



## Legislation Details (With Text)

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<b>Type:</b>	Ordinance (Ord)	<b>Status:</b>	Passed	<b>In control:</b>	City Clerk
<b>On agenda:</b>	6/28/2021				
<b>Final Action:</b>	7/9/2021	<b>Ord. No.</b>	Ord 126384		
<b>Title:</b>	AN ORDINANCE relating to affordable housing on properties owned or controlled by religious organizations; modifying existing development standards to facilitate creation of affordable housing; amending Section 23.45.504 of the Seattle Municipal Code, renumbering Section 23.44.009 of the Seattle Municipal Code as Section 23.44.007 and Section 23.44.019 as Section 23.44.009; and adding new Sections 23.42.055, 23.44.019, 23.45.550, 23.47A.040, 23.48.100, and 23.49.037 to the Seattle Municipal Code.				
<b>Sponsors:</b>	Dan Strauss				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Summary and Fiscal Note, 2. Director's Report, 3. Presentation (5/26/21), 4. Central Staff Memo, 5. Summary of Proposed Amendments, 6. Amendment 1, 7. Amendment 2, 8. Amendment 3, 9. Amendment 4 - Pedersen (added 6/23/21), 10. Proposed Amendment 1B (added; 6/28/21), 11. Proposed Amendment 2 (added; 6/28/21), 12. Signed Ordinance 126384				

Date	Ver.	Action By	Action	Result
7/9/2021	3	City Clerk	attested by City Clerk	
7/9/2021	3	Mayor	returned	
7/9/2021	3	Mayor	Signed	
6/30/2021	3	City Clerk	submitted for Mayor's signature	
6/28/2021	2	City Council	passed as amended	Pass
6/23/2021	1	Land Use and Neighborhoods Committee	pass as amended	Pass
5/26/2021	1	Land Use and Neighborhoods Committee	discussed	
5/24/2021	1	City Council	referred	
5/20/2021	1	Council President's Office	sent for review	
5/18/2021	1	City Clerk	sent for review	
5/18/2021	1	Mayor	Mayor's leg transmitted to Council	

## CITY OF SEATTLE

## ORDINANCE \_\_\_\_\_

## COUNCIL BILL \_\_\_\_\_

AN ORDINANCE relating to affordable housing on properties owned or controlled by religious organizations; modifying existing development standards to facilitate creation of affordable housing; amending Section 23.45.504 of the Seattle Municipal Code, renumbering Section 23.44.009 of the Seattle Municipal Code as Section 23.44.007 and Section 23.44.019 as Section 23.44.009; and adding new Sections 23.42.055,

23.44.019, 23.45.550, 23.47A.040, 23.48.100, and 23.49.037 to the Seattle Municipal Code.

WHEREAS, Seattle has an acute shortage of and need for housing affordable to households with low incomes, particularly extremely low-income households; and

WHEREAS, roughly one in seven Seattle households pays more than 30 percent of their income toward housing costs, a phenomenon called housing cost burden, which leaves very little to pay for other basic necessities like food, transportation, healthcare, and child care; and

WHEREAS, housing cost burden is particularly high for Black households, half of which in 2018 paid more than 30 percent of their income toward housing costs; and

WHEREAS, from 2006 to 2018 the share of rental housing in Seattle affordable to low-, very low-, and extremely low-income households fell from more than 80 percent to less than half; and

WHEREAS, in 2019, with support from leaders in Seattle’s religious communities, the Washington State Legislature adopted Substitute House Bill 1377 (SHB 1377), requiring cities and counties to allow additional residential density for long-term affordable housing on property owned or controlled by a religious organization; and

WHEREAS, Seattle’s faith institutions have a long history of supporting and creating affordable housing for low-income families and individuals, with the help of the City’s housing levy and other public funds; and

WHEREAS, religious organizations own property in multifamily, mixed-use, and single-family zones throughout Seattle, including many underdeveloped sites that could be feasible for affordable housing, provided adequate development capacity is available; and

WHEREAS, the City, through the Office of Housing, has helped finance hundreds of affordable rental apartments on land availed by faith-based organizations; and

WHEREAS, while religious organizations may be motivated, as a matter of mission, to redevelop their land into affordable housing, their property may not be ideal for residential development under existing regulations if, among other reasons, it lacks sufficient development capacity for a financially feasible

multifamily project; and

WHEREAS, existing land use policy can increase the cost of affordable housing development, delay project delivery, introduce uncertainty into feasibility calculations, restrict areas of the city where affordable housing investment is viable, limit the opportunity to leverage scarce land available for affordable housing, or render a project altogether infeasible, particularly for projects seeking public funding; and

WHEREAS, several faith institutions have expressed interest in redeveloping their property with long-term affordable housing under the provisions required under SHB 1377; NOW, THEREFORE,

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

Section 1. A new Section 23.42.055 is added to the Seattle Municipal Code as follows:

**23.42.055 Low-income housing on property owned or controlled by a religious organization**

A. This Section 23.42.055 establishes the requirements for developments using alternative development standards for low-income housing on property owned or controlled by a religious organization where allowed by the provisions of the zone.

B. Eligible property. The property must be owned or controlled by a religious organization at the date of the permit application.

C. Affordability requirements

1. Eligible households. All dwelling units or congregate residence sleeping rooms permitted pursuant to this Section 23.42.055 shall serve only:

a. For rental units,

1) In development with a complete Master Use Permit application, if required, or complete building permit application filed by July 1, 2022, households with incomes no greater than 80 percent of median income, adjusted by household size, or

2) In development with a complete Master Use Permit application, if required, or complete building permit application filed after July 1, 2022, households with incomes no greater than 80

percent of median income, adjusted by household size, and average household income across all units in the project no greater than 60 percent of median income.

b. For ownership units, households with incomes no greater than 80 percent of median income, adjusted by household size.

2. Duration. The obligation to provide dwelling units meeting the requirements of subsection 23.42.055.B shall last for a period of 50 years from the date of the certificate of occupancy or, if a certificate of occupancy is not required, from the date of the final building permit inspection for the development to which this Section 23.42.055 applies.

3. Affordable rent. Monthly rent shall not exceed 30 percent of 80 percent of median income. For purposes of this subsection 23.44.055.C.3, "monthly rent" includes a utility allowance for heat, gas, electricity, water, sewer, and refuse collection, to the extent such items are not paid for tenants by the owner, and any recurring fees that are required as a condition of tenancy.

4. Affordable sale price

a. Affordable price - initial sales. The initial affordable sale price must be an amount in which total ongoing housing costs do not exceed 30 percent of 80 percent of median income. The Director of Housing will establish by rule the method for calculating the initial sale price including standard assumptions for determining upfront housing costs, including the down payment, and ongoing housing costs, which must include mortgage principal and interest payments, homeowner's insurance payments, homeowner or condominium association dues and assessments, and real estate taxes and other charges included in county tax billings. The Director of Housing may establish by rule a maximum down payment amount.

b. Affordable price - resales. Eligible households for purchase of an ownership unit subsequent to the initial sale must have incomes no greater than 80 percent of median income at initial occupancy. The Office of Housing will establish by rule the formula for calculating maximum affordable prices for sales subsequent to the initial sale to allow modest growth in homeowner equity while maintaining long-

term affordability for future buyers.

D. Agreement. As a condition of building permit issuance for a development according to this Section 23.42.055, the property owner and the City must enter into an agreement in a form acceptable to the City that includes housing covenants consistent with this Section 23.42.055 and the final plan set approved by the Department. The agreement must be recorded on the title of the property on which the low-income housing development is located.

E. Applicability. The alternative development standards for low-income housing on property owned or controlled by a religious organization that are available in each zone may be applied to projects that vested according to Section 23.76.026, prior to the effective date of this ordinance in accordance with subsection 23.76.026.G.

Section 2. Section 23.44.009 of the Seattle Municipal Code, enacted by Ordinance 125791, is renumbered to 23.44.007:

**~~((23.44.009))~~ 23.44.007 Mandatory Housing Affordability in RSL zones**

RSL zones that have a mandatory housing affordability suffix are subject to the provisions of Chapters 23.58B and 23.58C.

Section 3. Section 23.44.019 of the Seattle Municipal Code, enacted by Ordinance 125791, is renumbered to 23.44.009:

**~~((23.44.019))~~ 23.44.009 Design standards in RSL zones**

In RSL zones, the following provisions apply:

A. Pedestrian access at least 3 feet in width shall be provided between each principal structure and the street. This access may be over a driveway and may cross any required yards or interior separation. The pedestrian access may be part of a driveway, provided that the pathway is differentiated from the driveway by pavement color, texture, or similar technique.

B. Each dwelling unit with a street-facing facade that is located within 40 feet of a street lot line shall

have a pedestrian entry on that street-facing facade. The pedestrian entry shall be marked with a covered stoop, porch, or other similar architectural entry feature.

Section 4. A new Section 23.44.019 is added to the Seattle Municipal Code as follows:

**23.44.019 Alternative development standards for low-income housing on property owned or controlled by a religious organization**

In lieu of meeting development standards contained in subsection 23.44.010.A (minimum lot area), subsection 23.44.010.C (maximum lot coverage), subsection 23.44.011.B (floor area), subsection 23.44.012.A (height), and Section 23.44.017 (density), a proposed development that meets the requirements of Section 23.42.055 and subsection 23.44.019.A may elect to meet the alternative development standards in subsection 23.44.019.B through subsection 23.44.019.F.

A. Lot requirements

1. Development on a lot that meets one of the following criteria, but does not meet the additional requirements in subsection 23.44.019.A.2, may meet the alternative development standards in subsection 23.44.019.B and subsection 23.44.019.D through subsection 23.44.019.F:

- a. The lot has or abuts a lot with a religious facility or other use accessory to a religious facility; or
- b. The lot area is 10,000 square feet or greater; or
- c. The lot is in an RSL zone.

2. Development on a lot that meets the following additional requirements may meet the alternative development standards in subsection 23.44.019.C and subsection 23.44.019.D through subsection 23.44.019.F:

- a. The lot area is 10,000 square feet or greater;
- b. The lot is in an urban village, within 1/4 mile (1,320 feet) of an urban village, or within 1/4 mile (1,320 feet) of a transit stop or station served by a frequent transit route on the map required by

subsection 23.54.015.B.4; and

c. The lot meets one of the following locational criteria:

1) The lot abuts, is located on a block front with, or is located across a right-of-way from a zone not designated a single-family zone; or

2) No lot line is located within 50 feet of a single-family dwelling unit.

B. Proposed development on lots meeting the criteria in subsection 23.44.019.A.1 but not subsection 23.44.019.A.2 may meet the following development standards:

1. The minimum lot area per dwelling unit is 1,500 square feet in SF 5000, SF 7200, and SF 9600 zones and 1,200 square feet in RSL zones.

2. The maximum lot coverage is 50 percent of lot area in SF 5000, SF 7200, and SF 9600 zones and 65 percent in RSL zones.

3. The maximum FAR limit is 1.0 in SF 5000, SF 7200, and SF 9600 zones and 1.2 in RSL zones. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.

4. In SF 5000, SF 7200, and SF 9600 zones, the maximum height for a proposed development that exceeds the maximum lot coverage limit in subsection 23.44.010.C is 22 feet. The maximum height for all other developments is 30 feet.

C. Proposed development on lots meeting the criteria in subsection 23.44.019.A.2 may meet the following development standards:

1. The minimum lot area per dwelling unit is 400 square feet.

2. The maximum lot coverage is 50 percent of lot area in SF 5000, SF 7200, and SF 9600 zones and 65 percent in RSL zones.

3. The maximum height limit is 40 feet in SF 5000, SF 7200, and SF 9600 zones and 50 feet in RSL zones.

4. The maximum FAR limit is 2.0 in SF 5000, SF 7200, and SF 9600 zones and 3.0 in RSL

zones. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.

D. Permitted uses. In addition to the uses listed in Section 23.44.006, the following uses are permitted outright on lots meeting the requirements of this Section 23.44.019: apartments, cottage housing development, rowhouse development, and townhouse development.

E. Setback requirements. In addition to the yard requirements of Section 23.44.014, the following standards apply:

1. No structure shall be closer than 10 feet to a side lot line of an abutting single-family-zoned lot.
2. No structure shall be closer than 20 feet to a rear lot line of an abutting single-family-zoned lot.
3. No structure shall be closer than 5 feet to any lot line.

F. Maximum facade length. The maximum combined length of all portions of a facade within 20 feet of a lot line of an abutting single-family-zoned lot may not exceed 40 feet. Maximum facade length shall be measured as described in Section 23.86.015.

Section 5. Section 23.45.504 of the Seattle Municipal Code, last amended by Ordinance 125558, is amended as follows:

**23.45.504 Permitted and prohibited uses**

A. All uses are permitted outright, prohibited, or permitted as a conditional use according to Table A for 23.45.504 and this Section 23.45.504. Uses not referred to in Table A for 23.45.504 are prohibited, unless otherwise indicated in this Chapter 23.45 or Chapters 23.51A, 23.51B, or 23.57. Communication utilities and accessory communication devices, except as exempted in Section 23.57.002, are subject to the regulations in this Chapter 23.45 and additional regulations in Chapter 23.57. Public facilities are subject to the regulations in Section 23.51A.004.

B. All permitted uses are allowed as a principal use or as an accessory use, unless otherwise indicated in



this Chapter 23.45.

<b>Table A for 23.45.504 Permitted and ((Prohibited Uses)) prohibited uses</b>		
	<b>Permitted and prohibited uses by zone</b>	
<b>Uses</b>	<b>LR1, LR2, and LR3</b>	<b>MR and HR</b>
A. Residential use except as listed	P	P
A.1. Congregate residence	X/P <sup>1</sup>	P/X <sup>2</sup>
B. Institutions	P/CU <sup>3</sup>	P/CU <sup>3</sup>
C. Uses in existing or former public		
C.1. Child care centers, preschools, schools, educational and vocational adult evening education classes, non-profit community centers, community projects and similar uses in existing or former	P	P
C.2. Other non-school uses in existing schools	Permitted pursuant to procedures established in Chapter 23.78	Permitted pursuant to procedures established in Chapter 23.78
D. Park and ride facilities		
D.1. Park and ride facilities on surface	X/CU <sup>4</sup>	X/CU <sup>4</sup>
D.2. Park and ride facilities in park	X/P <sup>5</sup>	X/P <sup>5</sup>
E. Parks and playgrounds including	P	P
F. Ground-floor commercial uses	RC/P <sup>6</sup>	RC/P <sup>6,7</sup>
G. Medical service uses other than commercial uses	P/X (( <sup>7</sup> )) <sup>8</sup>	P/CU/X (( <sup>7</sup> )) <sup>8</sup>
H. Uses not otherwise permitted in structures	CU	CU
I. Cemeteries	P/X (( <sup>8</sup> )) <sup>9</sup>	P/X (( <sup>8</sup> )) <sup>9</sup>
J. Community gardens	P	P
K. Parking, flexible-use	X/P (( <sup>9</sup> )) <sup>10</sup>	P (( <sup>9</sup> )) <sup>10</sup>
L. All other uses	X	X

Footnotes to Table A for 23.45.504 <sup>1</sup> Congregate residences that are owned by a college or university; or charity; or are licensed by the State and provide on-site supportive services for seniors or persons with disabilities include meal service, cleaning service, health services, or similar. <sup>2</sup> Congregate residences that are owned by a not-for-profit entity or charity; or are licensed by the State and provide on-site supportive services are permitted only in locations within urban villages and urban centers. Supportive services include meal service, cleaning service, health services, or similar. <sup>3</sup> Supportive services include meal service, cleaning service, health services, or similar. <sup>4</sup> Prohibited in Station Area Overlay Districts (SAODs); or 23.45.506 on surface parking existing as of January 1, 2017. <sup>5</sup> Prohibited in LR1 and LR2 zones, including zones, except prohibited in the SAOD. <sup>6</sup> Permitted in development that meets the requirements of Section 23.45.504.F. <sup>7</sup> Subject to subsection 23.45.504.E except in zones that include an RC designation. <sup>8</sup> Subject to subsection 23.45.504.F. <sup>9</sup> ~~Prohibited in LR1 and LR2 zones. Permitted outright in all other zones existing as of January 1, 2017; permitted outright in garages; subject to Section 23.54.026. P = Permitted outright C = Permitted conditional~~ <sup>10</sup> Prohibited in LR1 and LR2 zones. Permitted outright in all other zones existing as of January 1, 2017; permitted outright in garages; subject to Section 23.54.026. P = Permitted outright C = Permitted conditional

\* \* \*

#### E. Ground-floor commercial use

1. Drive-in businesses are prohibited, as either a principal or accessory use.

2. The following uses are permitted as ground-floor commercial uses in ~~((Midrise))~~ MR and ~~((Highrise))~~ HR zones pursuant to Section 23.45.532:

a. Business support services;

b. Food processing and craft work;

c. General sales and services;

d. Medical services;

e. Offices;

f. Restaurants; and

g. Live-work with one of the uses permitted in this subsection 23.45.504.E as the principal or accessory use.

F. Existing cemeteries are permitted to continue in use. New cemeteries are prohibited and existing cemeteries are prohibited from expanding. For purposes of this ~~((section))~~ Section 23.45.504, a change in a cemetery boundary is not considered an expansion in size and is permitted provided that:

1. ~~((the))~~ The change does not increase the net land area occupied by the cemetery;

2. ~~((the))~~ The land being added to the cemetery is contiguous to the existing cemetery and is not separated from the existing cemetery by a public street or alley whether or not improved; and

3. ~~((the))~~ The use of the land being added to the cemetery will not result in the loss of housing.

G. Except as provided in subsections 23.45.504.G.1 and 23.45.504.G.2 below, medical service uses other than permitted ground-floor commercial uses are prohibited.

1. Medical service uses in HR zones may be permitted as administrative conditional uses pursuant to subsection 23.45.506.F.

2. Medical service uses meeting the development standards for institutions are permitted outright on property conveyed by a deed from the City that, at the time of conveyance, restricted the property's use to a health care or health-related facility.

H. Fences and free-standing walls of utility services uses shall be set back from the street lot line by an average of 7 feet~~((s))~~ and be no less than 5 feet from the street lot line at any point. Landscaping shall be provided between the fence or wall and the street lot line. The Director may reduce this setback after finding that the reduced setback will not significantly increase project impacts, including but not limited to noise, odor, and the scale of the structure in relation to nearby buildings. Acceptable methods to reduce fence or wall impacts include changes in the height, design or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features to provide visual interest facing the street lot line. Fences and walls may obstruct or allow views to the interior of a site. Where site dimensions and conditions allow, applicants are encouraged to provide both a landscaped setback between the fence or wall and the right-of-way, and a fence or wall that provides visual interest facing the street lot line, through the height, design or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features.

Section 6. A new Section 23.45.550 is added to the Seattle Municipal Code as follows:

**23.45.550 Alternative development standards for low-income housing on property owned or controlled by**

**a religious organization**

In lieu of meeting development standards contained in subsections 23.45.510.B and 23.45.510.C (floor area), subsections 23.45.512.A and 23.45.512.B (density), and subsections 23.45.514.A and 23.45.514.B (height), a proposed development that meets the requirements of Section 23.42.055 may elect to meet the alternative development standards in this Section 23.45.550.

**A. Floor area**

1. Development permitted pursuant to Section 23.42.055 is subject to the FAR limits as shown in Table A for 23.45.550.

<b>Table A for 23.45.550 FAR limits for development permitted pursuant to Section 23.42.055</b>		
<b>Zone</b>	<b>Base FAR</b>	<b>Maximum additional exempt FAR<sup>1</sup></b>
LR1	1.5	0.3
LR2	1.8	0.3
LR3 outside urban centers and urban	2.5	0.5
LR3 inside urban centers and urban	3.25	0.5
MR	5.0	0.5
HR	16	1.0
Footnote to Table A for 23.45.550 <sup>1</sup> Gross floor area for uses listed in subsection 23.45.550.B.2 are exempt		

2. In addition to the FAR exemptions in subsection 23.45.510.D, an additional FAR exemption up to the total amount specified in Table A for 23.45.550 is allowed for any combination of the following floor area:

- a. Floor area in units with two or more bedrooms and a minimum net unit area of 850 square feet;
- b. Floor area of a religious facility; and
- c. Floor area in a structure designated as a Landmark pursuant to Chapter 25.12; and
- d. Any floor area in a development located within 1/4 mile (1,320 feet) of a transit stop or station served by a frequent transit route as defined in subsection 23.54.015.B.4.

3. Split-zoned lots

a. On lots located in two or more zones, the FAR limit for the entire lot shall be the highest FAR limit of all zones in which the lot is located, provided that:

- 1) At least 65 percent of the total lot area is in the zone with the highest FAR limit;
- 2) No portion of the lot is located in a single-family zone; and
- 3) A minimum setback of 10 feet applies for any lot line that abuts a lot in a single-family zone.

b. For the purposes of this subsection 23.45.550.A.3, the calculation of the percentage of a lot or lots located in two or more zones may include lots that abut and are in the same ownership at the time of the permit application.

B. Maximum height

1. Development permitted pursuant to Section 23.42.055 is subject to the height limits as shown in Table B for 23.45.550.

Table B for 23.45.550 Structure height for development permitted pursuant to Section 23.42.055	
Zone	Height limit (in feet)
LR1	40
LR2	50
LR3 outside urban centers and urban villages	55
LR3 inside urban centers and urban villages	65
MR	95
HR	480

2. Split-zoned lots

a. On lots located in two or more zones, the height limit for the entire lot shall be the highest height limit of all zones in which the lot is located, provided that:

- 1) At least 65 percent of the total lot area is in the zone with the highest height limit;

2) No portion of the lot is located in a single-family zone; and

3) A minimum setback of 10 feet applies for any lot line that abuts a lot in a single-family zone.

b. For the purposes of this subsection 23.45.550.B.2, the calculation of the percentage of a lot or lots located in two or more zones may include lots that abut and are in the same ownership at the time of the permit application.

C. Density limits. Development permitted pursuant to this Section 23.45.550 is not subject to the standards of subsections 23.45.512.A and 23.45.512.B.

Section 7. A new Section 23.47A.040 is added to the Seattle Municipal Code as follows:

**23.47A.040 Alternative development standards for low-income housing on property owned or controlled by a religious organization**

In lieu of meeting development standards contained in subsections 23.47A.012.A (height) and 23.47A.013.A (floor area), a proposed development that meets the requirements of Section 23.42.055 may elect to meet the alternative development standards in this Section 23.47A.040.

A. Maximum height

1. The applicable height limit for development permitted pursuant to Section 23.42.055 in NC zones and C zones as designated on the Official Land Use Map, Chapter 23.32 is increased as shown in Table A for 23.47A.040.

Table A for 23.47A.040 Additional height for development permitted pursuant to Section 23.42.0	
Mapped height limit (in feet)	Height limit (in feet)
30	55
40	75
55	85
65	95
75	95
85	145
95	145
145	200

200	240
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## 2. Split-zoned lots

a. On lots located in two or more zones, the height limit for the entire lot shall be the highest height limit of all zones in which the lot is located, provided that:

- 1) At least 65 percent of the total lot area is in the zone with the highest height limit;
- 2) No portion of the lot is located in a single-family zone; and
- 3) A minimum setback of 10 feet applies for any lot line that abuts a lot in a single-family zone.

b. For the purposes of this subsection 23.47A.040.A.2, the calculation of the percentage of a lot or lots located in two or more zones may include lots that abut and are in the same ownership at the time of the permit application.

## B. Floor area

1. Development permitted pursuant to Section 23.42.055 is subject to the FAR limits as shown in Table B for 23.47A.040.

Table B for 23.47A.040 FAR limits for development permitted pursuant to Section 23.42.055			
Mapped height limit (in feet)	FAR limit for development that does not exceed mapped height limit	FAR limit for development that exceeds mapped height limit	Maximum additional exempt FAR <sup>1</sup>
30	2.75	3.25	0.5
40	3.5	4.5	0.5
55	4.25	5.25	0.5
65	5.25	5.75	0.5
75	5.75	5.75	0.5
85	6.25	7.0	1.0
95	6.5	7.0	1.0
145	7.25	8.0	1.0
200	8.5	9.0	1.0
Footnote to Table A for 23.47A.040 <sup>1</sup> Gross floor area for uses listed in subsection 23.47A.040.B.2 are exempt from FAR calculations up to this amount.			

2. In addition to the FAR exemptions in subsection 23.47A.013.B, an additional FAR exemption up to the total amount specified in Table B for 23.47A.040 is allowed for any combination of the following floor area:

- a. Floor area in units with two or more bedrooms and a minimum net unit area of 850 square feet;
- b. Floor area of a religious facility;
- c. Floor area in a structure designated as a Landmark pursuant to Chapter 25.12; and
- d. Any floor area in a development located within 1/4 mile (1,320 feet) of a transit stop or station served by a frequent transit route as defined in subsection 23.54.015.B.4.

3. Split-zoned lots

a. On lots located in two or more zones, the FAR limit for the entire lot shall be the highest FAR limit of all zones in which the lot is located, provided that:

- 1) At least 65 percent of the total lot area is in the zone with the highest FAR limit;
- 2) No portion of the lot is located in a single-family zone; and
- 3) A minimum setback of 10 feet applies for any lot line that abuts a lot in a single-family zone.

b. For the purposes of this subsection 23.47A.040.B.3, the calculation of the percentage of a lot or lots located in two or more zones may include lots that abut and are in the same ownership at the time of the permit application.

C. Upper-level setback. An upper-level setback of 8 feet from the lot line is required for any street-facing facade for portions of a structure exceeding the mapped height limit designated on the Official Land Use Map, Chapter 23.32.

Section 8. A new Section 23.48.100 is added to the Seattle Municipal Code as follows:

**23.48.100 Alternative development standards for low-income housing on property owned or controlled by**



**a religious organization**

A proposed development that meets the requirements of Section 23.42.055 may achieve additional height and FAR as provided in this Section 23.48.100.

A. Maximum height. The applicable maximum height limit for residential uses in development permitted pursuant to Section 23.42.055 in Seattle Mixed zones is increased by the following amounts:

1. For zones with a mapped maximum height limit of 85 feet or less, 20 feet.
2. For zones with a mapped maximum height limit greater than 85 feet, 40 feet.

B. Floor area. The applicable maximum FAR limit for residential uses in development permitted pursuant to Section 23.42.055 in Seattle Mixed zones is increased by the following amounts:

1. For zones with a mapped maximum residential height limit of 85 feet or less, 1.5 FAR.
2. For zones with a mapped maximum residential height limit greater than 85 feet, 3.0 FAR.

Section 9. A new Section 23.49.037 is added to the Seattle Municipal Code as follows:

**23.49.037 Alternative development standards for low-income housing on property owned or controlled by a religious organization**

In lieu of meeting development standards contained in 23.49.008.A (height) and 23.49.011.A.1 (floor area), a proposed development that meets the affordability and eligibility requirements of Section 23.42.055 may elect to meet the alternative development standards in this Section 23.49.037.

A. Maximum height. The applicable maximum height limit for residential uses in development permitted pursuant to Section 23.42.055 in Downtown zones is increased by the following amounts:

1. For zones with a mapped maximum height limit of 85 feet or less, 20 feet.
2. For zones with a mapped maximum height limit greater than 85 feet, 40 feet.

B. Floor area. The applicable maximum FAR limit for residential uses in development permitted pursuant to Section 23.42.055 in Downtown zones is increased by the following amounts:

1. For zones with a mapped maximum height limit of 85 feet or less, 1.5 FAR.

2. For zones with a mapped maximum height limit greater than 85 feet, 3.0 FAR.

Section 10. The Council requests that the Office of Housing, in coordination with the Seattle Department of Construction and Inspections, by March 31, 2022, and then annually for five years thereafter, provide a report to the City Council on all permits issued for developments that used the provisions provided in subsection 23.42.055 during the prior 12-month period. The report should include information on the property (such as the size of the lot and the zoning designations), the affordability levels, whether the project received City funding to support the development, and the ownership structures of the property at the time the permit application was filed, and if known, the ownership structure after a certificate of occupancy is issued or the project passes final inspection.

Section 11. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2021, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved / returned unsigned / vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jenny A. Durkan, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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Monica Martinez Simmons, City Clerk

(Seal)