



Legislation Text

File #: Res 31870, Version: 2

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION calling for additional measures by the City and its partners that complement mandatory housing affordability (MHA) implementation to promote livability and equitable development, mitigate displacement, and address challenges and opportunities raised by community members during the MHA public engagement process.

WHEREAS, in September 2014 the City Council (“Council”) adopted Resolution 31546, in which the Mayor and Council jointly convened the Seattle Housing Affordability and Livability Agenda (HALA) Advisory Committee to evaluate potential strategies to make Seattle more affordable, equitable, and inclusive; in particular to promote the development and preservation of affordable housing for residents of Seattle; and

WHEREAS, in July 2015, HALA published its Final Advisory Committee Recommendations and the Mayor published *Housing Seattle: A Roadmap to an Affordable and Livable City*, which outlines a multi-pronged approach of bold and innovative solutions to address Seattle’s housing affordability crisis, including recommendations for extensive citywide upzoning of residential and commercial zones and, in connection with such upzones, implementation of a mandatory inclusionary housing requirement for new construction residential development and commercial linkage fees for new construction commercial development; and

WHEREAS, in October 2015 the Council adopted, with the Mayor concurring, Resolution 31622 declaring the intent of The City of Seattle (“City”) to expeditiously consider strategies recommended by the HALA Advisory Committee; and

WHEREAS, in November 2015 the Council adopted, with the Mayor concurring, Resolution 31612, stating the

City's intent to make changes to zoning and land use regulations to implement a mandatory inclusionary affordable housing program for residential development recommended by the HALA Advisory Committee and the Mayor, and establishing minimum outreach, planning, and implementation requirements that must be met prior to Council consideration; and

WHEREAS, in November 2015 the Council adopted Ordinance 124895, which created Seattle Municipal Code (SMC) Chapter 23.58B and established the framework for the commercial component of mandatory housing affordability (MHA); the Council updated this chapter in December 2016 with Ordinance 125233; and

WHEREAS, in May 2016 the City conducted the *Growth and Equity Analysis* in conjunction with the update to Seattle's Comprehensive Plan, finding, in part, that some urban villages are at higher risk of displacement than others; and

WHEREAS, in August 2016 the Council adopted Ordinance 125108, which created SMC Chapter 23.58C and established the framework for the residential component of MHA; and

WHEREAS, in 2017 the Council adopted several ordinances to enact zoning and land use regulations to enact MHA requirements, including: Ordinance 125267 for the University District, adopted in February 2017; Ordinance 125291 for Downtown and South Lake Union, adopted in April 2017; Ordinances 125360, 125359, and 125361, for the nodes along 23rd Avenue at Union Street, Cherry Street, and Jackson Street, respectively, all adopted in July 2017; Ordinance 125371 for Chinatown/International District, adopted in July 2017; and Ordinance 125432 for Uptown, adopted in September 2017; and

WHEREAS, concurrently with this resolution, the City is considering legislation to implement MHA in the remaining multi-family and commercially zoned properties throughout Seattle, and within all urban villages and proposed urban village expansion areas; and

WHEREAS, the Council adopted Resolution 31612 in November 2015, which requested that these legislative proposals be informed by an inclusive public outreach and engagement plan, which optimizes

participation by under-represented communities, and that such a plan should include opportunities for ongoing and continuous engagement through a variety of means including community meetings and social media; and

WHEREAS, the City conducted community engagement for over two years regarding MHA in order to provide Seattle residents opportunities for both accessing information and providing feedback; and

WHEREAS, from that community engagement, themes and issues emerged related to aspects of livability as Seattle grows, including issues not directly related to the implementation of MHA; and

WHEREAS, the October 2017 *Growth and Livability Report* responded to this community input by detailing the City's vision and recent actions to address these themes and issues; and

WHEREAS, MHA is an important but limited tool that will create new income- and rent-restricted housing while also increasing housing choices in urban villages and centers across Seattle; NOW,

THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:

Section 1. The City of Seattle ("City") recognizes the significance of land use regulations that implement mandatory housing affordability (MHA) to the production of new affordable housing, as well as the production of more housing overall, while acknowledging that land use regulation alone is not sufficient to achieve all of the City's racial equity goals or the goals of Seattle's different neighborhoods.

Section 2. The City recognizes the potential for displacement as property undergoes public and private development. The City Council ("Council") supports the affordable housing and anti-displacement actions identified in the Mayor's Executive Order 2019-02; declares its intent to prevent displacement of marginalized communities, including communities of color and low-income communities, particularly in neighborhoods identified as at high risk of displacement by the *Growth and Equity Analysis*; and requests that the Mayor and City departments carry out the following initiatives to mitigate displacement impacts on these communities:

A. Identify a permanent and consistent source of funding for the Equitable Development Initiative,

beyond the \$5 million per year expected to be generated through the short-term rental tax, with a long-term goal of \$20 million annually, to ensure that the program has sufficient funding to take advantage of lower property values during economic downturns. (Responsible Department: Office of Planning and Community Development (OPCD))

B. Develop policies and funding to support affirmative marketing, exploration of the possibility of a right to return, or preference strategies to help retain economic and racial diversity in neighborhoods with high displacement risk. (Responsible Department: Office of Housing (OH))

C. Develop and implement strategies that support existing institutions and businesses, and the residents who depend on them, in neighborhoods with high displacement risk. (Responsible Departments: Office of Economic Development (OED), Seattle Department of Construction and Inspections (SDCI), and OPCD)

D. Continue to conduct outreach to low-income and elderly homeowners regarding opportunities for property tax relief and other alternatives to selling their homes. Outreach efforts should be coordinated within the City and with the King County Assessor's Office. (Responsible Departments: Department of Neighborhoods (DON) and OH)

E. Develop a variety of strategies that would allow low-income and elderly homeowners to afford to maintain and remain in their homes, such as expanding property tax relief programs and leveraging the undeveloped land on their property. (Responsible Departments: OH, OPCD, and SDCI)

F. Explore strategies to expand the Tenant Relocation Assistance Ordinance to assist renting households at 80 percent area median income (AMI) and extend the program eligibility to tenants whose housing costs have increases more than ten percent. (Responsible Department: SDCI)

G. Develop a consistent and thorough monitoring and reporting process regarding housing production and loss of households at 30 to 120 percent AMI, including change of tenure and net change in affordable units on a particular development site, and deducting housing units funded by OH. (Responsible

Departments: OH and SDCI)

H. The Council requests that the Mayor and OH consider the following goals related to the use of MHA in-lieu fees and Seattle Housing Levy funds:

1. Ensure that MHA in-lieu fees are invested back into the neighborhoods where fees were generated as well as in neighborhoods with high displacement risk, consistent with the code provisions governing the location for use of cash contributions.
2. Include in the next update of the Seattle Housing Levy Administrative & Financial Plan program policies that match Equitable Development Initiative priorities and other community needs, such as incentivizing family-sized units, producing more units at 30 percent and 40 percent AMI for households who do not need wraparound services, and prioritizing community ownership of land. Additionally, establish a fund reserve to subsidize payment of homeowners' association dues for income-qualified families purchasing performance units.
3. Invest in affordable homeownership projects near where in-lieu funds are generated, consistent with the code provisions governing the location for use of cash contributions under MHA.

I. Provide a report evaluating the implementation and enforcement of Ordinance 124861, requiring owners of certain low-income housing to provide notification of the owner's intent to sell that housing, and provide recommendations on how the provisions of the ordinance could be expanded. (Responsible

Departments: OH and SDCI)

J. Continue to explore strategies, beyond the Early Community Outreach for Design Review requirements, to engage neighborhood stakeholders early in the development process so that new development better reflects the priorities and needs of the community, such as cultural spaces/institutions, art, businesses, childcare, and an appropriate range of housing types. (Responsible Departments: DON and SDCI)

K. Provide funding for community outreach as the City develops its Community Preference policy in neighborhoods at high risk of displacement to ensure that outreach is culturally and linguistically appropriate

and that community-based organizations are adequately resourced to participate in the development of program policies. (Responsible Departments: DON and OH)

Section 3. The Council commits to continuing deliberations regarding Council Bill 119469, establishing environmental policies to mitigate the impact of new residential development on displacement of lower income households in areas with a high risk of displacement.

Section 4. The Council requests that the Mayor, OPCD, SDCI, OH, Seattle Department of Transportation (SDOT), and other executive departments carry out the following planning initiatives and ongoing monitoring and reporting to address goals of Seattle's different neighborhoods and to inform future planning initiatives:

A. Provide a baseline for reporting on the production of affordable housing units by urban village following MHA implementation to determine if actual units produced align with expectations. The Council requests that this information be included in the performance reporting described in Ordinance 125108 as amended. (Responsible Departments: OH, SDCI, OPCD)

B. Develop additional strategies, such as density increases, to promote the production of more long-term affordable housing projects. (Responsible Departments: OPCD and SDCI)

C. Monitor permit activity in Residential Small Lot (RSL) and Lowrise (LR) zones and report to Council on the types of development occurring in these zones. The Council requests that the report include recommendations for adjustments to development standards in RSL and LR zones if development is not meeting intended outcomes. (Responsible Departments: OPCD and SDCI)

D. Study split-zoned parcels, zoning anomalies, and zoning artifacts throughout the City and make recommendations to the Council on strategies to resolve these conditions where appropriate. (Responsible Departments: SDCI and OPCD)

E. Identify resources to proactively survey historic resources in appropriate areas and assist communities with that process. Resources should be prioritized to support this work in neighborhoods

identified as at high risk of displacement. (Responsible Department: DON)

F. Conduct additional planning work in historic districts to identify tools to support historic character and integrate compatible infill, including affordable housing and density. (Responsible Departments: DON and OPCD)

G. Establish a system, separate from the City's community planning prioritization process, to develop and update neighborhood design guidelines, particularly in response to changes in development standards and building codes. (Responsible Department: OPCD)

H. Continue implementing actions identified in the Age Friendly Seattle Action Plan, specifically:

1. Establish standards for age-friendly street furniture and implement strategies to encourage businesses and community groups to provide more age-friendly street furniture. (Responsible Department: SDOT)

2. Explore opportunities to incorporate Universal Design principles into building design standards to encourage buildings to provide age-friendly access. (Responsible Departments: OPCD and SDCI)

I. Continue to identify infrastructure improvements that may be necessary to accommodate anticipated growth. (Responsible Departments: OPCD, SDOT, Seattle Public Utilities, and Seattle City Light)

J. Conduct a comprehensive assessment of the Restricted Parking Zone program and update program policies and regulations. (Responsible Department: SDOT)

K. While conducting future planning processes, consider the proposed area-specific changes requested by community members in Attachment 1 to this resolution. (Responsible Department: OPCD)

Section 5. The Council recognizes that small, independently owned businesses reinforce neighborhood and cultural identity and strengthen the local economy, and is committed to working with City departments to undertake the following initiatives to support these businesses:

A. Develop and implement strategies to support and incubate small, independent businesses.

B. Collaborate with stakeholders to explore the possibility of reasonable regulations on the rents of

commercial property.

Section 6. The Council recognizes the environmental, social, and economic benefits of Seattle’s urban forest and commits to working with community members and City departments to update the City’s tree regulations, advancing the goals of the Urban Forest Stewardship Plan across Seattle. Potential measures may include, but are not limited to, the following:

- A. Retaining protections for exceptional trees and expanding the definition of exceptional trees.
- B. Creating a permitting process for the removal of significant trees, defined as trees 6 inches in diameter at breast height or larger.
- C. Adding replacement requirements for significant tree removal.
- D. Simplifying tree planting and replacement requirements.
- E. Maintaining tree removal limits in single-family zones.
- F. Exploring the feasibility of establishing an in-lieu fee option for tree planting.
- G. Tracking tree removal and replacement throughout Seattle.
- H. Providing adequate funding to administer and enforce tree regulations.
- I. Requiring that all tree service providers operating in Seattle meet minimum certification and training requirements and register with the City.

Section 7. The Council requests that OPCD make a recommendation for an alternative name for single-family zones, such as Neighborhood Residential, and propose Comprehensive Plan amendments as part of the 2019-2020 Comprehensive Plan Docket to implement this change, as appropriate.

Section 8. The Council requests that the Mayor and City departments carry out the following initiatives for neighborhoods in District 1:

- A. Specific to the Admiral Residential Urban Village, the Council requests the following actions:
 - 1. City departments are requested to support community-based organization efforts to create community spaces and affordable housing.

2. OPCD is requested to update neighborhood design guidelines to address transitions between zones along California Avenue SW.

B. Specific to the Morgan Junction Residential Urban Village, the Council requests the following actions:

1. OPCD is requested to determine when the urban village will be a candidate for community planning, which should include a cultural/historic resources survey.

2. SDOT is requested to engage with Washington State Ferries to mitigate impacts of vehicles arriving from ferries at Fauntleroy Terminal.

3. OPCD is requested to collaborate with community stakeholders to determine when and under what conditions a pedestrian zone designation along California Way SW would be appropriate.

4. OH is requested to explore the creation of a pilot program that encourages homeowners to provide notice of the sale of their property to the City and nonprofit partners to create more affordable homeownership opportunities.

C. Specific to the West Seattle Junction Hub Urban Village, the Council requests the following actions:

1. OPCD is requested to begin community planning in conjunction with the future light rail station area planning, as outlined in their response to Statement of Legislative Intent (SLI) 135-1-A-1 dated July 2, 2018, with background work beginning in 2019 and detailed planning occurring in 2020. Specifically, OPCD is requested to explore opportunities for transit-oriented development while preserving historically designated buildings.

2. The City recognizes the importance of community resources, such as libraries, community centers, and hospitals, and City departments are requested to support community efforts to attract these uses to the neighborhood.

D. Specific to the Westwood-Highland Park Residential Urban Village, the Council requests the

following actions.

1. OPCD is requested to begin the community planning process, with an added focus on developing a complete plan for the Delridge corridor and addressing the interests of the South Delridge community.
2. SDCI is requested to determine if public views of Mount Rainier from Delridge Way SW and SW Barton Street should be protected and added to Attachment 1 of Seattle Municipal Code (SMC) Section 25.05.675.
 - E. Specific to the South Park Residential Urban Village, the Council requests the following actions:
 1. OPCD is requested to assess how the neighborhood meets the criteria for urban village designation and provide a report to Council as part of the 2019-2020 Comprehensive Plan docketing process.
 2. DON is requested to support community efforts to protect historic resources in the neighborhood.
 3. SDCI is requested to determine if there are specific public views of the Duwamish River that should be protected within the bounds of the urban village and added to Attachment 1 of SMC Section 25.05.675.

Section 9. The Council requests that the Mayor and City departments carry out the following initiatives for neighborhoods in District 2:

- A. DON and OPCD are requested to conduct additional planning work in the newly designated Mount Baker Park Historic District to identify tools to support historic character and integrate compatible infill, including affordable housing and density, in the district.
- B. Specific to the Othello Residential Urban Village, OPCD is requested to conduct community planning in conjunction with the future Graham Street light rail station area planning.

Section 10. The Council requests that the Mayor and City departments carry out the following initiatives for neighborhoods in District 4:

A. Specific to the Roosevelt Residential Urban Village, the Council requests the following actions:

1. DON and OPCD are requested to conduct planning work in the newly designated Ravenna-Cowen North Historic District to identify tools to support historic character and integrate compatible infill, including affordable housing and density, in the district.

2. OPCD is requested to conduct planning work in the area immediately surrounding the future light rail station to determine whether additional development capacity is appropriate.

B. Specific to the University District Urban Center, the Council requests the following actions:

1. City departments are requested to continue implementing actions listed under Section 5 of Resolution 31732 related to supporting businesses on University Way NE (“the Ave”).

2. SDOT is requested to explore strategies for prioritizing pedestrian use of the Ave, such as a woonerf.

3. OPCD is requested to conduct additional analysis of proposed density increases within the urban center and provide a report to Council by July 1, 2019.

Section 11. The Council requests that the Mayor and City departments carry out the following initiatives for neighborhoods in District 5:

A. Specific to N 130th Street and Interstate 5, OPCD and other City departments are requested to support community-based planning work to develop a proposal to establish an urban village with transit-supportive development capacity and urban village-level amenities, such as transit-oriented development, childcare, and housing.

B. Specific to the Aurora Avenue Corridor, OPCD and SDOT are requested to develop a plan for transportation investments for multimodal improvements to the Aurora Avenue corridor and land use strategies that identify areas for ongoing light industrial and heavy commercial use while allowing for transition to mixed residential and commercial uses within urban villages.

Section 12. The Council requests that the Mayor and City departments carry out the following initiative

for neighborhoods in District 6:

A. Specific to the Crown Hill Residential Urban Village, OPCD is requested to identify and outline the next steps in the community planning process.

Section 13. The Council requests that the Mayor and City departments carry out the following initiative for neighborhoods in District 7:

A. Specific to the Downtown Urban Center, SPU and SDCI are requested to review and prepare recommendations to modify requirements for providing space outside of the right-of-way, particularly alleys, to facilitate the delivery of goods and ensure access for service providers to solid waste, recycling, and compost containers.

Section 14. The Council requests that the Mayor and City departments develop a work program for the initiatives described in this resolution and report back to Council by July 1, 2019, with a proposed timeline for implementation.

Adopted by the City Council the _____ day of _____, 2019, and signed by me in open session in authentication of its adoption this _____ day of _____, 2019.

President _____ of the City Council

Filed by me this _____ day of _____, 2019.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - List of Area-Specific Zoning Designation Proposals