

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
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** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and zoning; amending Sections 23.41.012, 23.48.220, 23.48.225, and 23.48.245 of the Seattle Municipal Code, to revise existing regulatory incentives to preserve open space and allow departures from tower separation requirements when the project includes a Landmark that is subject to Landmark controls and incentives adopted by the City Council.

Summary and background of the Legislation:

This legislation modifies an existing provision of the Seattle Municipal Code (SMC) that establishes an incentive to preserve existing privately held open space in the South Lake Union Urban Center (SMC 23.48.220.A.3).

In 2013 the City Council approved a rezone of the South Lake Union Urban Center. A central feature of this legislation was application of an incentive zoning system to allow increases in height and floor area greater than the existing zoning allowed in exchange for public benefits (see incentive zoning discussion, below). Most of these public benefits take the form of affordable housing contributions and purchase of regional development credits. A few incentives, however, have the intent of providing public benefits that are specific priorities of the South Lake Union community as expressed in the South Lake Union Urban Design Framework (UDF). These include Landmark preservation, incentives to provide space for a public school, and preservation of existing open space.

Currently, the open space incentive reduces the amount of other public benefits required of a development project using extra floor area in exchange for preservation of existing open space. Implementation of Mandatory Housing Affordability (MHA), however, has reduced the value of this incentive to prospective developers. This legislation provides an update to the incentive that restores its value as an incentive to preserve existing open space by allowing the transfer of a portion of the floor area that could be developed on the open space to an adjacent project, extends the incentive to potential residential projects, and modifies some development standards as part of a project using this incentive. This incentive does not result in any change of potential MHA revenues.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

No.

Is there financial cost or other impacts of *not* implementing the legislation?

No.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

This legislation amends the Seattle Municipal Code to revise an existing incentive to preserve existing open space in the South Lake Union Urban Center by allowing transfer of a portion of the floor area that could otherwise be developed to a development project on the same block or on an adjacent block. Use of this incentive will occur as part of the review of a Master Use Permit application by Seattle Department of Construction and Inspections.

b. Is a public hearing required for this legislation?

Because this is an amendment to the zoning code (SMC Chapter 23) the City Council will hold a public hearing after a 30-day public notice before adoption.

c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

No.

d. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

This legislation requires a public hearing which must have a 30-day notice advertised in the *Daily Journal of Commerce* and published in the *Land Use Information Bulletin*.

e. Does this legislation affect a piece of property?

This legislation amends an existing open space incentive that may be used by more than one property in the South Lake Union Urban Center.

f. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

This legislation does not result in impacts on vulnerable or historically disadvantaged communities. This legislation preserves existing open space and makes it accessible to the public.

- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).**

This legislation does not create a new initiative or major programmatic expansion.