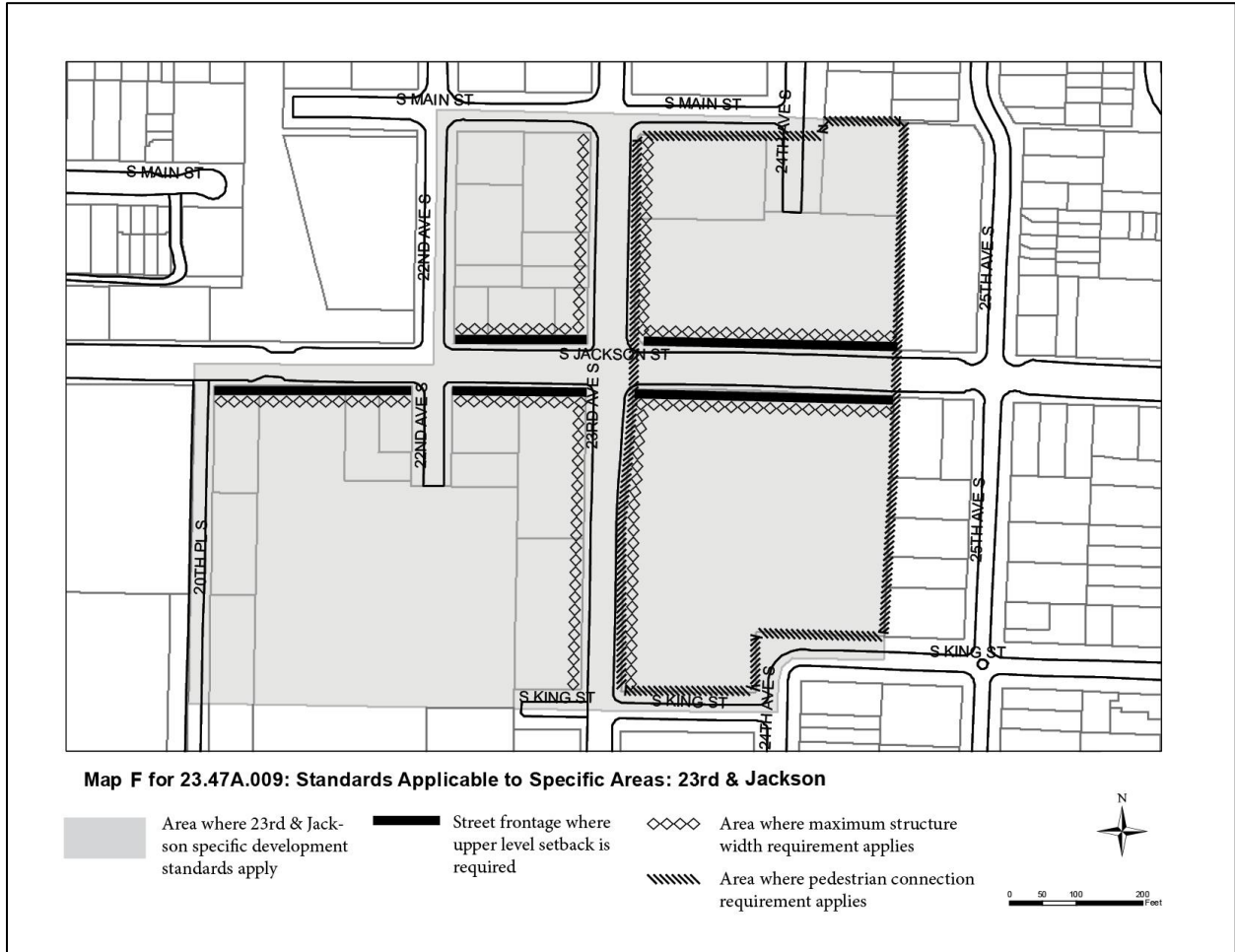
15 \* \* \*

16 I. 23rd and Jackson. The following provisions apply to development proposed in NC  
17 zones within the area shown on Map F for 23.47A.009.

1  
2

**Map F for 23.47A.009**

**Standards applicable to specific areas: 23rd & Jackson**



3  
4  
5  
6  
7  
8  
9

**1. Setback requirements**

**a. Along South Jackson Street facing property lines as shown on Map F for 23.47A.009, a minimum upper-level setback of 10 feet is required for all portions of a structure greater than 45 feet in height as measured from the average finished grade.**

**b. Structures permitted in required setbacks are subject to subsection 23.47A.014.E.**

1                   2. Maximum structure width. On streets designated by Map F for 23.47A.009,  
2 the maximum allowed structure width is 250 feet. Facade modulation or building separation  
3 can be considered as a break in the maximum structure width if:

4                   a. A portion of the street-facing facade projects or is recessed from  
5 abutting facade by a minimum depth of 15 feet and a minimum width of 15 feet; or

6                   b. A building separation is provided with a minimum width of 15 feet  
7 between structures.

8                   3. Pedestrian connection requirement. A proposal that includes development  
9 between South Main Street and South King Street and is located within 400 feet east of 23rd  
10 Avenue South shall provide a north-south pedestrian connection in area as shown on Map F  
11 for 23.47A.009, subject to the following requirements:

12                   a. If the pedestrian connection is located adjacent to the right-of-way, it  
13 should be incorporated into existing or planned sidewalks.

14                   b. The pedestrian connection shall have a minimum width of 15 feet, and  
15 include at least one of the following:

16                   1) Entries to retail stores or other buildings;

17                   2) Seating areas for pedestrians;

18                   3) Street furniture;

19                   4) Bicycle parking;

20                   5) Landscaping;

21                   6) Pedestrian scale lighting;

22                   7) Water features; or

23                   8) Overhead weather protection.





