

#	Address / Area Description	Amendment Description	Attachment #	Group # for
CB 119444: Amendments				
GROUP 1 CONSENT PACKAGE				
A1	Maximum Unit Size for Existing Dwelling Units in Residential Small Lot (RSL) zones.	The amendment would allow additions to existing buildings in RSL zones above the maximum net unit area limit based on (1) a percentage increase of existing floor area; or (2) allowing a second story that does not increase the footprint of the existing structure.	Attachment 2	Group 1 - Consent Package CB 119444
A2	Apartment Structures in RSL Zones	This amendment would remove the absolute limit on the number of units in a development to allow, on larger lots, apartment development of more than three units. Density limits would still apply, along with regulations on height, yard requirements, FAR, etc. that would address other urban design objectives.	Attachment 2	Group 1 - Consent Package CB 119444
A3	Accessory Dwelling Unit (ADU) Standards in RSL Zones	This amendment would make ADU requirements in RSL zones more consistent with what applies in Single-family zones today by eliminating the requirement that the ADU is located in or behind the principal dwelling unit and limits on the height limit of exterior stairs.	Attachment 2	Group 1 - Consent Package CB 119444
A4	Garage Standards in RSL Zones	This amendment would apply standards for garage entrances that are applicable in other Single-family zones.	Attachment 2	Group 1 - Consent Package CB 119444
A5	Density limits in RSL Zones	This amendment would allow all lots in existence as of the effective date of this ordinance to include a minimum of two dwelling units.	Attachment 2	Group 1 - Consent Package CB 119444
A6	Reduce the proposed density limit for smaller sites in Lowrise multifamily zones.	The proposed amendment would reduce the density limit to one unit for every 1,300 square feet of lot area, which could result in slightly more development on smaller sites.	Attachment 2	Group 1 - Consent Package CB 119444
A7	Modify development standards for pitched roofs that exceed the zone height.	This amendment would reduce the required pitch of roofs, which are allowed to exceed the height limit, on Lowrise multifamily structures.	Attachment 2	Group 1 - Consent Package CB 119444
A8	Harmonize Incentive Zoning regulations for high rise development First Hill with Mandatory Housing Affordability requirements.	This amendment would retain the option for development in high rise zones to achieve a portion of extra residential floor through the provision of open space, green street improvements, or purchase of Transferable Development Rights (TDR) from designated historic landmarks.	Attachment 2	Group 1 - Consent Package CB 119444

#	Address / Area Description	Amendment Description	Attachment #	Group # for
A10	Requirements for Small Commercial Spaces	This amendment would require that new development in pedestrian zones with over 5,000 square feet of commercial space at grade provide small commercial spaces.	Attachment 2	Group 1 - Consent Package CB 119444
A11	Floor Area exception for low-income housing in the Pike/Pine Overlay	This amendment would retain the exception, allowing a 15% increase in floor area for projects that commit to providing at least 50% of their floor area as affordable to income eligible households.	Attachment 2	Group 1 - Consent Package CB 119444
A12	Upper-level setback requirements along University Way NE	This amendment would implement an upper level setback above 45 feet in height for structures abutting University Way NE. The intent of this setback is to maintain the human-scaled character of University Way NE.	Attachment 2	Group 1 - Consent Package CB 119444
A13	Development Standards for Live-work units	This amendment would amend the development standards that apply to live-work units by (1) establishing a minimum size of 300 square feet for the “work” portion that aligns with the requirements for small commercial spaces; and (2) requiring a physical divider between the “live” and “work” portions of the unit. The intent of these changes is to improve privacy for residential functions and ensure that the front of the spaces are used for business purposes.	Attachment 2	Group 1 - Consent Package CB 119444
A14	Clarify regulations related to off-street parking in the Seattle Mixed-Rainier Beach zone	This amendment would amend limit special parking and loading standards in the proposed Seattle Mixed-Rainier Beach district to projects that include the types of uses the community seeks to encourage.	Attachment 2	Group 1 - Consent Package CB 119444
A15	Preschool uses	This amendment would replace the term “preschool” with “child care center” to encourage the inclusion of child care centers in new development rather than just preschools, which are included in the definition of child care center.	Attachment 2	Group 1 - Consent Package CB 119444
A16	Tree regulations	This amendment would increase tree planting requirements in RSL zones to achieve a 33% tree canopy cover target; create a new fee-in-lieu option for satisfying tree planting requirements in RSL; add protections for trees planted to meet tree planting requirements in RS; and require arborists working with the City to be certified by the International Society of Arboriculture (ISA).	Attachment 2	Group 1 - Consent Package CB 119444

#	Address / Area Description	Amendment Description	Attachment #	Group # for
A17	Crown Hill Principal Pedestrian Streets	This amendment would add portions of Northwest 90th Street and Mary Avenue Northwest in the Crown Hill Urban Village to the list of principal pedestrian streets.	Attachment 2	Group 1 - Consent Package CB 119444
A18	North Beacon Hill Principal Pedestrian Streets	This amendment would extend that Pedestrian (P) designation along the length of the commercial districts proposed for Beacon Hill and add P designations to properties fronting on 15th Avenue S. There are two parts to the amendment – the first would add the P designation to particular pieces of property (see map amendment 2-3), and the second (this amendment A19) would add 15th Avenue South to the list of principal pedestrian streets.	Attachment 2	Group 1 - Consent Package CB 119444
B1	Annual inflation adjustments to payment amounts	This amendment would use increases in Consumer Price Index, All Urban Consumers, Seattle-Tacoma-Bellevue, WA, Shelter (1982-1984 = 100) to automatically adjust payment amounts instead of Consumer Price Index, All Urban Consumers, Seattle-Tacoma-Bellevue, WA, All Items (1982-1984 = 100).	Attachment 2	Group 1 - Consent Package CB 119444
B2	Reporting Requirements	This amendment would change the report date for the Director of the Seattle Department of Construction and Inspections and the Director of Housing to provide Council with an assessment of program performance from July 1, 2019, as required by Ordinance 125108, to December 1, 2020, which will allow the Executive to collect more data on how the program is performing prior to recommending any changes to payment amounts.	Attachment 2	Group 1 - Consent Package CB 119444
B3	Council intent to adjust MHA payment requirements and high, medium, and low area boundaries based on current market conditions.	This amendment would modify the intent language related to initial implementation to establish that the Council will consider modifying payment amounts and the boundaries of high, medium, and low areas by July 1, 2019 to reflect current more current market conditions. The proposed payment amounts and boundaries are based on market conditions at the time the proposal was initially developed.	Attachment 2	Group 1 - Consent Package CB 119444

#	Address / Area Description	Amendment Description	Attachment #	Group # for
B4	Off-site Performance for Mandatory Housing Affordability Residential	The proposed amendment would allow off-site performance if a development to which MHA-R requirements apply is located in a lowrise zone, and the development containing the off-site performance housing a) is located in a lowrise zone, b) provides re-sale restricted, affordable homeownership opportunities for income-eligible buyers, and c) receives no public subsidy.	Attachment 3	Group 1 - Consent Package CB 119444
B6	Intent language regarding future actions if MHA is determined to be unlawful.	This amendment would add a new section to CB 119444 expressing Council's intent to take steps, if the imposition of requirements under MHA are determined to be unlawful, to prevent the continuance of the new zoning and increased development capacity in the absence of substantial affordable housing requirements.	Attachment 3	Group 1 - Consent Package CB 119444
C1	Consideration of transit service in rezoning areas	This amendment would use the definition of frequent transit service in the Residential Small Lot (RSL), High Rise Residential, and Neighborhood Commercial 3 zone criteria to identify areas where certain zones are appropriate.	Attachment 2	Group 1 - Consent Package CB 119444
E1	Technical and Clarifying Amendemnts	This amendment would make technical or clarifying amendments to fix typos and other drafting errors identified by staff.	Attachment 2	Group 1 - Consent Package CB 119444
1-8	Area west of Fauntleroy, south of SW Graham Street	Reduce the proposed zone designation in the Morgan Junction Urban Village south of S Graham Street and northwest of Fauntleroy Way SW to a less intense Lowrise multifamily zone designation.	Attachment 2	Group 1 - Consent Package CB 119444
1-12	California Ave SW between SW Holly & SW Graham	Remove the Pedestrian (P) Zone designation in Morgan Junction Urban Village.	Attachment 2	Group 1 - Consent Package CB 119444
1-13	California Ave SW between SW Graham & SW Raymond	Remove the Pedestrian (P) Zone designation in Morgan Junction Urban Village.	Attachment 2	Group 1 - Consent Package CB 119444
2-1a	North Rainier Urban Village - Mt Baker Park Historic District	Remove areas within the Mount Baker Park Historic District from the North Rainier Urban Village expansion area, maintain existing zone designations, and do not apply MHA.	Attachment 2	Group 1 - Consent Package CB 119444
2-1b	North Rainier Urban Village - Mt Baker Park Historic District	Remove areas within the Mount Baker Park Historic District from the North Rainier Urban Village expansion area, maintain existing zone designations, and do not apply MHA.	Attachment 2	Group 1 - Consent Package CB 119444
2-1c	North Rainier Urban Village - Mt Baker Park Historic District	Remove areas within the Mount Baker Park Historic District from the North Rainier Urban Village expansion area, maintain existing zone designations, and do not apply MHA.	Attachment 2	Group 1 - Consent Package CB 119444

#	Address / Area Description	Amendment Description	Attachment #	Group # for
2-3	North Beacon Hill - Beacon Ave S	Extend the Pedestrian designation to the full extent of the Neighborhood Commercial zones fronting on Beacon Av S and 15th Av S within the North Beacon Hill Urban Village.	Attachment 2	Group 1 - Consent Package CB 119444
2-9	Block face east of Othello Park on S 45th Street	Increase the proposed zone designation from Residential Small Lot to Lowrise 1 multifamily in the area to the east and south of Othello Park in the Othello Urban Village.	Attachment 2	Group 1 - Consent Package CB 119444
3-11a	953 23rd Avenue	Increase the proposed zone designation for the SF 5000 portion of the parcel addressed as 953 23rd Avenue from Residential Small Lot to Lowrise 1. Note that the current zoning of this parcel is split: SF 5000 and NC2P-55 (M).	Attachment 2	Group 1 - Consent Package CB 119444
3-14	Areas east of Martin Luther King Junior Way and S Jackson St	Increase the proposed zone designation in the areas east of Martin Luther King Junior Way and S Jackson St from Residential Small Lot to a Lowrise multifamily zone designation.	Attachment 2	Group 1 - Consent Package CB 119444
3-15	1722 22nd Ave S	Increase the proposed zone designation from Lowrise multifamily to Midrise.	Attachment 2	Group 1 - Consent Package CB 119444
3-16	Northwest corner of 20th Av S and S Holgate	Increase the proposed zone designation for a portion of the block at the northwest corner of 20th Av S and S Holgate St from Residential Small Lot to Lowrise multifamily.	Attachment 2	Group 1 - Consent Package CB 119444
3-17	1419 22nd Avenue	Increase the proposed zone designation to LR2 (M1)	Attachment 2	Group 1 - Consent Package CB 119444
3-18	Block bounded by S Charles ST, S Norman ST, 25th Ave S, and 26th Ave S	Increase the proposed zoning designation of the block bounded by S Charles ST, S Norman ST, 25th Ave S, and 26th Ave S from RSL (M) to LR1 (M1).	Attachment 2	Group 1 - Consent Package CB 119444
4-6	6207-6211 12th Ave NE; 1012-1032 NE 62nd	Increase the proposed zone designation on NE 62nd St between Roosevelt Way NE and 12th Av NE in the Roosevelt Urban Village from Lowrise 1 to Lowrise 2.	Attachment 2	Group 1 - Consent Package CB 119444
4-10	4907 25th Ave NE	Increase the proposed height from 55 feet to 75 feet.	Attachment 2	Group 1 - Consent Package CB 119444
4-18	Eastern edge of Eastlake Urban Village	Increase proposed multifamily zone designations on the east side of the Eastlake Urban Village to Midrise.	Attachment 2	Group 1 - Consent Package CB 119444
5-1	Mobile Home Parks south of N 125th St and west of Ashworth Av N	Do not apply MHA and do not rezone two mobile home parks located southwest of the intersection of N 125th St and Ashworth Av N in the Bitter lake Urban Village.	Attachment 2	Group 1 - Consent Package CB 119444
5-3a	Northaven site	Increase the height and rezone the eastern portion of the Northaven site from Lowrise 3 (M) to Neighborhood Commercial 2 with a 75 foot height limit (M1).	Attachment 2	Group 1 - Consent Package CB 119444

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5-4	Area along NE 108th St between 11th Av NE and NE Northgate Way	Reduce the proposed zone designation for an area along NE 108th St between 11th Av NE and NE Northgate Way from Lowrise multifamily to Residential Small Lot.	Attachment 2	Group 1 - Consent Package CB 119444
5-10a	Aurora Ave N between N 100th St and N 93rd St	Expand pedestrian designations along some Neighborhood Commercial - zoned areas along Aurora within the Aurora - Licton Spring Urban Village.	Attachment 2	Group 1 - Consent Package CB 119444
5-10b	west side of Aurora Ave N between N 93rd St and N 86th St	Expand pedestrian designations along some Neighborhood Commercial - zoned areas along Aurora within the Aurora - Licton Spring Urban Village.	Attachment 2	Group 1 - Consent Package CB 119444
5-10c	east side of Aurora Ave N between N 94th St and N 85th St	Expand pedestrian designations along some Neighborhood Commercial - zoned areas along Aurora within the Aurora - Licton Spring Urban Village.	Attachment 2	Group 1 - Consent Package CB 119444
5-10d	W side of Aurora Ave N from N 86th St to N 84th St; E side from N 85th St to N 84th St	Expand pedestrian designations along some Neighborhood Commercial - zoned areas along Aurora within the Aurora - Licton Spring Urban Village.	Attachment 2	Group 1 - Consent Package CB 119444
5-11	The area northeast of the intersection of Meridian Ave N and N 113th St	Rezone from Single Family to Lowrise multifamily and expand the boundary of the Northgate Urban Center.	Attachment 2	Group 1 - Consent Package CB 119444
6-16	The area west of the intersection of 15th Ave NW and NW 85th St	Reduce the height of the proposed commercial zone from 75 feet to 55 feet.	Attachment 2	Group 1 - Consent Package CB 119444
6-17	Commercial node at the intersection of 15th Ave NW and 85th ST	Increase the height of the proposed commercial zone designation from 55 feet to 75 feet and increase the MHA tier.	Attachment 2	Group 1 - Consent Package CB 119444

Amendment A1: Maximum Unit Size for Existing Dwelling Units in RSL zones.

Primary Sponsor: Councilmember Johnson

Co-sponsors:¹ Councilmembers González and Mosqueda

Background:

The proposed legislation applies a maximum size of 2,200 square feet for a principal dwelling unit in Residential Small Lot (RSL) zones. This standard is meant to prohibit construction of very large, high-cost detached single-family homes in the RSL zone and encourage a mix of moderately sized homes. Applying this standard to existing structures may prevent additions to existing homes.

This amendment would accommodate moderately sized additions to existing homes while maintaining protections against tear-downs and replacement with very large homes. The amendment would allow additions to existing buildings in RSL zones above the maximum net unit area limit based on (1) a percentage increase of existing floor area; or (2) allowing a second story that does not increase the footprint of the existing structure.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Amend Section 22 to Council Bill 119444, as follows:

Section 22. A new Section 23.44.018 of the Seattle Municipal Code is added to

Subchapter I of Chapter 23.44 as follows:

23.44.018 Maximum dwelling unit size in RSL zones

The maximum net unit area of any dwelling unit in RSL zones, including any floor area in an accessory dwelling unit, is 2,200 square feet, except as provided in subsection 23.44.018.B.

A. The following floor area is exempt from the maximum net unit area limit:

1. All stories, or portions of stories, that are underground.

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

2. All portions of a story that extend no more than 4 feet above existing or finished grade, whichever is lower, excluding access.

B. The limit of subsection 23.44.018.A shall not apply to an addition to single-family residences existing on or before the effective date of the ordinance introduced as Council Bill 119444 if the addition:

1. Adds floor area equal to or less than 20 percent of the existing floor area; or.

2. Adds floor area by adding or expanding a second-story, provided that the second-story addition is directly above a portion of the dwelling unit that existed prior to the effective date of the ordinance introduced as Council Bill 119444. For purposes of this section 23.44.018.B.2, portions of a story that extend no more than 4 feet above existing or finished grade, whichever is lower, shall not be considered in the calculation of number of stories.

3. Additions that meet the requirements of subsections 23.44.018.B.1 or 23.44.018.B.2 may occur one time only.

Amendment A2: Apartment Structures in RSL Zones

Primary Sponsor: Councilmembers Johnson

Co-sponsors:¹ Councilmembers Bagshaw and Mosqueda

Background:

The proposed legislation limits the number of units in an apartment development in Residential Small Lot (RSL) zones to three dwelling units or less, regardless of lot size, in addition to applying a density limit of one dwelling unit per 2,000 square feet of lot area for all development types. This standard is meant to prohibit construction of large apartment buildings in the RSL zones. Two apartment structures, each with 3-units, would be allowed on a lot in an RSL zone.

The combination of the absolute limit on the number of units in an apartment structure and the density limit could result in some lots being underbuilt or prioritizing other structure types, such as cottage housing development, rowhouse development, and townhouse developments.

This amendment would remove the absolute limit on the number of units in a development to allow, on larger lots, apartment development of more than three units. Density limits would still apply, along with regulations on height, yard requirements, FAR, etc. that would address other urban design objectives.

This amendment is mutually exclusive from Amendment A2b.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendment

Amend Section 12 to Council Bill 119444, as follows:

Section 12. Section 23.44.006 of the Seattle Municipal Code, last amended by Ordinance 125603, is amended as follows:

23.44.006 Principal uses permitted outright

The following principal uses are permitted outright in single-family zones:

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

A. Single-family (~~(Dwelling Unit)~~) dwelling unit. (~~(One single-family dwelling unit per lot, except that an accessory dwelling unit may also be approved pursuant to Section 23.44.041, and except as approved as part of an administrative conditional use permit under Section 25.09.260;)~~)

B. In RSL zones, apartments, carriage houses, cottage housing development, rowhouse development, and townhouse developments;

C. ~~In RSL zones, apartments containing three dwelling units or less;~~

* * *

NOTE: This amendment would require renumbering subsections 23.44.006.D through 23.44.006.K.

Amendment A3: ADU Standards in RSL Zones

Primary Sponsor: Councilmember Johnson

Co-sponsors:¹ Councilmembers Bagshaw, González, Herbold, Juarez, and Mosqueda

Background:

The proposed legislation, in general, applies existing Accessory Dwelling Unit (ADU) requirements currently applicable in single-family zones to Residential Small Lot (RSL) zones. However, there are two ADU standards that currently apply in Lowrise zones (not Single-family zones) that are proposed in RSL zones. This includes requiring that:

1. All ADUs must be located in the same structure as the principle dwelling unit or behind the principal dwelling unit; and
2. Exterior stairs providing access to the ADU may not be more than 4 feet high, except for stairs providing access to an ADU above a garage.

These standards are intended to make new development that includes ADUs more consistent with those that do not have ADUs but also make it more difficult to site an ADU, especially in existing buildings. This amendment would remove the two standards described above, making ADU requirements in RSL zones more consistent with what applies in Single-family zones today.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Amend Section 28 to Council Bill 119444, as follows:

Section 28. Section 23.44.041 of the Seattle Municipal Code, last amended by Ordinance 125603, is amended as follows:

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

23.44.041 Accessory dwelling units

A. Accessory dwelling units, general provisions. The Director may authorize an accessory dwelling unit, and that dwelling unit may be used as a residence, only under the following conditions:

* * *

~~6. Accessory dwelling units in RSL zones are required to meet the following additional standards:~~

~~a. An accessory dwelling unit shall be located within the same structure as the principal dwelling unit or in an accessory structure located between the principal dwelling unit, including lines extended from the edge of the principal dwelling unit to all side lot lines, and the rear lot line.~~

~~b. Exterior stairs. Exterior stairs providing access to an accessory dwelling unit may not exceed 4 feet in height, except for exterior stairs providing access to an accessory dwelling unit located above a garage.~~

Amendment A4: Garage Standards in RSL Zones

Primary Sponsor: Councilmember Johnson

Co-sponsors:¹ Councilmembers Bagshaw, González, Harrell, Mosqueda, and O'Brien

Background:

The proposed legislation includes design standards for garages currently in place for Multifamily zones and applies them to Residential Small Lot (RSL) zones. This includes allowing garages to face the street, provided the garage entrance is set back at least 18 feet from the street lot line and the total combined horizontal width of all garage entrances located on all street-facing facades are not more than 10 feet times the number of principal dwelling units located on the lot.

The requirements for garage entrances may result in a row of garage doors along the street. This amendment would apply standards for garage entrances that are applicable in other Single-family zones.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Amend Section 19 to Council Bill 119444, as follows:

Section 19. Section 23.44.016 of the Seattle Municipal Code, last amended by Ordinance 125603, is amended as follows:

23.44.016 Parking and garages

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

* * *

C. Location of ~~((Parking.))~~ parking

* * *

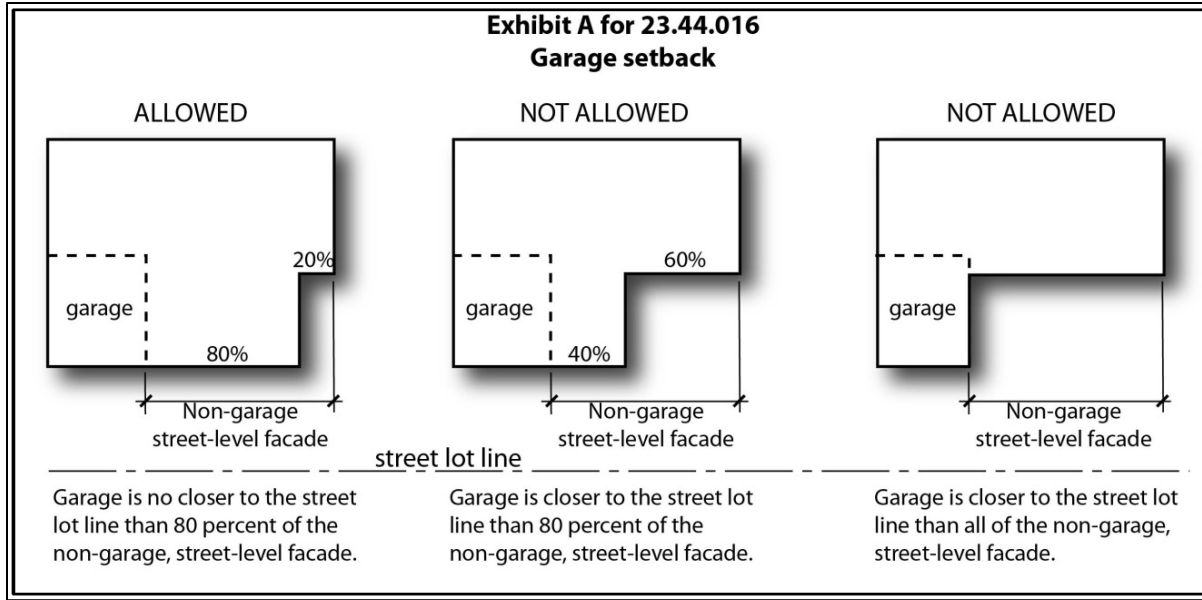
4. Parking accessory to a floating home may be located on another lot if within 600 feet of the lot on which the floating home is located. The accessory parking shall be screened and landscaped according to subsection ~~((23.44.016.G))~~ 23.44.016.H.

* * *

F. Appearance of garage entrances ~~in SF 5000, SF 7200, and SF 9600 zones. In SF 5000, SF 7200, and SF 9600 zones, the following provisions apply:~~

1. Garage setback. In SF 5000, SF 7200, and SF 9600 zones, no ~~no~~ portion of a garage, whether attached to a principal structure or within a detached accessory structure, may be closer to the street lot line than 80 percent of the remaining non-garage₂ street-level facade (see Exhibit A for 23.44.016) of the principal structure to which the garage is accessory. If the entire street-level facade of either a principal or accessory structure is garage, no portion of the garage may be closer to the street lot line than 80 percent of the facade of the story above the street-level facade. In RSL zones, garage entrances facing the street shall be set back at least 18 feet from the street lot line.

**Exhibit A for 23.44.016
Garage setback**



2. Garage entrance width. The total combined horizontal width of all garage entrances on the lot that are located on the front facade may be up to 50 percent of the horizontal width of the front facade or 10 feet, whichever is greater. On corner lots, a garage entrance shall be allowed on only one street-facing facade.

3. Exemptions

a. Garages allowed under subsections 23.44.016.D.9, 23.44.016.D.10, 23.44.016.D.11, and 23.44.016.D.12 are not subject to the standards of this subsection 23.44.016.F.

b. Garages that are set back more than 35 feet from the front lot line are not subject to the standards of this subsection 23.44.016.F.

c. The Director may waive or modify the standards of this subsection 23.44.016.F based on one or more of the following factors:

- 1) Irregular lot shape;
- 2) Topography of the lot;
- 3) Configuration of proposed or existing structures on the lot;

4) Location of exceptional trees as defined in Section 25.11.020;

and

5) The proposed structure or addition has design features including but not limited to modulation, screening, and landscaping.

~~G. Appearance of garage entrances in RSL zones. In RSL zones, the following provisions apply:~~

~~1. Garage entrances facing the street shall be set back at least 18 feet from the street lot line.~~

~~2. The total combined horizontal width of all garage entrances located on all street-facing facades shall not be more than 10 feet times the number of principal dwelling units located on the lot.~~

~~(G)~~ H. Screening ((-))

* * *

2. The height of the visual barrier created by the screen required by subsection ((1 of this subsection)) 23.44.016.HG.1 shall be measured from street level. If the elevation of the lot line is different from the finished elevation of the parking surface, the difference in elevation may be measured as a portion of the required height of the screen, so long as the screen itself is a minimum of ~~((three (3)))~~ 3 feet in height (see Exhibit B for 23.44.016). ~~((B-))~~

Amendment A5: Density limits in RSL Zones

Primary Sponsor: Councilmember Johnson

Co-sponsors:¹ Councilmembers Bagshaw, González, and Mosqueda

Background:

The proposed legislation applies a density limit in Residential Small Lot (RSL) zones of one dwelling unit per 2,000 square feet of lot area for all development types. When calculation of the number of dwelling units allowed under this provision results in a fraction of a unit, any fraction up to and including 0.85 allows zero additional units, and any fraction over 0.85 allows one additional unit.

Existing lots in RSL zones that are less than 3,701 square feet would not be eligible to add a second unit; this applies to approximately 16% of the lots proposed to be rezoned to RSL in the proposed legislation. This amendment would allow all lots in existence as of the effective date of this ordinance to include a minimum of two dwelling units.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Amend Section 20 to Council Bill 119444, as follows:

Section 20. A new Section 23.44.017 of the Seattle Municipal Code is added to

Subchapter I of Chapter 23.44 as follows:

23.44.017 Density limits

A. In SF 5000, SF 7200, and SF 9600 zones, only one single-family dwelling unit is allowed per lot, except that an accessory dwelling unit may also be approved pursuant to Section 23.44.041, and except as approved as part of an administrative conditional use permit under

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

Section 25.09.260, a clustered housing planned development under Section 23.44.024, or a planned residential development under Section 23.44.034.

B. The following provisions apply in RSL zones:

1. The minimum lot area per dwelling unit is 2,000 square feet.

2. Except as provided in subsection 23.44.017.B.3, ~~W~~hen calculation of the number of dwelling units allowed according to subsection 23.44.017.B.1 results in a fraction of a unit, any fraction up to and including 0.85 constitutes zero additional units, and any fraction over 0.85 constitutes one additional unit.

3. For lots in existence on the effective date of the ordinance introduced as Council Bill 119444, if the number of dwelling units allowed according to subsection 23.44.017.B.2 equals less than two, two units are allowed.

Amendment A6: Reduce the proposed density limit for Lowrise multifamily zones.

Primary Sponsor: Councilmember Mosqueda

Co-sponsors:¹ Councilmembers Johnson and González

Background:

This amendment would modify density limits applicable in Lowrise multifamily zones. The proposed legislation would establish a new density limit for all townhouse development and rowhouse development on lots smaller than 3,000 square feet. The limit would be one unit per every 1,350 square feet of lot area. The legislation would reduce existing density limits to allow denser development.

The proposed amendment would reduce the density limit to one unit for every 1,300 square feet of lot area, which could result in slightly more development on smaller sites.

Notes:

Double underlines indicate new language to be added to a condition, finding, or conclusion.

~~Double strikethroughs~~ indicate language proposed to be removed from a condition, finding, or conclusion.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Amend Section 35 of Council Bill 119444, as follows:

Section 35. Section 23.45.512 of the Seattle Municipal Code, last amended by Ordinance 125359, is amended as follows:

23.45.512 Density limits and family-size unit requirements—LR zones

~~((A. The minimum lot area per dwelling unit in LR zones for cottage housing developments, townhouse developments, and apartments is shown on Table A for 23.45.512,~~

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

except as provided in subsections 23.45.512.B, 23.45.512.C, 23.45.512.D, 23.45.512.E, and 23.45.512.G.))

((Table A for 23.45.512				
Density limits in Lowrise zones¹				
Zone	Units allowed per square foot of lot area by category of residential use²			
	Cottage housing development³ and single-family dwelling unit⁴	Rowhouse development	Townhouse development⁵	Apartment⁶
LR1 ⁶	1/1,600	1/1,600 or no limit ⁷	1/2,200 or 1/1,600	1/2,000 duplexes and triplexes only
LR2	1/1,600	No limit	1/1,600 or no limit	1/1,200 or no limit
LR3	1/1,600	No limit	1/1,600 or no limit	1/800 or no limit

Footnotes for Table A for 23.45.512

¹Density limits for LR zones with a mandatory housing affordability suffix are shown in subsection 23.45.517.C.

²When density calculations result in a fraction of a unit, any fraction up to and including 0.85 constitutes zero additional units, and any fraction over 0.85 constitutes one additional unit.

³See Section 23.45.531 for specific regulations about cottage housing developments.

⁴One single family residence meeting the standards of subsection 23.45.510.C may be built on a lot that is existing as of April 19, 2011, and has an area of less than 1,600 square feet.

((Table A for 23.45.512
Density limits in Lowrise zones¹

Zone	Units allowed per square foot of lot area by category of residential use²			
	Cottage housing development³ and single-family dwelling unit⁴	Rowhouse development	Townhouse development⁵	Apartment⁶
⁵ For townhouse developments that meet the standards of subsection 23.45.510.C, the higher density shown is permitted in LR1 zones, and there is no density limit in LR2 and LR3 zones. ⁶ For apartments that meet the standards of subsection 23.45.510.C, there is no density limit in LR2 and LR3 zones. ⁷ The density limit for rowhouse development in LR1 zones applies only on lots less than 3,000 square feet in size.))				

A. Density limits

1. Except according to subsection 23.45.512.A.4, the following developments must meet the density limits described in this subsection 23.45.512.A:

a. In LR1 zones, rowhouse development on interior lots less than 3,000 square feet in size and all townhouse development; and

b. All development in Lowrise zones that do not have a mandatory housing affordability suffix.

2. Development described in subsection 23.45.512.A.1 shall not exceed a density of one dwelling unit per ~~1,350~~ 1,300 square feet of lot area, except that apartments in LR3 zones that do not have a mandatory housing affordability suffix shall not exceed a density limit of one dwelling unit per 800 square feet.

3. When density calculations result in a fraction of a unit, any fraction up to and including 0.85 constitutes zero additional units, and any fraction over 0.85 constitutes one additional unit.

~~((B))~~ 4. Density exception for certain types of low-income multifamily residential uses

~~((4))~~ a. The exception in this subsection (~~(23.45.512.B)~~) 23.45.512.A.4 applies to (~~low-income disabled multifamily residential uses, low-income elderly multifamily residential uses, low-income elderly/low-income disabled multifamily residential uses, and other~~) low-income residential uses (~~(7)~~) operated by a public agency or a private nonprofit corporation. (~~(, if they do not qualify for the higher FAR limit shown in Table A for 23.45.510.)~~)

~~((2))~~ b. The uses listed in subsection (~~(23.45.512.B.1)~~) 23.45.512.A.4.a shall have a maximum density of one dwelling unit per 400 square feet of lot area if a majority of the dwelling units are designed for and dedicated to tenancies of at least three months, and the dwelling units remain in low-income disabled multifamily residential use, low-income elderly multifamily residential use, low-income elderly/low-income disabled multifamily residential use, or other low-income residential uses, for the life of the structure.

Amendment A7: Modify development standards for pitched roofs that exceed the zone height.

Primary Sponsor: Councilmember Johnson

Background:

This amendment would reduce the required pitch of roofs, which are allowed to exceed the height limit, on Lowrise multifamily structures.

Development regulations allow certain features of a structure to exceed the height limit of a zone. These features include pitched roofs. Current regulations allow a roof to exceed the height limit, if it has a pitch of 6:12. As a practical matter this pitch cannot always be achieved.

The proposed amendment would flatten the pitch to 3:12.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Amend Section 36 of Council Bill 119444, as follows:

Section 36. Section 23.45.514 of the Seattle Municipal Code, last amended by Ordinance 125603, is amended as follows:

23.45.514 Structure height

* * *

D. Exceptions for pitched roofs in LR zones that are not shed or butterfly roofs ((-))

1. Pitched roofs that are not shed or butterfly roofs may extend up to 5 feet above the height limits set in Table A for 23.45.514, ~~((subject to the following limits,))~~ provided that all parts of the roofs above the height limit have a minimum slope of ~~6:12~~ 3:12 ~~((, except as provided in subsection 23.45.514.D.5:~~

~~1. For cottage housing developments in all LR zones, the ridge of pitched roofs on principal structures may extend up to 7 feet above the height limit.~~

~~2. In LR1 and LR2 zones, for structures subject to a 30 foot height limit, the ridge of pitched roofs on principal structures may extend up to 5 feet above the height limit if) and the height exception in subsection 23.45.514.F is not used.~~

~~((3. In LR3 zones, for structures subject to a 30 foot height limit, the ridge of pitched roofs on principal structures may either:~~

~~a. extend up to 10 feet above the height limit, if the height exception provided in subsection 23.45.514.F is not used, and the number of full stories above grade is limited to three; or~~

~~b. extend up to 5 feet above the height limit, if the height exception provided in subsection 23.45.514.F is used.~~

~~4. In LR3 zones, for structures subject to a 40 foot height limit, the ridge of pitched roofs on principal structures may extend up to 5 feet above the height limit provided that the height exception in subsection 23.45.514.F is not used.~~

5)) 2. Portions of curved roof forms, such as barrel and domed roofs, may have a lesser slope than ~~6:12~~ 3:12, if the Director determines that the massing of the roof form is comparable to a pitched roof form such as a gable or gambrel roof that would have a minimum slope of ~~6:12~~ 3:12.

* * *

Amendment A8: Harmonize Incentive Zoning regulations for high rise development First Hill with Mandatory Housing Affordability requirements.

Primary Sponsor: Councilmember Bagshaw

Co-sponsors:¹ Councilmembers Harrell and Johnson

Background:

This amendment would retain the option for development in high rise zones to achieve a portion of extra residential floor through the provision of open space, green street improvements, or purchase of Transferable Development Rights (TDR) from designated historic landmarks.

Under the current Incentive Zoning program, high rise residential development in First Hill may achieve bonus floor area by: (1) contributing to affordable housing or (2) providing open space, developing a portion of a green street, or purchasing landmark TDR. Extra floor area available through the second option is limited to 40% of the eligible bonus floor area. Council Bill 11944 would eliminate the second option for achieving extra floor. Instead, all non-exempt floor area would be used to determine affordable housing contributions.

The proposed amendment would allow landmark TDR owners in First Hill, such as the Trinity Church, to achieve some value from their TDR.

Notes:

Double underlines indicate new language to be added to a condition, finding, or conclusion.

~~Double strikethroughs~~ indicate language proposed to be removed from a condition, finding, or conclusion.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Amend Section 37 of Council Bill 119444, as follows:

Section 37. Section 23.45.516 of the Seattle Municipal Code, last amended by Ordinance 125173, is amended as follows:

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

23.45.516 ((Additional height and)) Method to achieve extra residential floor area in ((MR and)) HR zones

A. ((General.)) Definitions in Section 23.58A.004 apply in this Section 23.45.516 unless otherwise specified.

~~((1. In MR, MR/85, and HR zones, extra residential floor area may be permitted up to the maximum limits allowed by Section 23.45.510.~~

~~2. In MR and HR zones, additional height above the base height limit is permitted for structures that qualify for extra residential floor area, up to the maximum limits allowed by Sections 23.45.514 and 23.45.516.~~

~~B. Eligible lots. The following lots are eligible for extra residential floor area and, except in MR/85 zones, additional height:~~

~~1. Lots in MR or MR/85 zones in urban villages, urban centers, and the Station Area Overlay District, except when the lot abuts a lot zoned single family or is directly across an alley from a lot zoned single family; and~~

~~2. Lots in HR zones.~~

~~C. HR zones~~

~~1. Extra residential floor area.))~~

B. In HR zones, extra residential floor area above the base FAR may be gained in accordance with Chapter 23.58A subject to the conditions and limits in this Section 23.45.516.

((Up to all))

1. Up to all extra residential floor area may be gained through the affordable housing incentive program provisions in Section 23.58A.014.

2. Up to 40 percent of extra residential floor area may be gained by one or any combination of:

a. transfer of development potential;

b. providing neighborhood open space ((or a payment in lieu thereof));

and/or

c. providing a neighborhood green street setback if allowed pursuant to subsection 23.45.516.F, all in accordance with this Section 23.45.516 and Chapter 23.58A.

~~((2. Structure height-~~

~~a. Structures 240 feet or less in height. The applicable height limit in an HR zone under subsection 23.45.514.B is 240 feet if the applicant satisfies the conditions for extra floor area but not all of the conditions in subsection 23.45.516.C.2.b are met.-~~

~~b. Structures over 240 feet. The applicable height limit in an HR zone under subsection 23.45.514.B is 300 feet if the applicant satisfies the conditions for extra floor area and the following additional conditions are met:-~~

~~1) For any structure above a height of 85 feet, the average residential gross floor area per story above a height of 45 feet does not exceed 9,500 square feet;-~~

~~2) No parking is located at or above grade, unless it is separated from all street lot lines by another use; and-~~

~~3) At least 25 percent of the lot area at grade is one or more landscaped open spaces, each with a minimum horizontal dimension of 10 feet, or at least 20 percent of the lot area at grade is landscaped, common amenity area meeting the standards of Section 23.45.522.))~~

D. Transferable Development Potential (TDP) from Landmark structures and open space

1. Sending lots. TDP may be transferred under the provisions of Section 23.58A.040, as modified by this Section 23.45.516, only from Landmark TDP sites and open space TDP sites. In order to be eligible as a Landmark TDP site or open space TDP site, a lot shall be located in First Hill and shall be zoned MR or HR. Sending lots are subject to the limits and conditions in this Chapter 23.45 and Chapter 23.58A. The amount of TDP that may be transferred from a lot is limited to the amount by which the base FAR under Section 23.45.510 exceeds floor area on the lot that is not exempt under Section 23.45.510.

2. Receiving lots. Any lot located in an HR zone within First Hill is eligible for extra residential floor area according to the provisions of this Section 23.45.516 to receive TDP from an eligible sending lot, subject to the limits and conditions in this Chapter 23.45 and Chapter 23.58A.

~~((E. Combined lot development. When authorized by the Director pursuant to this Section 23.45.516, lots located on the same block in an HR zone may be combined, whether contiguous or not, solely for the purpose of allowing some or all of the capacity for chargeable floor area on one or more such lots under this Chapter 23.45 to be used on one or more other lots, according to the provisions of this subsection 23.45.516.E.~~

~~1. Up to all of the capacity on one lot, referred to in this subsection 23.45.516.E as the “base lot,” for chargeable floor area in addition to the base FAR, pursuant to Section 23.45.510 (referred to in this subsection 23.45.516.E as “bonus capacity”), may be used on one or more other lots, subject to compliance with all conditions to obtaining extra residential floor area, pursuant to Chapter 23.58A, as modified in this Section 23.45.516. For purposes of~~

~~applying any conditions related to amenities or features provided on site under this Section 23.45.516, only the lot or lots on which such bonus capacity is used are considered to be the lot or site using a bonus. Criteria for use of extra residential floor area that apply to the structure(s) shall be applied only to the structure(s) on the lots using the transferred bonus capacity. For purposes of the condition to height above 240 feet in subsection 23.45.516.C.2.b.3 of this Section 23.45.516, all lots in a combined lot development are considered as one lot.~~

~~2. Only if all of the bonus capacity on all lots in a combined lot development is used on fewer than all of those lots, there may be transferred from a base lot where no bonus capacity is used, to one or more other lots in the combined lot development, up to all of the unused base FAR on the base lot, without regard to limits on the transfer of TDP or on use of TDP in Chapter 23.58A or subsection 23.45.516.D. Such transfer shall be treated as a transfer of TDP for purposes of determining remaining development capacity on the base lot and TDP available to transfer under Chapter 23.58A, but shall be treated as additional base FAR on the other lots, and, to the extent that, together with other base floor area, it does not exceed the amount of chargeable floor area below the base height limit on the lot where it is used, it shall not be treated as extra residential floor area. If less than all of the bonus capacity of the base lot is used on such other lots, and if the base lot qualifies as a sending lot for TDP, the unused base FAR may be transferred as TDP to the extent permitted by Chapter 23.58A and this Section 23.45.516, but in each case only to satisfy in part the conditions to achieve extra floor area, not as additional base FAR.~~

~~3. To the extent permitted by the Director, the maximum chargeable floor area for any one or more lots in the combined lot development may be increased up to the combined maximum chargeable floor area under Section 23.45.510 computed for all lots participating in~~

~~the combined lot development, provided that the maximum chargeable floor area on one or more other lots in the combined lot development is correspondingly reduced. To the extent permitted by the Director, and subject to subsection 23.45.516.E.2, the base floor area for any one or more lots in the combined lot development may be increased up to the combined base chargeable floor area under Section 23.45.510 computed for all lots participating in the combined lot development, provided that the base floor area on one or more other lots in the combined lot development is correspondingly reduced.~~

~~4. The Director shall allow a combined lot development only to the extent that the Director determines, in a Type I land use decision, that permitting more chargeable floor area than would otherwise be allowed on a lot or lots and the corresponding reduction on another lot or lots will result in a significant public benefit through one of more of the following:-~~

~~a. preservation of a landmark structure located on the block or on an adjacent block either through the inclusion of the lot with the landmark structure as a base lot in the combined lot development or through the transfer of TDP from the lot with the landmark structure to a lot in the combined lot development;~~

~~b. inclusion on the same block of a structure in which low income housing is provided to satisfy all or part of the conditions to earn extra residential floor area; and/or~~

~~c. provision of open space on the same block to satisfy in part the conditions to achieve extra residential floor area.~~

~~5. The fee owners of each of the combined lots shall execute an appropriate agreement or instrument, which shall include the legal descriptions of each lot and shall be recorded in the King County real property records. In the agreement or instrument, the owners shall acknowledge the extent to which development capacity on each base lot is reduced by the~~

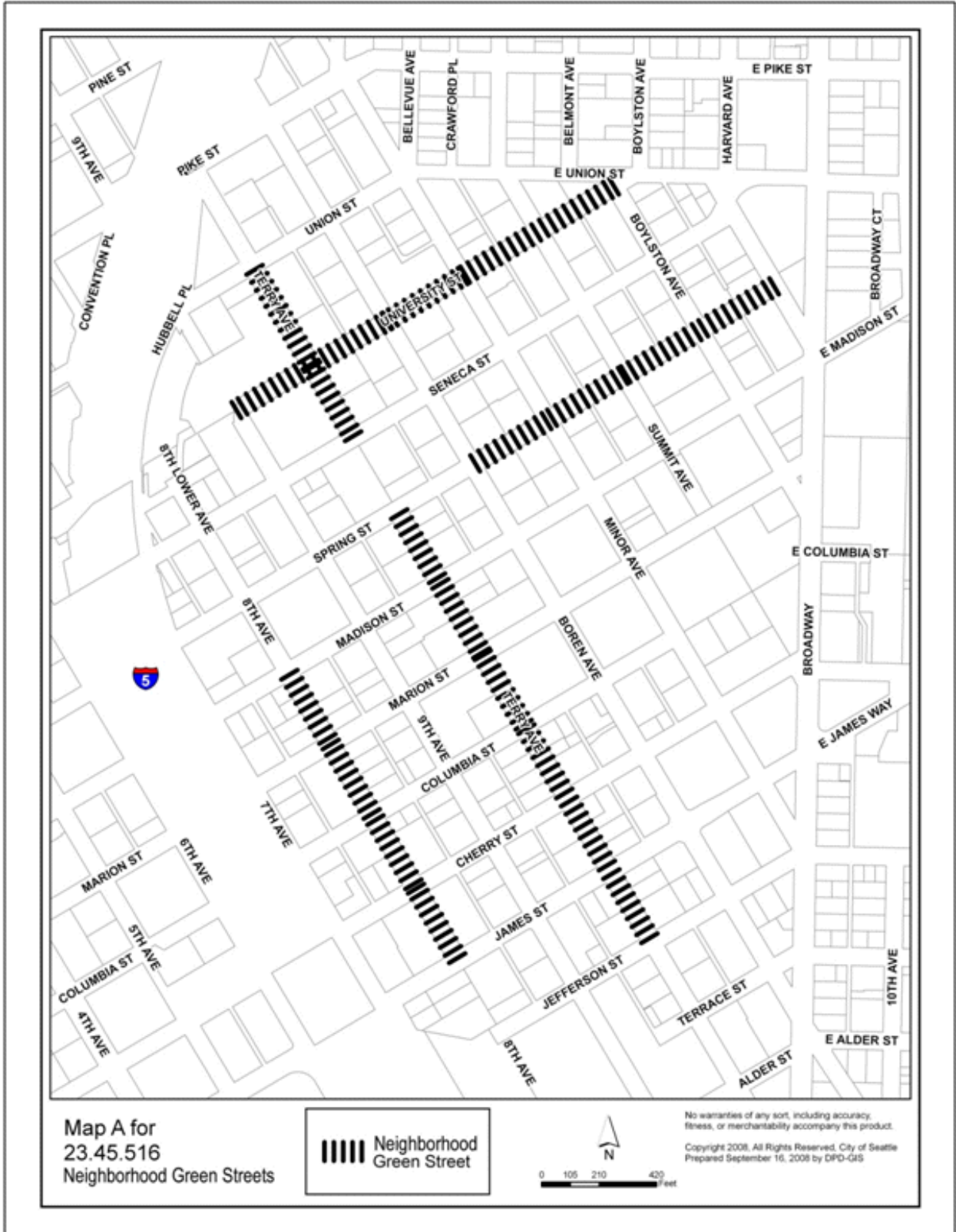
~~use of such capacity on another lot or lots, at least for so long as the chargeable floor area for which such capacity is used remains on such other lot or lots. The agreement or instrument shall also provide that its covenants and conditions shall run with the land and shall be specifically enforceable by the parties and by the City of Seattle.~~

~~6. Nothing in this subsection 23.45.516.E shall allow the development on any lot in a combined lot development to exceed or deviate from height limits or other development standards.))~~

E ((F)). Neighborhood green street setback. Floor area may be gained for a neighborhood green street setback according to the provisions of Chapter 23.58A by development on lots abutting one of the streets or street segments within the First Hill Urban Village shown on Map A for 23.45.516.

Map A for 23.45.516

Neighborhood Green Streets



~~F ((G)). Neighborhood open space. In HR zones, subject to the limits in this Section 23.45.516 and Chapter 23.58A, extra residential floor area may be gained through a voluntary agreement to provide neighborhood open space ((or a payment in lieu of neighborhood open space)), according to the provisions of Section 23.58A.040.~~

Amend Section 96 of Council Bill 119444, as follows:

Section 96. Section 23.45.516 of the Seattle Municipal Code, last amended by Ordinance 125291, is amended as follows:

23.58C.025 Applicability and general requirements

* * *

B. Applicability. Except as provided according to subsection 23.58C.025.C, this Chapter 23.58C shall apply to development that includes units, whether such development occurs through one or more of the following:

1. Construction of a new structure;
2. Construction of an addition to an existing structure that results in an increase in the total number of units;
3. Alterations within an existing structure that result in an increase in the total number of units; or
4. Change of use that results in an increase in the total number of units.

C. Development is exempt from the requirements of this Chapter 23.58C if it receives public funding and/or an allocation of federal low-income housing tax credits, and is subject to a regulatory agreement, covenant, or other legal instrument recorded on the property title and

enforceable by The City of Seattle, Washington State Housing Finance Commission, State of Washington, King County, U.S. Department of Housing and Urban Development, or other similar entity as approved by the Director of Housing, (1) which restricts at least 40 percent of the residential units to occupancy by households earning no greater than 60 percent of median income, and controls the rents that may be charged, for a minimum period of 40 years, or (2) which restricts at least 40 percent of the residential units to be sold to households earning no greater than 80 percent of median income, for a minimum period of 50 years. The sale price for sales subsequent to the initial sale shall be calculated to allow modest growth in homeowner equity while maintaining long-term affordability for future buyers. All buyers of such an ownership unit subsequent to the initial sale shall be households with incomes no greater than 80 percent of median income at initial occupancy.

D. Relationship to incentive zoning. Where the provisions of the zone refer to this Chapter 23.58C and where bonus residential floor area or extra residential floor area may be achieved according to the provisions of the zone and/or Chapter 23.58A, the following provisions apply:

1. All requirements to provide low-income or moderate-income housing, or affordable housing as defined in Section 23.58A.004, for achieving bonus residential floor area or extra residential floor area according to the provisions of the zone and/or Chapter 23.58A shall be satisfied solely by compliance with this Chapter 23.58C.

2. Any non-housing requirements for achieving bonus residential floor area or extra residential floor area shall be satisfied according to the provisions of the zone and/or Chapter 23.58A.

3. Extra residential floor area achieved in HR zones by transfer of development potential, providing neighborhood open space, or providing a neighborhood green street setback

according to Section 23.45.516.B.2 shall be excluded from the gross floor area of the development for purposes of Section 23.58C.040.A.1 and the units contained in such extra floor area shall be excluded from the total number of units in the structure for purposes of Section 23.58C.050.A.1..

Amendment A10: Small commercial space requirement

Primary Sponsors: Councilmembers Herbold, Johnson & O'Brien

Co-sponsor:¹ Councilmember Gonzalez

Background:

In certain areas, such as the Pike/Pine Conservation Overlay District, there are development standards in place to ensure that new development includes spaces for small commercial uses. Requiring that new development in pedestrian zones include spaces for small commercial uses is one strategy to support commercial affordability and limit the potential displacement of small, locally owned businesses. Pedestrian zones are generally located in recognized neighborhood business districts and are locations already prioritized for an active streetscape.

This amendment would require that new development in pedestrian zones with over 5,000 square feet of commercial space at grade provide small commercial spaces permanently, and revises depth requirements for these small commercial spaces to allow a smaller average depth for commercial space under 600 square feet. It would also allow this requirement to be waived through a Type 1 decision, based on the availability of existing small commercial spaces near the new development.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Option 1:

Amend Section 49 of Council Bill 119444, as follows:

Section 49. Section 23.47A.008 of the Seattle Municipal Code, last amended by

Ordinance 125603, is amended as follows:

23.47A.008 Street-level development standards

* * *

B. Non-residential street-level requirements

* * *

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

3. Depth provisions for new structures or new additions to existing structures.

a. Non-residential uses greater than 600 square feet shall extend an average depth of at least 30 feet and a minimum depth of 15 feet from the street-level, street-facing facade.

b. In pedestrian designated zones, non-residential uses less than 600 square feet in size shall extend an average depth of at least 20 feet and a minimum depth of 10 feet from the street-level, street-facing facade.

c. If the combination of the requirements of Sections 23.47A.005 or 23.47A.008 and ~~this~~ these depth requirements would result in a requirement that an area greater than 50 percent of the structure's footprint be dedicated to non-residential use, the Director may modify the street-facing facade or depth requirements, or both, so that no more than 50 percent of the structure's footprint is required to be non-residential.

* * *

C. In addition to the provisions of subsections 23.47A.008.A and 23.47A.008.B, the following standards also apply in pedestrian designated zones:

* * *

6. Space for small commercial uses at street level

a. Except as provided in subsection 23.47A.008.C.6.c, all structures abutting a principal pedestrian street that include more than 5,000 square feet of street-level commercial uses shall include small commercial spaces meeting the requirements of subsection 23.47A.008.C.6.b in the quantity required by Table A for 23.47A.008.C.

<u>Table A for 23.47A.008.C</u>	
<u>Number of small commercial spaces required</u>	
<u>Total amount of square feet (sf) in street-level commercial use</u>	<u>Number of small commercial spaces required</u>
<u>Up to 5,000 sf</u>	<u>0</u>
<u>More than 5,000 sf up to 8,000 sf</u>	<u>1</u>
<u>More than 8,000 sf up to 12,000 sf</u>	<u>2</u>
<u>More than 12,000 sf up to 16,000 sf</u>	<u>3</u>
<u>More than 16,000 sf</u>	<u>4, plus 1 additional space for each additional 4,000 square feet above 16,000 square feet, up to a maximum of 8</u>

b. Requirements for small commercial spaces. The required small commercial spaces must:

- 1) Contain only commercial uses;
- 2) Be a minimum of 300 square feet and a maximum of 1,500 square feet;
- 3) Have an entrance for pedestrians from the street or from a street-oriented courtyard that is no more than 3 feet above or below the sidewalk grade; and
- 4) Be separated from other commercial spaces by a physical divider such as a wall or partition.

c. Exception. The requirements of this subsection 23.47A.008.C.6 do not apply to structures with more than 50 percent of the total street-level gross floor area occupied by any of the following uses:

- 1) Arts facilities;
- 2) Child care centers;
- 3) Colleges;
- 4) Community clubs or community centers;
- 5) Libraries;

6) Institutes for advanced study;

7) Museums;

8) Performing arts theatres;

9) Grocery stores less than 15,000 square feet;

10) Elementary or secondary schools;

11) Religious facilities;

12) Vocational or fine arts schools; or

13) Shopping atriums, where multiple businesses operate within a contiguous space.

d. As a Type I decision, the Director may waive the requirements of subsection 23.47A.008.C.6. The Director's decision shall be based on the availability of existing small commercial spaces on a principal pedestrian street:

1) Within the same urban village as the structure;

2) Within 400 lineal feet of the structure, if the structure is located within an urban center; or

3) Within the same pedestrian-designated zone as the structure on the same principal pedestrian street, if the structure is located outside of an urban village or urban center.

Amendment A11: Floor area exception for low-income housing in the Pike/Pine Overlay

Primary Sponsor: Councilmember O'Brien

Co-sponsor:¹ Councilmember Herbold

Background:

The Pike/Pine Overlay currently includes an exception to the floor area limit for projects that commit to providing 50% of total gross floor area affordable to and occupied by "income eligible households" for fifty years. Income eligible households are defined as:

1. For rental housing units, except housing units of 400 or fewer net square feet, or sleeping rooms in a congregate residence, households with incomes no higher than the lower of:
 - a. 80 percent of median income as defined in Section 23.84A.025; or
 - b. the maximum level permitted for rental housing by RCW 36.70A.540 as in effect when the agreement for the housing to serve as affordable housing is executed.
2. In the case of owner-occupied housing units, households with incomes no higher than the lesser of:
 - a. median income, as defined in Section 23.84A.025, or
 - b. the maximum level permitted for owner-occupied housing by RCW 36.70A.540 as in effect when the agreement for the housing to serve as affordable housing is executed.
3. For housing units of 400 or fewer net square feet or sleeping rooms in a congregate residence, households with incomes no higher than 40 percent of median income as defined in Section 23.84A.025. For this purpose, the resident(s) of each sleeping room in a congregate residence are regarded as a separate household.

Council Bill 119444 proposes to delete this exception.

This amendment would retain the exception, allowing a 15% increase in floor area for projects that commit to providing at least 50% of their floor area as affordable to income eligible households.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

Amendments

Amend Section 104 of Council Bill 119444 to retain subsection 23.73.010.B.1.c, as follows:

Section 104. Section 23.73.010 of the Seattle Municipal Code, last amended by Ordinance 125429, is amended as follows:

23.73.010 Floor area limits outside the Conservation Core

* * *

B. Exceptions to floor area limit

1. A 15 percent increase in the floor area limit is permitted for projects that meet the following conditions:

a. The project retains all the character structures existing on the lot, unless a departure is approved through the design review process to allow the removal of a character structure based on the provisions of subsection 23.41.012.B; and

b. The project includes uses that contribute to the area's recognized character as an arts district, including performing arts space or artist-studio dwellings that typically have design requirements such as nonstandard floor-to-ceiling heights that reduce the total amount of usable floor area in a structure; or

~~((c. A minimum of 50 percent of the total gross floor area of the project is housing that is affordable to and occupied by "income eligible households," as defined in Section 23.58A.004, and is subject to recorded covenants approved by the Director that ensure that the housing remains available to these households for a minimum of 50 years; or~~

~~d))~~ e. Through the design review process a determination is made that including one or more of the following features offsets the increase in the bulk of the project and allows for a design treatment that achieves the intent of the neighborhood design guidelines better than adhering to the floor area limit that would apply without the exception:

1) A landscaped courtyard that is visible from the sidewalk and located primarily at street level on a street that is not a principal pedestrian street;

2) A through-block pedestrian corridor that connects parallel streets bounding the project, consistent with the neighborhood design guidelines; or

3) Open space at locations that support the gateway and open space concepts promoted in the neighborhood design guidelines.

2. Retaining character structures on a lot. A 25 percent increase in the floor area limit established in subsection 23.73.010.A is permitted for a project that retains all the character structures on the same lot according to the provisions in Section 23.73.015, unless a departure is approved through the design review process to allow the removal of a character structure based on the provisions of subsection 23.41.012.B. Any increase in floor area permitted according to this subsection 23.73.010.B.2 shall not be combined with any other increase in floor area permitted according to subsection 23.73.010.B.1 or 23.73.010.B.3.

3. A 25 percent increase in the floor area limit is permitted on a lot that qualifies as a receiving site for a project that adds floor area through the use of TDP as permitted by Section 23.73.024, provided that the amount of floor area added through the use of TDP is equivalent to at least 0.25 FAR, as calculated for the receiving site. Any increase in floor area permitted according to this subsection 23.73.010.B.3 shall not be combined with any other increase in floor area permitted according to subsection 23.73.010.B.1 or 23.73.010.B.2.

* * *

Amendment A12 Upper-level Setbacks along University Way NE

Primary Sponsor: Councilmember Johnson

Co-sponsors:¹ Councilmembers Bagshaw, González, Herbold, and O'Brien

Background:

The proposed legislation would rezone University Way NE (the Ave) from NC3P-65 to NC3P-75 (M). The initial proposal for the Ave as part of the University District upzone, which was enacted through [Ordinance \(ORD\) 125267](#), was to rezone this area from NC3P-65 to SM-U-85. The initial proposal also included an upper-level setback requirement for buildings with heights above 45 feet. When the Council was considering ORD 125267, the Council decided to not rezone the Ave at that time and requested that the Office of Planning and Community Development consider zoning changes as part of the citywide upzone. The proposal included in CB 119444 is to maintain the NC3 zoning and to increase heights from 65 feet to 75 feet. NC3-75 (M) does not include an upper-level setback.

This amendment would implement an upper level setback above 45 feet in height for structures abutting the Ave. The intent of this setback is to maintain the human-scaled character of University Way NE.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Amend Section 50 of Council Bill 119444, as follows:

Section 50. Section 23.47A.009 of the Seattle Municipal Code, last amended by

Ordinance 125603, is amended as follows:

23.47A.009 Standards applicable to specific areas

* * *

¹ Co-sponsors were identified during the discussion on CB 11944 at the February 8, 2018 MHA Select Committee Meeting

G. University Community Urban Center. The following provisions apply to specified NC zones within the portion of the University Community Urban Center west of 15th Avenue NE.

1. Maximum width and depth limits. The following standards apply to NC zones with a mapped height limit exceeding 40 feet:

* * *

2. Provisions for the transfer of development rights (TDR) and transfer of development potential (TDP)

* * *

3. Upper level setbacks on University Way NE. The following standards apply to development on lots abutting University Way NE with a mapped height exceeding 45 feet.

a. An upper-level setback with a minimum depth of 10 feet from street lot lines abutting University Way NE is required for portions of a structure above a height of 45 feet.

b. Structures allowed in subsection 23.47A.014.E.1 and 23.47.014.E.2 are allowed in upper-level setbacks required in this subsection 23.47A.009.G.3.

* * *

Amendment A13: Development Standards for Live-work units

Primary Sponsor: Councilmember Johnson

Co-sponsors:¹ Councilmembers Bagshaw, González, Harrell, and Herbold

Background:

This amendment would amend the development standards that apply to live-work units by (1) establishing a minimum size of 300 square feet for the “work” portion that aligns with the requirements for small commercial spaces; and (2) requiring a physical divider between the “live” and “work” portions of the unit.

The intent of these changes is to improve privacy for residential functions and ensure that the front of the spaces are used for business purposes.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Amend Section 49 to Council Bill 119444, as follows:

Section 49. Section 23.47A.008 of the Seattle Municipal Code, last amended by

Ordinance 125603, is amended as follows:

23.47A.008 Street-level development standards

* * *

E. When a live-work unit is located on a street-level₁ street-facing facade, the provisions of subsections 23.47A.008.A and 23.47A.008.B, and the following requirements, apply:

1. The portion of each such live-work unit in which business is conducted must be a minimum of 300 square feet and must be located between the principal street and the

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

residential portion of the live-work unit. The non-residential portions of the unit shall extend the width of the street-level, street-facing facade, shall extend a minimum depth of 15 feet from the street-level, street-facing facade, and shall not contain any of the primary features of the residential (live) portion of the live-work unit, such as kitchen, ~~bathroom~~, sleeping, or laundry facilities, or bathrooms containing a shower or bathtub. These basic residential features shall be designed and arranged to be separated from the work portion of the live-work unit by a physical divider such as a wall or partition.

2. Each live-work unit must have a pedestrian entry on the street-facing facade that is designed to be visually prominent and provide direct access to the non-residential portions of the unit.

3. Each live-work unit must include an exterior sign with the name of the business associated with the live-work unit. Such signage shall be clearly associated with the unit and visible to pedestrians outside of the building.

4. The owner of each live-work unit must keep a copy of the current business license associated with the business located in that unit on file.

* * *

Amendment A14: Clarify regulations related to off-street parking in the Seattle Mixed-Rainier Beach zone

Primary Sponsors: Councilmembers Harrell and O'Brien

Background:

The proposed Seattle Mixed-Rainier Beach district would create special development standards for the area around the Rainier Beach light rail station in order to encourage the development of a food innovation district to provide economic development opportunities to the Rainier Beach community. Proposed section 23.48.945 would include special parking and loading standards that would allow surface parking between the street and buildings, multiple curb cuts, and surface parking to cover up to 50% of a lot.

These standards are not consistent with development standards around other light rail stations, which are generally designed to reduce vehicular trips to the station area and reduce conflicts between automobiles and pedestrians accessing the station.

This amendment would amend section 23.48.945 to limit these parking and loading standards to projects that include the types of uses the community seeks to encourage: light manufacturing; colleges; vocational or fine arts schools; food processing and craft work; child care centers; or subsidized housing. Those uses are listed in proposed Section 23.48.920.B.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Amend Section 77 of Council Bill 119444 by amending proposed new section 23.48.945 as follows:

23.48.945 Parking and loading in SM-RB zones

The standards of Sections 23.48.055 and 23.48.085 are modified as follows for portions of lots that do not abut a pedestrian street for a development that includes space with one or more uses listed in subsections 23.48.920.B.1 through 23.48.920.B.6:

A. Surface parking is not required to be separated from the street by other uses.

B. Two two-way curb cuts are allowed, provided no curb cuts are located on pedestrian streets.

C. The amount of lot area allocated to accessory surface parking can be as much as 50 percent of the total lot area.

Amendment A15: Preschool uses

Primary Sponsors: Councilmembers González and Mosqueda

Co-sponsors:¹ Councilmembers Bagshaw, Harrell, Herbold, Johnson, Juarez, and O’Brien

Background:

In several sections of CB 119444, there are certain benefits granted to projects that include preschools that do not apply to projects that include child care centers. In the Land Use Code, "child care center" is a broader term that includes preschools.

This amendment would replace the term “preschool” with “child care center” to encourage the inclusion of child care centers in new development rather than just preschools.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Amend Section 49 of Council Bill 119444, as follows:

Section 49. Section 23.47A.008 of the Seattle Municipal Code, last amended by

Ordinance 125603, is amended as follows:

23.47A.008 Street-level development standards

* * *

C. In addition to the provisions of subsections 23.47A.008.A and 23.47A.008.B, the following standards also apply in pedestrian designated zones:

* * *

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

5. Maximum width and depth limits

* * *

c. For purposes of this subsection 23.47A.008.C.5, the following portions of a structure shall not be included in measuring width and depth:

1) Designated Landmark structures that are retained on the lot.

2) Stories of a structure on which more than 50 percent of the total gross floor area is occupied by any of the following uses:

a) Arts facilities;

b) Community clubs or community centers;

c) ~~Preschool~~ Child care centers;

d) Elementary or secondary schools;

e) Performing arts theaters; or

f) Religious facilities.

* * *

Amend Section 50 of Council Bill 119444, as follows:

Section 50. Section 23.47A.009 of the Seattle Municipal Code, last amended by Ordinance 125603, is amended as follows:

23.47A.009 Standards applicable to specific areas

* * *

G. University Community Urban Center. The following provisions apply to specified NC zones within the portion of the University Community Urban Center west of 15th Avenue NE.

1. Maximum width and depth limits. The following standards apply to NC zones with a mapped height limit exceeding 40 feet:

* * *

c. Width and depth limits do not apply to stories of a structure with more than 50 percent of the total gross floor area occupied by any of the following uses:

- 1) Community clubs or community centers;
- 2) Religious facilities;
- 3) Arts facilities;
- 4) ~~Preschool,~~ Child care centers or elementary, or secondary schools; or
- 5) Performing arts theaters.

* * *

Amend Section 58 of Council Bill 119444, as follows:

Section 58. Section 23.48.040 of the Seattle Municipal Code, last amended by Ordinance 125432, is amended as follows:

23.48.040 Street-level development standards

* * *

D. Maximum width. The provisions of this subsection 23.48.040.D apply to all structures in SM-U zones and structures along Class 1 pedestrian streets in all other Seattle Mixed zones, except the provisions of this subsection 23.48.040.D do not apply in SM-SLU zones.

* * *

3. For purposes of this subsection 23.48.040.D, the following portions of a structure shall not be included in facade width measurement:

- a. Designated Landmark structures that are retained on the lot.
- b. Structures in SM-U zones that qualify as vulnerable masonry structures according to Section 23.48.630 and are retained on the lot.

c. Stories of a structure on which more than 50 percent of the total gross floor area is occupied by any of the following uses:

- 1) Arts facilities;
- 2) Community clubs or community centers;
- 3) ~~Preschool~~ Child care centers;
- 4) Elementary or secondary schools;
- 5) Performing arts theaters; or
- 6) Religious facilities.

* * *

Amendment A16: Additional tree regulations

Primary Sponsors: Councilmembers Johnson and O'Brien

Co-sponsors:¹ Councilmembers Bagshaw, Herbold, Juarez, and Mosqueda

Background:

In May 2018, the Planning, Land Use, and Zoning (PLUZ) committee began considering legislation to strengthen tree protections in the city. This effort resulted in a [draft tree protection ordinance](#) (Tree Bill), last discussed in committee on September 19, 2018. Revisions to this legislation are on hold, pending Council action on the citywide Mandatory Housing Affordability (MHA) legislation. However, the MHA bill ([CB 119444](#)) does include some tree-related regulations that intersect with issues explored in the latest version of the Tree Bill.

The MHA bill does not alter the requirements for tree planting or preservation in SF 5000, SF 7200, and SF 9600 zones, though it moves those requirements from SMC 23.44.008 to SMC 23.44.020.

Under CB 119444, the Residential Small Lot (RSL) zone would have new tree planting/preservation requirements, based on a tree score system. A lot's tree score would be equal to one point for every 750 square feet of lot area. Trees sufficient to achieve the total tree score for the lot must either be planted or preserved. The requirements are intended to achieve a target of 26% tree canopy cover for RSL zones.

This amendment would (1) increase tree planting requirements in RSL zones to achieve a 33% tree canopy cover target in 25 years; (2) exclude required street trees from counting towards planting requirements; (3) add protections for trees planted to meet tree planting requirements in RSL zones; (4) require that tree preservation plans be prepared by arborists certified by the International Society of Arboriculture; (5) remove the exception from tree protection requirement for Single Family lots under 5,000 square feet; and (6) request that the Executive establish an in-lieu fee for RSL zone tree planting requirements and identify how and where the in-lieu funds may be used, which will serve as the foundation for a future in-lieu fee option.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

Amendments

Amend Section 24 of Council Bill 119444, as follows:

Section 24. A new Section 23.44.020 of the Seattle Municipal Code is added to Subchapter I of Chapter 23.44 as follows:

23.44.020 Tree requirements

A. Tree requirements in SF 5000, SF 7200, and SF 9600 zones

1. When a single-family dwelling unit is constructed on a lot in a SF 5000, SF 7200, or SF 9600 zone, a minimum number of caliper inches of tree must be provided on the lot as follows:

a. For lots over 3,000 square feet, at least 2 caliper inches of tree per 1,000 square feet of lot area.

b. On lots that are 3,000 square feet or smaller, at least 3 caliper inches of tree.

2. The minimum number of caliper inches of tree required may be met by preserving existing trees, planting new trees, or by a combination of preservation and planting. The preservation or planting of trees in the right-of-way may be counted, provided that they are approved by the Director of Transportation.

3. Submerged land shall not be included in calculating lot area for purposes of either the tree preservation option or tree planting option.

4. Tree measurements. Trees planted to meet the requirements in this subsection 23.44.020.A shall be at least 1.5 inches in diameter. The diameter of new trees shall be measured (in caliper inches) 6 inches above the ground. Existing trees shall be measured 4.5 feet above the ground. When an existing tree is 3 to 10 inches in diameter, each 1 inch counts as 1 inch toward meeting the tree requirements in this subsection 23.44.020.A. When an existing tree is more than

10 inches in diameter, each 1 inch of the tree that is over 10 inches shall count as 3 inches toward meeting the tree requirement.

5. Tree preservation plans. If the tree preservation option is chosen, a tree preservation plan must be submitted by a certified arborist and approved. Tree preservation plans shall provide for protection of trees during construction according to standards promulgated by the Director.

B. Tree requirements in RSL zones

1. Trees sufficient to achieve one point, according to Table A for 23.44.020, per ~~750~~ 500 square feet of lot area shall be provided for any development:

- a. Containing one or more new dwelling units;
- b. Containing more than 4,000 square feet of non-residential uses in either a new structure or an addition to an existing structure; or
- c. Expanding surface area parking by more than 20 parking spaces for automobiles.

2. Individual trees preserved during construction or planted after construction, excluding street trees, count toward the tree score according to Table A for 23.44.020. All required trees shall meet standards promulgated by the Director to provide for the long-term health, viability, and coverage of plantings. These standards may include, but are not limited to, the type and size of plants, spacing of plants, depth, and quality of soil, access to light and air, and protection practices during construction.

Table A for 23.44.020 Tree points		
Type of tree	Points for non-conifer trees	Points for conifer trees
Small tree planted after construction	1 point	1.25 point
Small/medium tree planted after construction	2 points	2.5 points
Medium/large tree planted after construction	3 points	3.75 points
Large tree planted after construction	4 points	5 points
Trees 6 inches in diameter or greater that are preserved during construction	1 point per inch of diameter	1.25 point per inch of diameter

3. Tree protection areas shall be designated for all trees that are proposed to be preserved to receive points under this subsection 23.49.020.B. No excavation, fill, placing of materials or equipment, or vehicle operation shall be allowed during construction within a tree protection area. Tree protection areas shall be an area equal to the outer extent of the dripline of the tree, except that they may be reduced if the following conditions are met:

a. The alternative tree protection area is prepared ~~by an~~ based on the recommendation of a certified arborist who has visited the site and examined the specific tree's size, location, and extent of root cover, evaluated the tree's tolerance to construction impact based on its species and health, and identified any past impacts that have occurred within the root zone; and

b. The certified arborist has prepared a plan providing the rationale used to demonstrate that the alternate method provides an adequate level of protection.

4. The owner of the subject lot is required to ensure that the trees planted remain healthy for at least five years after inspection by the City and the owner of the subject lot shall be responsible for replacing any trees that do not remain healthy after inspection by the City.

C. Street tree requirements in RSL zones

1. Street trees are required in RSL zones for development that would add one or more principal dwelling units on a lot, except as provided in subsection 23.43.020.C.2 and Section 23.53.015. Existing street trees shall be retained unless the Director of Transportation approves their removal. The Director, in consultation with the Director of Transportation, shall determine the number, type, and placement of additional street trees to be provided in order to:

- a. Improve public safety;
- b. Promote compatibility with existing street trees;
- c. Match trees to the available space in the planting strip;
- d. Maintain and expand the urban forest canopy;
- e. Encourage healthy growth through appropriate spacing;
- f. Protect utilities; and
- g. Allow access to the street, buildings, and lot.

2. If a lot borders an unopened right-of-way, the Director may reduce or waive the street tree requirement along that right-of-way as a Type I decision if, after consultation with the Director of Transportation, the Director determines that the right-of-way is unlikely to be opened or improved.

Amend Section 109 of Council Bill 119444, as follows:

Section 109. Section 23.84A.002 of the Seattle Municipal Code, last amended by Ordinance 125681, is amended as follows:

23.84A.002 “A”

* * *

“Arborist, certified” means an individual who has successfully passed the certified arborist examination administered by the International Society of Arboriculture (ISA) and holds a current certification.

* * *

“Arts facility” means space occupied by one or more (~~not for profit~~) organizations dedicated to the creation, display, performance, or screening of art by or for members of the general public.

* * *

Amend Council Bill 119444 by adding a new section to amend Section 25.11.040, as follows:

Section **25.11.040**. Section 25.11.040 of the Seattle Municipal Code, last amended by Ordinance 125292, is amended as follows:

25.11.040 Restrictions on tree removal:

A. Tree removal or topping is prohibited in the following cases, except as provided in Section 25.11.030, or where the tree removal is required for the construction of a new structure, retaining wall, rockery, or other similar improvement that is approved as part of an issued building or grading permit as provided in Sections 25.11.060, 25.11.070, and 25.11.080:

1. All trees 6 inches or greater in diameter, measured 4.5 feet above the ground, on undeveloped lots;
2. Exceptional trees on undeveloped lots; and

3. Exceptional trees on lots in Lowrise, Midrise, ~~and Commercial~~ commercial,
~~and single-family~~ zones ~~or on lots 5,000 square feet or greater in a Single-family or Residential~~
~~Small Lot zone.~~

B. Limits on Tree Removal. In addition to the prohibitions in subsection 25.11.040.A, no more than three trees 6 inches or greater in diameter, measured 4.5 feet above the ground, may be removed in any one-year period on lots in Lowrise, Midrise, ~~and Commercial~~ commercial,
~~and single-family~~ zones ~~or on lots 5,000 square feet or greater in a Single-family or Residential~~
~~Small Lot zone~~, except when the tree removal is required for the construction of a new structure, retaining wall, rockery, or other similar improvement that is approved as part of an issued building or grading permit as provided in Sections 25.11.060, 25.11.070, and 25.11.080.

C. Tree removal in Environmentally Critical Areas shall comply with the provisions of Section 25.09.070.

Amend Council Bill 119444 by adding a new section to express Council's intent in regards to establishing a fee-in-lieu option:

Section __. The Director of the Seattle Department of Construction and Inspections is requested to propose an in-lieu fee payment for tree planting in RSL zones using a ratio of dollars to tree point. This ratio may be based on the City's costs associated with purchasing, installing, and maintaining a small tree for five years or rules promulgated by the Director regarding tree valuation. Payments in lieu of trees will be deposited in a reserve account established solely to support tree planting and establishment with the goal of advancing the City's Equity and Environment Agenda, including reducing racial disparities in tree canopy coverage between residential neighborhoods.

The Council requests that the Seattle Department of Transportation, Department of Parks and Recreation, and Seattle Public Utilities identify opportunities to use these funds, consistent

with code provisions governing the use of cash contributions, for planting and establishing trees on public and private property. These may include existing efforts or developing new initiatives, such as creating a grant program for community-based organizations to distribute trees to Seattle residents and educate them about tree maintenance. The Council requests that these departments provide a report to Council on the fee amount and opportunities for use of the funds by October 1, 2019.

Amendment A17: Crown Hill Urban Village principal pedestrian streets.

Primary Sponsor: Councilmember O'Brien

Background:

This amendment would add portions of Northwest 90th Street and Mary Avenue Northwest in the Crown Hill Urban Village to the list of principal pedestrian streets.

Pedestrian (P) designations indicate areas where retail and other uses that support pedestrian activity are most appropriate in a commercial district. There are two aspects to the P designation – (1) designation to the zoning on the Official Land Use Map and (2) designation of “principal pedestrian streets” along which requirements apply in the text of the Land Use Code.

Both Northwest 90th Street and Mary Avenue Northwest abut zones with a P designation. Adding the streets as principal pedestrian streets to the Land Use Code will require that uses in future development meet P designation use and development standards.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Amend Section 48 of Council Bill 119444 to amend section 23.47A.005.D.2. to add 15th Avenue S as a principal pedestrian street as follows:

Section 48. Subsection 23.47A.005.D of the Seattle Municipal Code, which section was last amended by Ordinance 125272, is amended as follows:

23.47A.005 Street-level uses

* * *

D. In pedestrian-designated zones the locations of uses are regulated as follows:

1. Along designated principal pedestrian streets, one or more of the following uses are required along 80 percent of the street-level, street-facing facade in accordance with the standards provided in subsection 23.47A.008.C.

- a. Arts facilities;
- b. Community gardens;
- c. Eating and drinking establishments;
- d. Entertainment uses, except for adult cabarets, adult motion picture theaters, and adult panorams;
- e. Food processing and craft work;
- f. Institutions, except hospitals or major institutions;
- g. Lodging uses;
- h. Medical services;
- i. Offices, provided that no more than 30 feet of the street-level, street-facing facade of a structure may contain an office use;
- j. Parks and open spaces;
- k. Rail transit facilities;
- l. Retail sales and services, automotive, in the Pike/Pine Conservation Overlay District if located within an existing structure or within a structure that retains a character structure as provided in Section 23.73.015;
- m. Sales and services, general, provided that no more than 40 feet of the street-level, street-facing facade of a structure on a principal pedestrian street may contain a customer services office; and
- n. Sales and services, heavy, except for heavy commercial sales, and provided that no more than 30 feet of the street-level, street-facing facade of a structure may contain a non-household sales and service use.

The establishment of any such use is subject to the applicable use provisions of this Title 23.

2. The following streets are principal pedestrian streets when located within a pedestrian-designated zone:

10th Avenue;

11th Avenue;

12th Avenue;

13th Avenue, between East Madison Street and East Pine Street;

14th Avenue South, except within the North Beacon Hill Residential

Urban Village;

15th Avenue East;

15th Avenue Northeast, north of Lake City Way Northeast;

15th Avenue Northwest;

17th Avenue Northwest;

20th Avenue Northwest;

22nd Avenue Northwest;

23rd Avenue;

24th Avenue Northwest;

25th Avenue Northeast;

32nd Avenue West;

35th Avenue Northeast, except within the Lake City Hub Urban Village;

35th Avenue Southwest, except within the West Seattle Junction Hub

Urban Village;

39th Avenue Northeast;

Aurora Ave North, except within the Bitter Lake Village Hub Urban
Village;

Ballard Avenue (~~(NW)~~) Northwest;

Beacon Avenue South;

Boren Avenue;

Boylston Avenue, except within the Pike/Pine Conservation Overlay
District;

Broadway;

Broadway East;

California Avenue Southwest;

Delridge Way Southwest;

Dexter Avenue North;

East Green Lake Drive North;

East Green Lake Way North;

East Madison Street;

East Olive Way;

East Pike Street;

East Pine Street; ((÷))

East Union Street, except within the Pike/Pine Conservation Overlay
District only lots abutting East Union Street between Broadway and East Madison Street;

Eastlake Avenue East;

First Avenue North, except within the Upper Queen Anne Residential
Urban Village;

Fremont Avenue North;

Fremont Place North;

Galer Street;

Green Lake Drive North;

Greenwood Avenue North;

Lake City Way Northeast;

Leary Avenue (~~(NW)~~) Northwest;

Linden Avenue North;

Madison Street;

Martin Luther King Jr. Way South;

Mary Avenue Northwest, between Holman Road Northwest and

Northwest 87th Street;

Mercer Street;

North 34th Street;

North 35th Street;

North 45th Street;

North 85th Street;

Northeast 43rd Street;

Northeast 45th Street, except between Linden Ave North and Evanston
Ave North;

Northeast 55th Street, east of 15th Avenue Northeast;

Northeast 65th Street;

Northeast 125th Street;

Northwest 65th Street;

Northwest 85th Street;

Northwest 90th Street, between Mary Avenue Northwest and 14th Avenue

Northwest;

Northwest Market Street;

Phinney Avenue North, between North 58th Street and North 63rd Street;

Pike Street;

Pine Street;

Queen Anne Avenue North;

Rainier Avenue South;

Roosevelt Way Northeast;

Roy Street;

Sand Point Way Northeast;

South Alaska Street;

South Cloverdale Street;

South Henderson Street;

South Jackson Street;

South Lander Street;

South McClellan Street;

South Othello Street;

Southwest Alaska Street;

Stone Way North;

Summit Avenue, except within the Pike/Pine Conservation Overlay

District;

Terry Avenue;

University Way Northeast;

Wallingford Avenue North;

West Dravus Street;

West Galer Street;

West Green Lake Drive North;

West McGraw Street, except within the Upper Queen Anne Residential

Urban Village; and

~~((West Green Lake Drive North; and))~~

Woodlawn Avenue Northeast.

* * *

Amendment A18: North Beacon Hill Pedestrian Designation

Primary Sponsor: Council President Harrell

Co-sponsors:¹ Councilmembers Juarez and Mosqueda

Background:

Pedestrian (P) designations indicate areas where retail and other uses that support pedestrian activity are most appropriate in a commercial district. There are two aspects to the P designation – (1) designation to the zoning on the Official Land Use Map and (1) designation of “principal pedestrian streets” in the text of the Land Use Code along which requirements apply.

The proposed legislation adds a P designation to some commercial zones along Beacon Avenue S in the North Beacon Hill neighborhood. This amendment would extend that designation along the length of the commercial districts proposed for Beacon Hill and add P designations to properties fronting on 15th Avenue S. There are two parts to the amendment – the first would add the P designation to particular pieces of property (see map amendment 2-3), and the second (this amendment A17) would add 15th Avenue S to the list of principal pedestrian streets. This would mitigate impacts on the commercial district by requiring that there be commercial spaces

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Amend Section 48 of Council Bill 119444 to amend section 23.47A.005.D.2. to add 15th Avenue S as a principal pedestrian street as follows:

Section 48. Subsection 23.47A.005.D of the Seattle Municipal Code, which section was last amended by Ordinance 125272, is amended as follows:

23.47A.005 Street-level uses

* * *

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

D. In pedestrian-designated zones the locations of uses are regulated as follows:

1. Along designated principal pedestrian streets, one or more of the following uses are required along 80 percent of the street-level, street-facing facade in accordance with the standards provided in subsection 23.47A.008.C.

- a. Arts facilities;
- b. Community gardens;
- c. Eating and drinking establishments;
- d. Entertainment uses, except for adult cabarets, adult motion picture theaters, and adult panorams;
- e. Food processing and craft work;
- f. Institutions, except hospitals or major institutions;
- g. Lodging uses;
- h. Medical services;
- i. Offices, provided that no more than 30 feet of the street-level, street-facing facade of a structure may contain an office use;
- j. Parks and open spaces;
- k. Rail transit facilities;
- l. Retail sales and services, automotive, in the Pike/Pine Conservation Overlay District if located within an existing structure or within a structure that retains a character structure as provided in Section 23.73.015;
- m. Sales and services, general, provided that no more than 40 feet of the street-level, street-facing facade of a structure on a principal pedestrian street may contain a customer services office; and

n. Sales and services, heavy, except for heavy commercial sales, and provided that no more than 30 feet of the street-level, street-facing facade of a structure may contain a non-household sales and service use.

The establishment of any such use is subject to the applicable use provisions of this Title 23.

2. The following streets are principal pedestrian streets when located within a pedestrian-designated zone:

10th Avenue;

11th Avenue;

12th Avenue;

13th Avenue, between East Madison Street and East Pine Street;

14th Avenue South, except within the North Beacon Hill Residential

Urban Village;

15th Avenue East;

15th Avenue Northeast, north of Lake City Way Northeast;

15th Avenue Northwest;

15th Avenue South;

17th Avenue Northwest;

20th Avenue Northwest;

22nd Avenue Northwest;

23rd Avenue;

24th Avenue Northwest;

25th Avenue Northeast;

32nd Avenue West;

35th Avenue Northeast, except within the Lake City Hub Urban Village;

35th Avenue Southwest, except within the West Seattle Junction Hub

Urban Village;

39th Avenue Northeast;

Aurora Ave North, except within the Bitter Lake Village Hub Urban

Village;

Ballard Avenue (~~(NW)~~) Northwest;

Beacon Avenue South;

Boren Avenue;

Boylston Avenue, except within the Pike/Pine Conservation Overlay

District;

Broadway;

Broadway East;

California Avenue Southwest;

Delridge Way Southwest;

Dexter Avenue North;

East Green Lake Drive North;

East Green Lake Way North;

East Madison Street;

East Olive Way;

East Pike Street;

East Pine Street; (~~(=)~~)

East Union Street, except within the Pike/Pine Conservation Overlay
District only lots abutting East Union Street between Broadway and East Madison Street;
Eastlake Avenue East;
First Avenue North, except within the Upper Queen Anne Residential
Urban Village;
Fremont Avenue North;
Fremont Place North;
Galer Street;
Green Lake Drive North;
Greenwood Avenue North;
Lake City Way Northeast;
Leary Avenue ((~~NW~~) Northwest);
Linden Avenue North;
Madison Street;
Martin Luther King Jr. Way South;
Mercer Street;
North 34th Street;
North 35th Street;
North 45th Street;
North 85th Street;
Northeast 43rd Street;
Northeast 45th Street, except between Linden Ave North and Evanston
Ave North;

Northeast 55th Street, east of 15th Avenue Northeast;
Northeast 65th Street;
Northeast 125th Street;
Northwest 65th Street;
Northwest 85th Street;
Northwest Market Street;
Phinney Avenue North, between North 58th Street and North 63rd Street;
Pike Street;
Pine Street;
Queen Anne Avenue North;
Rainier Avenue South;
Roosevelt Way Northeast;
Roy Street;
Sand Point Way Northeast;
South Alaska Street;
South Cloverdale Street;
South Henderson Street;
South Jackson Street;
South Lander Street;
South McClellan Street;
South Othello Street;
Southwest Alaska Street;
Stone Way North;

Summit Avenue, except within the Pike/Pine Conservation Overlay

District;

Terry Avenue;

University Way Northeast;

Wallingford Avenue North;

West Dravus Street;

West Galer Street;

West Green Lake Drive North;

West McGraw Street, except within the Upper Queen Anne Residential

Urban Village; and

~~((West Green Lake Drive North; and))~~

Woodlawn Avenue Northeast.

* * *

Amendment B1: Annual inflation adjustments to payment amounts

Primary Sponsor: Councilmembers Johnson

Co-sponsors:¹ Councilmembers Herbold, Mosqueda, and O'Brien

Background:

In the original legislation that was introduced in January 2018, no adjustments for inflation or other modifications, such as changes based on more current market rents and capitalization rates, were made. Section 2 of Ordinance 125108 addresses the Council's intent for amendments to the payment and performance amounts, and the establishment of additional processes for modifying dimensional development standards and/or payment and performance amounts.

In response to the directive to determine whether the index currently used to annually adjust MHA payment amounts tracks with changes in average multifamily residential rents or other housing market variables, the Office of Housing (OH) has proposed changing the automatic payment adjustment index. The City currently uses the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-Bellevue, WA, All Items (1982-1984 = 100) (CPI-U) for this purpose, but housing market indicators like average rents, which were used to set Seattle's initial payment amounts, are only a portion of the costs tracked by CPI-U. Rather, CPI-U is calculated to measure the value of the dollar for a broad range of consumer goods and services and has not kept pace with changes in average rents in the Seattle-Tacoma-Bellevue market.

Based on OH's analysis, the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-Bellevue, WA, Shelter (1982-1984 = 100) (CPI-Shelter), which tracks residential rents and, for owner-occupied homes, the amount a homeowner would pay to rent or would earn from renting the home in a competitive market, has tracked more closely to the rise in average rents in Seattle over the past five to ten years than CPI-U. Because CPI-Shelter reflects changes in the housing market, use of this index for annual adjustments means that the percentage increase in payment amounts would likely be greatest when the housing market is strong. Payments would increase less or not at all during market downturns.

This amendment would use increases in CPI-Shelter to automatically adjust payment amounts instead of CPI-U beginning in 2020. It would retain the inflation adjustments based on CPI-U for prior and current years and make a technical correction related to the SM-U 85 zone.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

Amendments

Amend Section 94 of Council Bill 119444, as follows:

Section 94. Section 23.58B.040 of the Seattle Municipal Code, last amended by Ordinance 125371, is amended as follows:

23.58B.040 Mitigation of impacts—payment option

* * *

2. Automatic adjustments to payment amounts. On March 1, 2016, and on the same day ~~each year thereafter, in 2017, 2018, and 2019,~~ the amounts for payment calculations according to Table A and Table B for 23.58B.040 shall automatically adjust in proportion to the annual change for the previous calendar year (January 1 through December 31) in the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-~~Bremerton~~ Bellevue, WA, All Items (1982-84 = 100), as determined by the U.S. Department of Labor, Bureau of Labor Statistics, or successor index. On March 1, 2020, and on the same day each year thereafter, the amounts for payment calculations according to Table A and Table B for 23.58C.040 shall automatically adjust in proportion to the annual increase for the previous calendar year (January 1 through December 31) in the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-Bellevue, WA, Shelter (1982-84 = 100), as determined by the U.S. Department of Labor, Bureau of Labor Statistics, or successor index.

* * *

Amend Section 97 of Council Bill 119444, as follows:

Section 97. Section 23.58C.040 of the Seattle Municipal Code, last amended by Ordinance 125371, is amended as follows:

23.58C.040 Affordable housing— ~~((Payment))~~ 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, and excluding any floor area devoted to an adult family home or domestic violence shelter, 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
DH1/45	Not ((Applicable)) <u>applicable</u>
DH2/55	Not ((Applicable)) <u>applicable</u>
DH2/75	\$12.75
DH2/85	Not ((Applicable)) <u>applicable</u>
DMC 75	\$12.75
DMC 85/75-170	\$20.75
DMC 95	\$12.75
DMC 145	\$13.00
DMC 170	\$5.50
DMC 240/290-440	\$8.25
DMC 340/290-440	\$8.25
DMR/C 75/75-95	\$20.75
DMR/C 75/75-170	\$20.75
DMR/C 95/75	\$12.75
DMR/C 145/75	\$11.75
DMR/C 280/125	\$13.00
DMR/R 95/65	\$12.75
DMR/R 145/65	\$11.75
DMR/R 280/65	\$13.00
DOC1 U/450-U	\$12.00
DOC2 500/300-550	\$10.25
DRC 85-170	\$10.00
IDM-65-150	Not ((Applicable)) <u>applicable</u>
IDM-75-85	Not ((Applicable)) <u>applicable</u>
IDM 85/85-170	\$20.75
IDM 165/85-170	\$20.75
All IDR and IDR/C zones	\$20.75
PMM-85	Not ((Applicable)) <u>applicable</u>
All PSM zones	Not ((Applicable)) <u>applicable</u>
SM-SLU 85/65-160	Not ((Applicable)) <u>applicable</u>
SM-SLU 85-280	\$10.00
SM-SLU 100/95	\$7.50
SM-SLU 100/65-145	\$7.75

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
SM-SLU 145	\$7.75
SM-SLU 175/85-280	\$10.00
SM-SLU 240/125-440	\$10.00
SM-SLU/R 65/95	\$12.75
<u>SM-U 85</u>	<u>\$13.25</u>

Table B for 23.58C.040			
Payment calculation amounts:			
Outside Downtown, SM-SLU, and SM-U 85 zones			
Zone	Payment calculation amount per square foot		
	Low	Medium	High
Zones with an (M) suffix	((RESERVED)) \$7.00	((RESERVED)) \$13.25	\$20.75
Zones with an (M1) suffix	((RESERVED)) \$11.25	\$20.00	\$29.75
Zones with an (M2) suffix	((RESERVED)) \$12.50	((RESERVED)) \$22.25	\$32.75

2. Automatic adjustments to payment amounts. On March 1, 2017, and on the same day ~~each year thereafter, in 2018 and 2019,~~ in 2018 and 2019, the amounts for payment calculations according to Table A and Table B for 23.58B.040 shall automatically adjust in proportion to the annual change for the previous calendar year (January 1 through December 31) in the Consumer Price Index, All Urban Consumers, Seattle-Tacoma- ~~Seattle-Tacoma-Bremerton~~ Bellevue, WA, All Items (1982-84 = 100), as determined by the U.S. Department of Labor, Bureau of Labor Statistics, or successor index. On March 1, 2020, and on the same day each year thereafter, the amounts for payment calculations according to Table A and Table B for 23.58C.040 shall automatically adjust in proportion to the annual increase for the previous calendar year (January 1 through December 31) in the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-Bellevue, WA, Shelter (1982-84 = 100), as determined by the U.S. Department of Labor, Bureau of Labor Statistics, or successor index.

* * *

Amend Section 98 of Council Bill 119444, as follows:

Section 98. Section 23.58C.050 of the Seattle Municipal Code, last amended by Ordinance 125432, is amended as follows:

23.58C.050 Affordable housing—performance option

* * *

C. Performance requirements. Units provided to comply with this Chapter 23.58C through the performance option shall meet the following requirements:

* * *

6. Additional requirements for rental units provided through the performance option

* * *

i. Conversion to ownership housing. If all of the units to whose development this Chapter 23.58C applies according to subsection 23.58C.025.B in a structure are converted to ownership housing, including through a conversion to condominiums, prior to 75 years from the date of 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 Chapter 23.58C applies according to subsection 23.58C.025.B:

1) The owner of the development shall, at the time of such conversion, either pay to the City a payment in lieu of continuing affordability or convert the rental units provided through the performance option to ownership units provided through the performance option, as follows:

a) Where a payment in lieu of continuing affordability is made, the amount of the payment shall be equal to the amount of the cash contribution according

to subsection 23.58C.040.A that would have been required at the time of issuance of the first building permit that includes the structural frame for the structure if the applicant had elected the payment option, adjusted for each calendar year following issuance of that permit in proportion to the annual ~~change~~ increase in the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-~~Bremerton~~ Bellevue, WA, ~~All-Items~~ Shelter (1982-1984 = 100), as determined by the U.S. Department of Labor, Bureau of Labor Statistics or successor index, multiplied times the percentage in Table C for 23.58C.050 that corresponds to the number of years that the rental units provided through the performance option satisfied the requirements according to this subsection 23.58C.050.C. The City shall use the payment to support continued housing affordability in The City of Seattle consistent with applicable statutory requirements.

* * *

Amendment B2: Reporting requirements

Primary Sponsors: Councilmembers Johnson and O'Brien

Co-sponsors:¹ Councilmembers Herbold and Juarez

Background:

[Ordinance 125108](#), passed in August 2016, established the framework for mandatory housing affordability for residential development. Included in this legislation were reporting requirements intended to help Council make adjustments to the Mandatory Housing Affordability program, ensuring that the program is meeting stated policy goals.

This amendment would change the report date for the Director of the Seattle Department of Construction and Inspections and the Director of Housing to provide Council with an assessment of program performance from July 1, 2019, as required by [Ordinance 125108](#), to December 1, 2020, which will allow the Executive to collect more data on how the program is performing prior to recommending any changes to payment amounts.

Notes:

Double underlines indicate new language to be added.

~~Double strikeouts~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Add Section **1** to Council Bill 119444, to amend Section 2.B.1 of Ordinance 125108 as follows:

Section **1**. Section 2.B.1 of Ordinance 125108 is amended as follows:

Section 2. The Council expresses the following intent as to implementation of Seattle Municipal Code Chapter 23.58C:

* * *

B. Amendment of payment and performance amounts

1. Ongoing review. The Council directs that, during the first six months of 2018 and annually after July 1, 2018, the Director of the Seattle Department of Construction and Inspections (SDCI) and Director of Housing shall report on the

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

performance of the mandatory affordable housing program provided in Chapter 23.58C, including the amount of payments collected under the payment option, the number of units produced with such payments, and the number of units constructed through the performance option. The July 1, 2018 report shall compare changes in the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-Bremerton, WA, All Items (1982-1984 = 100), with changes in multifamily residential rents and other housing market variables used to determine initial payment amounts since passage of the Ordinance introduced as Council Bill 118736. If the Consumer Price Index has lagged or exceeded rents or other housing market variables, the Director of Housing shall propose an alternative measure or index upon which to base changes in program requirements. The ~~July 1, 2019~~ December 1, 2020 report should include an assessment of past and anticipated program performance, including an assessment of whether a developer building outside of the Downtown and South Lake Union Urban Centers would be economically indifferent between performance and payment given market conditions at that time. If the Council determines that developers of projects, other than smaller projects and projects inside of the Downtown and South Lake Union Urban Centers, favor the payment option, the Council will consider raising payment amounts to avoid a bias towards payment, consistent with statutory authority. Units produced under the mandatory housing affordability program provided in Chapter 23.58C shall be measured as net new units. Existing rent- and income-restricted affordable units demolished for development subject to the program are subtracted from the target production.

* * *

Amendment B3: Council intent to adjust MHA payment requirements and high, medium, and low area boundaries based on current market conditions.

Primary Sponsor: Councilmember O'Brien

Co-sponsors:¹ Councilmember Herbold

Background:

This amendment would modify the intent language in Ordinance 125108, which established the framework for implementing the Mandatory Housing Affordability program.

The framework in Ordinance 125108 establishes an initial implementation phase and a post-implementation phase. The initial implementation phase involves establishing the MHA program in urban centers, urban villages, and multifamily and commercial zones outside those areas throughout the City by increasing development capacity.

This amendment would modify the intent language related to initial implementation to establish that the Council will consider modifying payment amounts and the boundaries of high, medium, and low areas by July 1, 2019 to reflect current more current market conditions. The proposed payment amounts and boundaries are based on market conditions at the time the proposal was initially developed.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Add Section _ to Council Bill 119444, as follows:

Section . Section 2 of Ordinance 125108 is amended as follows:

Section 2. The Council expresses the following intent as to implementation of Seattle

Municipal Code Chapter 23.58C:

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

A. Initial implementation***2. Setting initial payment and performance amounts

a. Payment and performance amounts are not included in Chapter 23.58C in this Council Bill 118736. Payment and performance amounts for particular zones will be added to Tables A and B for 23.58C.040 and Tables A and B for 23.58C.050 at the time development capacity is increased in those zones during the initial implementation phase according to subsection A.1 of this section. The Council intends to consider whether to include higher performance and payment amounts, subject to statutory limits, for those areas where the increase in development capacity would be likely to increase displacement risk. Factors to consider are (a) areas that have been identified in *Seattle 2035, Growth and Equity, Analyzing Impacts on Displacement and Opportunity Related to Seattle's Growth Strategy, May 2016*, as having a high displacement risk; (b) areas where the increment of increased development capacity is greater than the standard MHA-implementing zone change; and (c) areas where planning processes, including, but not limited to, the SEPA process for MHA-R implementation have identified affordable units at risk of demolition, the Council will consider whether to implement additional or alternate MHA program measures to increase affordable units sufficient to offset the affordable units at risk of demolition as a result of the increase in development capacity due to MHA.

b. The Council recognizes that payment amounts for zones with an MHA suffix reflect market conditions, such as rents and capitalization rates, that existed at the time the initial proposal for each MHA implementation area was developed. As part of the initial implementation phase, the Council intends to consider adjusting the payment amounts for zones

with an MHA suffix to reflect the most current market conditions through a bill separate from Council Bill 119444. The Council will consider changes to payment amounts for zones with an MHA suffix through that separate bill no later than July 1, 2019. As part of that consideration the Council will also consider whether to adjust the boundaries of high, medium, and low areas for MHA implementation based on changed market conditions.

c ((b)). The Council recognizes that, after Chapter 23.58C is amended to include payment and performance amounts for particular zones, additional amendments to the payment and performance amounts provided in Chapter 23.58C for those zones may be needed during the initial implementation phase according to subsection A.1 of this section to further the target production level of no less than 6,000 affordable units for households with incomes no higher than 60 percent of median income over a ten-year period described in the July 13, 2015, Statement of Intent for Basic Framework for Mandatory Inclusionary Housing and Commercial Linkage Fee. Such amendments could include changes to the payment and performance amounts in Tables A and B for 23.58C.040 and Tables A and B for 23.58C.050, and adding amounts for additional zones or portions of zones in connection with rezones of specific subareas such as portions of the University District. The Council intends that amendments during the initial implementation phase be preceded by a robust stakeholder engagement process including representatives of the for-profit and non-profit development sectors who participated in the July 13, 2015, Statement of Intent for Basic Framework for Mandatory Inclusionary Housing and Commercial Linkage Fee.

Amendment B4: Off-site Performance for Mandatory Housing Affordability-Residential

Primary Sponsor: Councilmember Herbold

Co-sponsors:¹ Councilmembers González and Johnson

Background:

This amendment would authorize off-site performance under the Mandatory Housing Affordability-Residential (MHA-R) program for family-size homeownership opportunities in lowrise zones. Currently, off-site performance in partnership with another developer is an option under the Mandatory Housing Affordability-Commercial (MHA-C) program.

To authorize off-site performance under the MHA-C program a developer must demonstrate to the Office of Housing Director that off-site performance will result in equal or better affordable housing outcomes compared to on-site performance. Off-site performance is required to occur within the same urban center or village, or within a mile of a project if the project is not located within an urban center or village. In addition, a developer choosing off-site performance has to provide a line of credit equal to the in-lieu payment amount that the City can draw on in the event performance requirements are not met.

The proposed amendment would allow off-site performance if a development to which MHA-R requirements apply is located in a lowrise zone, and the development containing the off-site performance housing a) is located in a lowrise zone, b) provides re-sale restricted, affordable homeownership opportunities for income-eligible buyers, and c) receives no public subsidy. MHA-R off-site performance units would be subject to additional conditions, consistent with those required for MHA-C off-site performance units.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Amend Section 94 of Council Bill 119444, as follows:

Section 98. Section 23.58C.050 of the Seattle Municipal Code, last amended by

Ordinance 125432, is amended as follows:

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

23.58C.050 Affordable housing—performance option

* * *

C. Performance requirements. Units provided to comply with this Chapter 23.58C through the performance option shall meet the following requirements:

* * *

5. Public subsidy. If any public subsidy, including the Multifamily Housing Property Tax Exemption authorized by Chapter 5.73 and chapter 84.14 RCW, is used for a development containing units provided through the performance option on the same lot as the development required to comply with this Chapter 23.58C ~~through the performance option~~, and the public subsidy operates through subjecting some of the units in the development to restrictions on the income levels of occupants and the rents or sale prices that may be charged, the units provided to comply with this Chapter 23.58C shall be different units than the units that are subject to such restrictions as a condition of the public subsidy.

* * *

8. Additional requirements for units provided through the performance option on a site other than the same lot as the development required to comply with this Chapter 23.58C:

a. Equal or better – comparability of units. The applicant shall demonstrate to the satisfaction of the Director of Housing that units provided through the performance option on a site other than the same lot as the development required to comply with this Chapter 23.58C are equal to or better than units provided through performance on the same lot.

b. Location. Units provided through the performance option on a site other than the same lot as the development required to comply with this Chapter 23.58C shall be located in a Lowrise zone. In addition, units shall be located:

1) Within the same urban center or urban village as the development required to comply with this Chapter 23.58C; or

2) Within one mile of the development required to comply with this Chapter 23.58C if such development is located outside of an urban center or urban village.

c. Tenure. Units provided through the performance option on a site other than the same lot as the development required to comply with this Chapter 23.58C shall be ownership units and shall comply with all additional requirements for ownership units according to subsection 23.58C.050.C.7.

d. Public subsidy. If any public subsidy is used for a development, and the public subsidy operates through subjecting units in the development to restrictions on the income levels of occupants and the rents or sale prices that may be charged, the development shall not be eligible to provide units through the performance option according to subsection 23.58C.050.C.8.

e. Developer's agreement. If the owner of the development required to comply with this Chapter 23.58C is not the owner of the units provided through the performance option, then in addition to the agreement required according to subsection 23.58C.050.E, the owner of the development required to comply with this Chapter 23.58C and the owner of the units provided through the performance option shall execute a developer's agreement, acceptable to the Director of Housing, allowing the exclusive use of the units provided through the performance option to satisfy the requirements according to this Chapter 23.58C in return for necessary and adequate financial support to the development of those units provided through the performance option.

d. Letter of credit

1) If the units provided through the performance option are located on a site other than the same lot as the development required to comply with this Chapter 23.58C, the owner of the development required to comply with this Chapter 23.58C shall provide to the Director of Housing an irrevocable bank letter of credit, approved by the Director of Housing, in the amount according to subsection 23.58C.040.A.

2) The Director of Housing may draw on the letter of credit one year after the date of issuance of the certificate of occupancy, or, if a certificate of occupancy is not required, the final building permit inspection, for the development required to comply with this Chapter 23.58C if the certificate of occupancy or final building permit inspection for the units provided through the performance option has not been issued on or before that date. The owner of the development required to comply with this Chapter 23.58C shall also pay an amount equal to the interest on the cash contribution, at the rate equal to the prime rate quoted by Bank of America, or its successor, plus three percent per annum, from the date of issuance of the first building permit that includes the structural frame for the development required to comply with this Chapter 23.58C.

3) If and when the City becomes entitled to draw on any letter of credit, the Director of Housing may take appropriate steps to do so, and the amounts realized, net of any costs to the City, shall be used in the same manner as cash contributions according to subsection 23.58C.040.B.

Amendment B6: Intent language regarding future actions if MHA is determined to be unlawful.

Primary Sponsor: Councilmember Herbold

Co-sponsor:¹ Councilmember Harrell

Background:

This amendment would add a new section to CB 119444 expressing Council's intent to take steps, if the imposition of requirements under MHA is determined to be unlawful, to prevent the continuance of the new zoning and increased development capacity in the absence of substantial affordable housing requirements.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Amend Council Bill 119444 to add a new Section **##**, as follows:

Section ##. The City Council expresses the following intent as to future actions related to this ordinance. The Council is enacting the rezones effected by Section 1 of this ordinance based on an expectation that those rezones are accompanied by requirements to provide a substantial amount of affordable housing. If the imposition of requirements under Chapter 23.58C of the Seattle Municipal Code as contemplated by this ordinance is determined to be unlawful, it is the Council's intent to (1) implement an alternative approach, in connection with some or all of the development capacity provided by the rezones effected by Section 1 of this ordinance, resulting in provision of a substantial amount of affordable housing; (2) take steps to prevent the continuance of the new zoning and increased development capacity in the absence of substantial affordable housing requirements by repealing the rezones effected by Section 1 of this ordinance;

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

and/or (3) take other actions, including a moratorium on some or all development, while an alternative approach is implemented.

Amendment C1: Rezone criteria and transit service

Primary Sponsor: Councilmember Johnson

Co-sponsors:¹ Councilmembers Juarez and Mosqueda

Background:

The City uses the criteria included in Chapter 23.34 to determine which zoning category is appropriate for a particular location. Under CB 119444, new criteria are proposed for the RSL district, and other zoning criteria are proposed to be updated. Some of these criteria use inconsistent language to describe similar circumstances. One clear example is transit service. The rezone criteria use a number of different phrases to discuss how transit service should be used to determine whether a particular zone is appropriate for an area. For example, the Neighborhood Commercial 3 zone is appropriate in areas with “excellent transit service.” Highrise zones are appropriate in areas where “transit service is good to excellent.”

In 2018, the Council adopted a new definition of “frequent transit service” that relies on data from King County Metro regarding frequency of transit service. An area is determined to have frequent transit service if it is within walking distance of a stop served by a rail transit facility or a stop that serves a bus route with weekday service at least every 15 minutes.

This amendment would use the definition of frequent transit service in the Residential Small Lot (RSL), High Rise Residential, and Neighborhood Commercial 3 zone criteria to identify areas where certain zones are appropriate.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendments

Amend Section 7 of Council Bill 119444 as follows:

Section 7. Section 23.34.012 of the Seattle Municipal Code, enacted by Ordinance 117430, is amended as follows:

¹ Co-sponsors were identified during the discussion on CB 119444 at the February 8, 2018 MHA Select Committee Meeting

23.34.012 Residential Small Lot (RSL) zone, function and locational criteria((=))

A. Function. An area within an urban village that provides for the development of homes on small lots that may be appropriate and affordable to households with children and other households which might otherwise choose existing detached houses on larger lots.

B. Locational ((Criteria)) criteria. An RSL zone ((shall be appropriate only under circumstances as provided in Section 23.34.010 B.)) is most appropriate in areas generally characterized by the following:

1. The area is similar in character to single-family zones;
2. The area is located inside an urban center, urban village, or Station Area Overlay District where it would provide opportunities for a diversity of housing types within these denser environments;
3. The area is characterized by, or appropriate for, a mix of single-family dwelling units, multifamily structures that are similar in scale to single-family dwelling units, such as duplex, triplex, rowhouse, and townhouse developments, and single-family dwelling units that have been converted to multifamily residential use or are well-suited to conversion;
4. The area is characterized by local access and circulation that can accommodate low density development oriented to the ground level and the street, and/or by narrow roadways, lack of alleys, and/or irregular street patterns that make local access and circulation less suitable for higher density multifamily development;
5. The area is within a reasonable distance of ~~frequency~~ frequent transit service, but is not close enough to make higher density multifamily development more appropriate.
6. The area would provide a gradual transition between single-family zoned areas and multifamily or neighborhood commercial zoned areas; and

7. The area is supported by existing or projected facilities and services used by residents, including retail sales and services, parks, and community centers.

Add a new section to Council Bill 119444 to amend Section 23.34.028 to update the rezone criteria for the Highrise zone as follows:

Section . Section 23.34.028 of the Seattle Municipal Code, last amended by Ordinance 123209, is amended as follows:

23.34.028 Highrise (HR) zone, function and locational criteria

A. Function. An area that provides a concentration of high density multifamily housing in a pedestrian-oriented neighborhood with convenient access to regional transit stations, and where the mix of activity provides convenient access to a full range of residential services and amenities and employment centers.

B. Locational ~~Criteria~~ criteria

1. Threshold ~~Conditions~~ conditions. Subject to subsection 23.34.028.B.2, ~~of this section,~~ properties that may be considered for a Highrise designation are limited to the following:

- a. Properties already zoned Highrise;
- b. Properties in areas already developed predominantly to the intensity permitted by the Highrise zone; or
- c. Properties within an urban center or urban village, where a neighborhood plan adopted or amended by the City Council after January 1, 1995, indicates that the area is appropriate for a Highrise zone designation.

2. Environmentally Critical Areas. Except as stated in this subsection 23.34.028.B.2, properties designated as environmentally critical may not be rezoned to a Highrise designation, and may remain Highrise only in areas predominantly developed to the intensity of the Highrise zone. The preceding sentence does not apply if the environmentally

critical area either 1) was created by human activity, or 2) is a designated peat settlement, liquefaction, seismic or volcanic hazard, ~~or~~ flood prone area, or abandoned landfill.

3. Other ~~Criteria~~ criteria. The Highrise zone designation is most appropriate in areas generally characterized by the following:

- a. Properties in areas that are served by arterials ~~where transit service is good to excellent and~~ with frequent transit service and where street capacity is sufficient to accommodate traffic generated by highrise development;
- b. Properties in areas that are adjacent to a concentration of residential services or a major employment center;
- c. Properties in areas that have excellent pedestrian or transit access to downtown;
- d. Properties in areas that have close proximity to open space, parks, and recreational facilities;
- e. Properties in areas where no uniform scale of structures establishes the character and where highrise development would create a point and help define the character;
- f. Properties in flat areas on the tops of hills or in lowland areas away from hills, where views would not be blocked by highrise structures;
- g. Properties in sloping areas with views oblique or parallel to the slope where the height and bulk of existing buildings have already limited or blocked views from within the multifamily area and upland areas where the hillform has already been obscured by development.

Add a new section to Council Bill 119444 to amend Section 23.34.078 to update the rezone criteria for the Neighborhood Commercial 3 zone as follows:

Section ~~23.34.078~~. Section 23.34.078 of the Seattle Municipal Code, last amended by Ordinance 122311, is amended as follows:

23.34.078 Neighborhood Commercial 3 (NC3) zones, function and locational criteria~~s~~

A. Function. To support or encourage a pedestrian-oriented shopping district that serves the surrounding neighborhood and a larger community, citywide, or regional clientele; that provides comparison shopping for a wide range of retail goods and services; that incorporates offices, business support services, and residences that are compatible with the retail character of the area; and where the following characteristics can be achieved:

1. A variety of sizes and types of retail and other commercial businesses at street level;
2. Continuous storefronts or residences built to the front lot line;
3. Intense pedestrian activity;
4. Shoppers can drive to the area, but walk around from store to store;
5. Transit is an important means of access.

B. Locational ~~Criteria~~ criteria. A Neighborhood Commercial 3 zone designation is most appropriate on land that is generally characterized by the following conditions:

1. The primary business district in an urban center or hub urban village;
2. Served by principal arterial;
3. Separated from low-density residential areas by physical edges, less-intense commercial areas, or more-intense residential areas;
4. ~~Excellent~~ Frequent transit service.

Amendment E1: Technical Amendments

Primary Sponsor: Councilmember Johnson

Background:

This amendment would make technical or clarifying amendments to fix typos and other drafting errors identified by staff.

Notes:

Double underlines indicate new language to be added.

~~Double strikethroughs~~ indicate language proposed to be removed.

A dashed underline indicates that language that was proposed to be deleted that would be retained by this amendment.

Amendment

Amend Sections 34, 35, 37, 86, 88, 94, 95, 97, and 98 to Council Bill 119444, as follows:

Section 34. Section 23.45.510 of the Seattle Municipal Code, last amended by Ordinance 125603, is amended as follows:

* * *

Table A for 23.45.510		
FAR limits in LR and MR zones		
<u>Zone</u>	<u>Zones with an MHA suffix</u>	<u>Zones without an MHA suffix</u>
<u>LR1</u>	<u>1.3</u>	<u>1.0</u>
<u>LR2</u>	<u>1.4¹</u>	<u>1.1</u>
<u>LR3 outside urban centers and urban villages</u>	<u>1.8</u>	<u>1.2, except 1.3 for apartments</u>
<u>LR3 inside urban centers and urban villages</u>	<u>2.3</u>	<u>1.2, except 1.5 for apartments</u>
<u>MR</u>	<u>4.5</u>	<u>3.2</u>

Footnote to Table A for 23.45.510

¹ Except that the FAR is 1.6 for apartments that provide one or more outdoor amenity areas meeting the requirements of Section 23.45.522 and the following provisions are met:

1. The total amount of ~~common, ground-level~~ outdoor amenity area is equal to at least 35 percent of the lot area;
2. No part of such amenity area has a width or depth of less than 20 feet; and
3. The outdoor amenity area is located at ground level or within 4 feet of finished grade.

* * *

Section 35. Section 23.45.512 of the Seattle Municipal Code, last amended by Ordinance 125359, is amended as follows:

23.45.512 Density limits and family-size unit requirements—LR zones

* * *

A. Density limits

1. Except according to subsection 23.45.512.A.4, the following developments must meet the density limits described in this subsection 23.45.512.A:

a. In LR1 zones, rowhouse development on interior lots less than 3,000 square feet in size and all townhouse development; and

b. All development in Lowrise zones that do not have a mandatory housing affordability suffix.

2. Development described in subsection 23.45.512.A.1 shall not exceed a density of one dwelling unit per 1,350 square feet of lot area, except that apartments in LR3 zones that do not have a mandatory housing affordability suffix shall not exceed a density limit of one dwelling unit per 800 square feet.

3. When density calculations result in a fraction of a unit, any fraction up to and including 0.85 constitutes zero additional units, and any fraction over 0.85 constitutes one additional unit.

~~((B))~~ 4. Density exception for certain types of low-income multifamily residential uses

~~((B))~~ a. The exception in this subsection ((23.45.512.B)) 23.45.512.A.4 applies to ((low income disabled multifamily residential uses, low income elderly multifamily residential uses, low income elderly/low income disabled multifamily residential uses, and

~~other~~) low-income residential uses ((~~7~~)) operated by a public agency or a private nonprofit corporation, ~~((, if they do not qualify for the higher FAR limit shown in Table A for 23.45.510.))~~

((2)) b. The uses listed in subsection ~~((23.45.512.B.1))~~ 23.45.512.A.4.a shall have a maximum density of one dwelling unit per 400 square feet of lot area if a majority of the dwelling units are designed for and dedicated to tenancies of at least three months, and the dwelling units remain in ~~low-income disabled multifamily residential use, low-income elderly multifamily residential use, low-income elderly/low-income disabled multifamily residential use,~~ ~~or other~~ low-income residential uses, for the life of the structure.

* * *

Section 37. Section 23.45.516 of the Seattle Municipal Code, last amended by Ordinance 125173, is amended as follows:

23.45.516 ~~((Additional height and))~~ **Method to achieve extra residential floor area in** ~~((MR and))~~ **HR zones**

* * *

C. Structures over 240 feet. For development containing one or more structures with heights greater than 240 feet, the following additional conditions shall be met:

1. No parking is allowed to be located at or above grade, unless it is separated from all street lot lines by another use; and

2. ~~One of the following is met:~~

~~a. At least 25 percent of the lot area at grade includes one or more landscaped open spaces, each with a minimum horizontal dimension of 10 feet; or~~

~~b. At least 20 percent of the lot area at grade must be common amenity area meeting the standards of Section 23.45.522.~~

* * *

Section 86. Section 23.54.040 of the Seattle Municipal Code, last amended by Ordinance 125272, is amended as follows:

23.54.040 Solid waste and recyclable materials storage and access

* * *

J. Ramps to accommodate solid waste container access

1. A ramp to the street to accommodate solid waste container access that is not more than 5 feet in width may be approved by the Director of Transportation if:

a. Access to solid waste containers is not from an alley;

b. No on-site parking is provided;

c. The adjacent lot contains solid waste containers that are 1 cubic yard or larger; and

d. There are no existing ramps to accommodate solid waste container access or other curb cuts, ~~excluding curb ramps at crosswalks,~~ within 150 feet of the street lot line, as measured parallel to the street lot line. ~~For purposes of this subsection 23.54.040.J.1.d, curb ramps at crosswalks are not considered existing ramps.~~

2. The standards of subsections 23.54.040.J.1.a through 23.54.040.J.1.d may be modified by the Director of Transportation where unusual topography, ~~inability to temporarily stage solid waste containers in a parking lane,~~ or other local conditions present significant challenges for accommodating solid waste container access.

* * *

Section 88. Subsection 23.58A.014.C of the Seattle Municipal Code, which section was last amended by Ordinance 124919, is amended as follows:

23.58A.014 Bonus residential floor area for affordable housing

* * *

C. Payment option. The payment option is available only where the maximum height for residential use under the provisions of the zone is more than 85 feet and only if the Director determines that the payment achieves a result equal to or better than providing the affordable housing on-site and the payment does not exceed the approximate cost of developing the same number and quality of housing units that would otherwise be developed. ~~((; or for development of a single purpose commercial structure in zones with an incentive zoning suffix.))~~ The amount of the in-lieu payment made at the time specified in subsection 23.58A.014.C.2 shall be based on the payment amount that is in effect when vesting of a Master Use Permit occurs under Section 23.76.026.

1. Amount of payments ((-))

a. Except as provided in subsection 23.58A.014.C.1.b, in lieu of all or part of the performance option, an applicant may pay to the City \$15.15 per square foot of gross bonus residential floor area.

b. In the South Lake Union Urban Center, in lieu of all or part of the performance option, an applicant may pay to the City \$21.68 per square foot of gross bonus residential floor area. On July 1, 2014, and on the same day annually thereafter the in-lieu payment amount in this subsection 23.58A.014.C.1.b shall automatically adjust in proportion to the change in the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-~~Bremerton~~ Bellevue, ~~((metropolitan area))~~ WA, All Items (1982-84 = 100), as determined by the U.S.

Department of Labor, Bureau of Labor Statistics, or successor index, from the time the in-lieu payment was established or last adjusted.

* * *

Section 94. Section 23.58B.040 of the Seattle Municipal Code, last amended by Ordinance 125371, is amended as follows:

23.58B.040 Mitigation of impacts—payment option

A. Amount of cash contributions

* * *

2. Automatic adjustments to payment amounts. On March 1, 2016, and on the same day each year thereafter, the amounts for payment calculations according to Table A and Table B for 23.58B.040 shall automatically adjust in proportion to the annual change for the previous calendar year (January 1 through December 31) in the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-~~Bremerton~~ Bellevue, WA, All Items (1982-84 = 100), as determined by the U.S. Department of Labor, Bureau of Labor Statistics, or successor index.

* * *

Section 95. Section 23.58B.050 of the Seattle Municipal Code, last amended by Ordinance 125371, is amended as follows:

23.58B.050 Mitigation of impacts—performance option

* * *

B. Performance standards

1. General performance standards. All MHA-C housing shall meet the following standards:

* * *

n. Annual fee. The owner of the MHA-C housing shall pay the Office of Housing an annual fee of \$150 per unit of MHA-C housing for the purposes of monitoring compliance with the requirements according to this Section 23.58B.050. On March 1, 2017, and on the same day each year thereafter, the annual fee shall automatically adjust in proportion to the annual change for the previous calendar year (January 1 through December 31) in the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-~~Bremerton~~ Bellevue, WA, All Items (1982-84 = 100), as determined by the U.S. Department of Labor, Bureau of Labor Statistics or successor index.

* * *

Section 97. Section 23.58C.040 of the Seattle Municipal Code, last amended by Ordinance 125371, is amended as follows:

23.58C.040 Affordable housing— ~~((Payment))~~ 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, and excluding any floor area devoted to ~~an adult family home or a~~ domestic violence shelter, 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
DH1/45	Not ((Applicable)) <u>applicable</u>
DH2/55	Not ((Applicable)) <u>applicable</u>
DH2/75	\$12.75
DH2/85	Not ((Applicable)) <u>applicable</u>
DMC 75	\$12.75
DMC 85/75-170	\$20.75
DMC 95	\$12.75
DMC 145	\$13.00
DMC 170	\$5.50
DMC 240/290-440	\$8.25
DMC 340/290-440	\$8.25
DMR/C 75/75-95	\$20.75
DMR/C 75/75-170	\$20.75
DMR/C 95/75	\$12.75
DMR/C 145/75	\$11.75
DMR/C 280/125	\$13.00

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
DMR/R 95/65	\$12.75
DMR/R 145/65	\$11.75
DMR/R 280/65	\$13.00
DOC1 U/450-U	\$12.00
DOC2 500/300-550	\$10.25
DRC 85-170	\$10.00
IDM-65-150	Not ((Applicable)) <u>applicable</u>
IDM-75-85	Not ((Applicable)) <u>applicable</u>
IDM 85/85-170	\$20.75
IDM 165/85-170	\$20.75
All IDR and IDR/C zones	\$20.75
PMM-85	Not ((Applicable)) <u>applicable</u>
All PSM zones	Not ((Applicable)) <u>applicable</u>
SM-SLU 85/65-160	Not ((Applicable)) <u>applicable</u>
SM-SLU 85-280	\$10.00
SM-SLU 100/95	\$7.50
SM-SLU 100/65-145	\$7.75
SM-SLU 145	\$7.75
SM-SLU 175/85-280	\$10.00
SM-SLU 240/125-440	\$10.00
SM-SLU/R 65/95	\$12.75
<u>SM-U 85</u>	<u>\$13.25</u>

* * *

2. Automatic adjustments to payment amounts. On March 1, 2017, and on the same day each year thereafter, the amounts for payment calculations according to Table A and Table B for 23.58C.040 shall automatically adjust in proportion to the annual change for the previous calendar year (January 1 through December 31) in the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-~~Bremerton~~ Bellevue, WA, All Items (1982-84 = 100), as determined by the U.S. Department of Labor, Bureau of Labor Statistics, or successor index.

* * *

Section 98. Section 23.58C.050 of the Seattle Municipal Code, last amended by Ordinance 125432, 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, excluding units in ~~an adult family home or a~~ domestic violence shelter.

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 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 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
DH1/45	Not ((Applicable)) <u>applicable</u>
DH2/55	Not ((Applicable)) <u>applicable</u>
DH2/75	5.0%
DH2/85	Not ((Applicable)) <u>applicable</u>
DMC 75	5.0%
DMC 85/75-170	7.0%
DMC 95	5.0%
DMC 145	5.1%
DMC 170	2.1%
DMC 240/290-440	3.2%
DMC 340/290-440	3.2%
DMR/C 75/75-95	7.0%
DMR/C 75/75-170	7.0%
DMR/C 95/75	5.0%
DMR/C 145/75	4.6%
DMR/C 280/125	5.1%
DMR/R 95/65	5.0%
DMR/R 145/65	4.6%
DMR/R 280/65	5.1%
DOC1 U/450-U	4.7%
DOC2 500/300-550	4.0%

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
DRC 85-170	3.9%
IDM-65-150	Not ((Applicable)) <u>applicable</u>
IDM-75-85	Not ((Applicable)) <u>applicable</u>
IDM 85/85-170	7.0%
IDM 165/85-170	7.0%
All IDR and IDR/C zones	7.0%
PMM-85	Not ((Applicable)) <u>applicable</u>
All PSM zones	Not ((Applicable)) <u>applicable</u>
SM-SLU 85/65-160	Not ((Applicable)) <u>applicable</u>
SM-SLU 85-280	3.9%
SM-SLU 100/95	2.9%
SM-SLU 100/65-145	3.0%
SM-SLU 145	3.0%
SM-SLU 175/85-280	3.9%
SM-SLU 240/125-440	3.9%
SM-SLU/R 65/95	5.0%
<u>SM-U_85</u>	<u>6.0%</u>

* * *

C. Performance requirements. Units provided to comply with this Chapter 23.58C through the performance option shall meet the following requirements:

* * *

6. Additional requirements for rental units provided through the performance option

* * *

e. Annual fee. The owner of the rental unit shall pay the Office of Housing an annual fee of \$150 per rental unit for the purposes of monitoring compliance with the requirements according to this Section 23.58C.050. On March 1, 2017, and on the same day each

year thereafter, the annual fee shall automatically adjust in proportion to the annual change for the previous calendar year (January 1 through December 31) in the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-~~Bremerton~~ Bellevue, WA, All Items (1982-1984 = 100), as determined by the U.S. Department of Labor, Bureau of Labor Statistics or successor index.

* * *

i. Conversion to ownership housing. If all of the units to whose development this Chapter 23.58C applies according to subsection 23.58C.025.B in a structure are converted to ownership housing, including through a conversion to condominiums, prior to 75 years from the date of 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 Chapter 23.58C applies according to subsection 23.58C.025.B:

1) The owner of the development shall, at the time of such conversion, either pay to the City a payment in lieu of continuing affordability or convert the rental units provided through the performance option to ownership units provided through the performance option, as follows:

a) Where a payment in lieu of continuing affordability is made, the amount of the payment shall be equal to the amount of the cash contribution according to subsection 23.58C.040.A that would have been required at the time of issuance of the first building permit that includes the structural frame for the structure if the applicant had elected the payment option, adjusted for each calendar year following issuance of that permit in proportion to the annual change in the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-~~Bremerton~~ Bellevue, WA, All Items (1982-1984 = 100), as determined by the U.S. Department of Labor, Bureau of Labor Statistics or successor index, multiplied times the percentage in Table

C for 23.58C.050 that corresponds to the number of years that the rental units provided through the performance option satisfied the requirements according to this subsection 23.58C.050.C. The City shall use the payment to support continued housing affordability in The City of Seattle consistent with applicable statutory requirements.

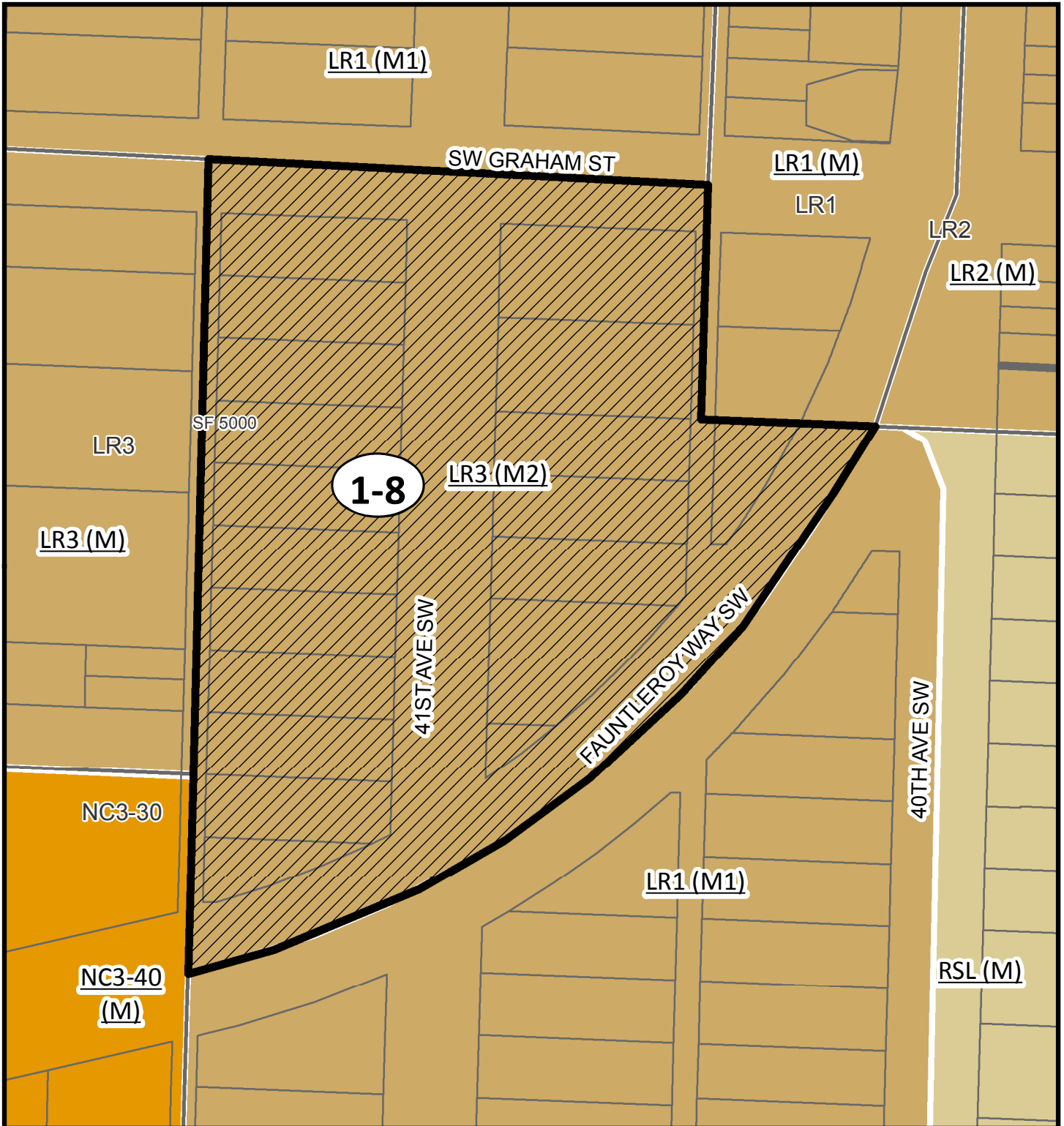
* * *

7. Additional requirements for ownership units provided through the performance option

* * *

d. Annual fee. The owner of the ownership unit shall pay the Office of Housing an annual fee, payable in 12 equal payments, for the purposes of monitoring compliance with the requirements according to this Section 23.58C.050. The initial fee shall be established by the Director of Housing by rule. On March 1, 2017, and on the same day each year thereafter, the annual fee shall automatically adjust in proportion to the annual change for the previous calendar year (January 1 through December 31) in the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-~~Bremerton~~ Bellevue, WA, All Items (1982-1984 = 100), as determined by the U.S. Department of Labor, Bureau of Labor Statistics or successor index.

* * *





1-8

Area west of Fautleroy, south of SW Graham Street

From:
SF 5000

To: CB 119444	LR3 (M2)
Amendment	LR2 (M1)

 Amendment
 Current Zoning

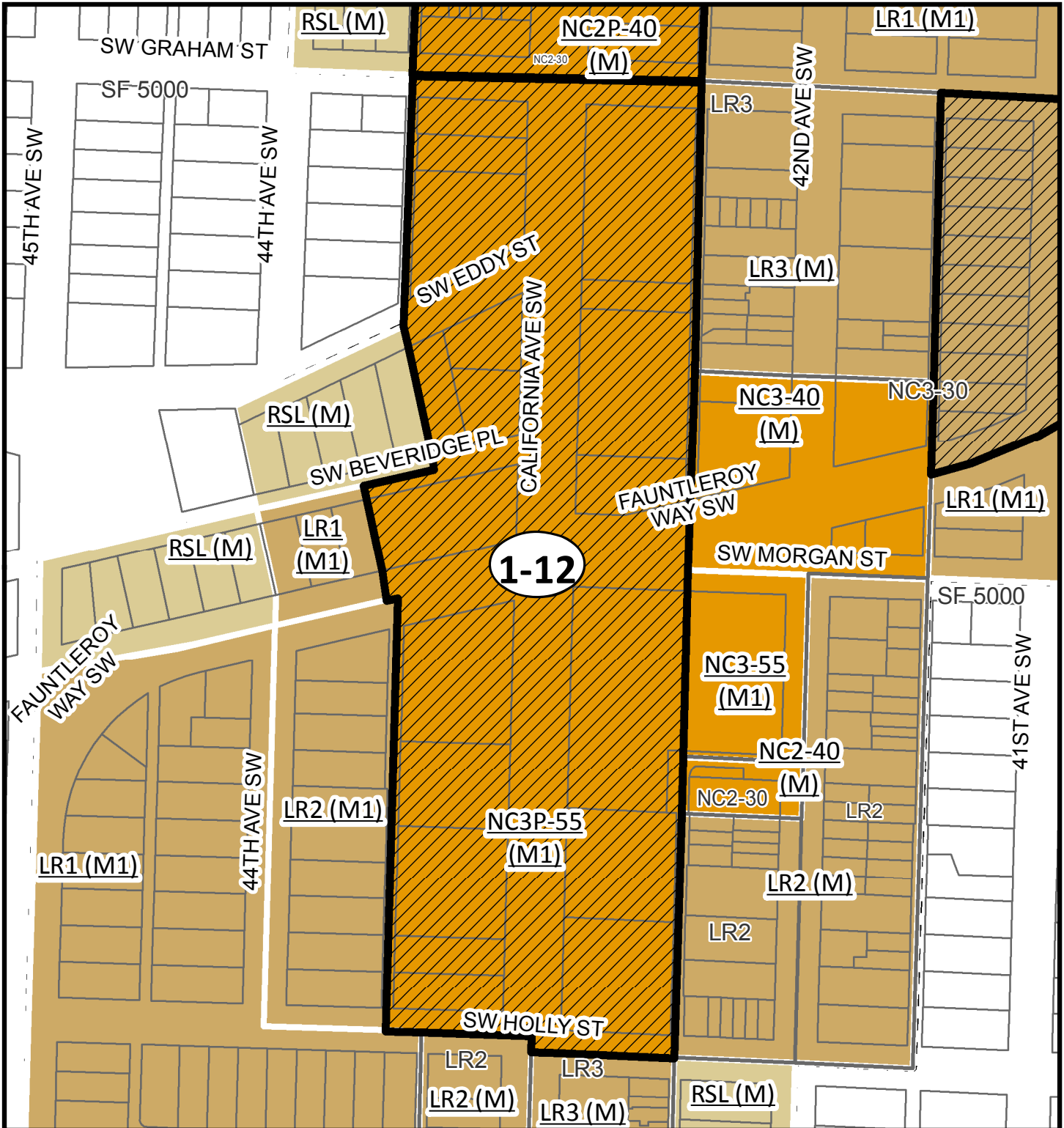
Reduce the proposed zone designation in the Morgan Junction Urban Village south of S Graham Street and northwest of Fautleroy Way SW to a less intense Lowrise multifamily zone designation.

Comprehensive Plan Amendment Required? No

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Link to record for CB 119444: <http://seattle.legistar.com/LegislationDetail.aspx?ID=3840745&GUID=7E5F305E-10DA-41F3-AE5D-66E3CAEB81B1>



1-12

California Ave SW between SW Holly & SW Graham

From:
NC3-30

To: CB 119444	NC3P-55 (M)
Amendment	NC3-55 (M)



Amendment
Current Zoning

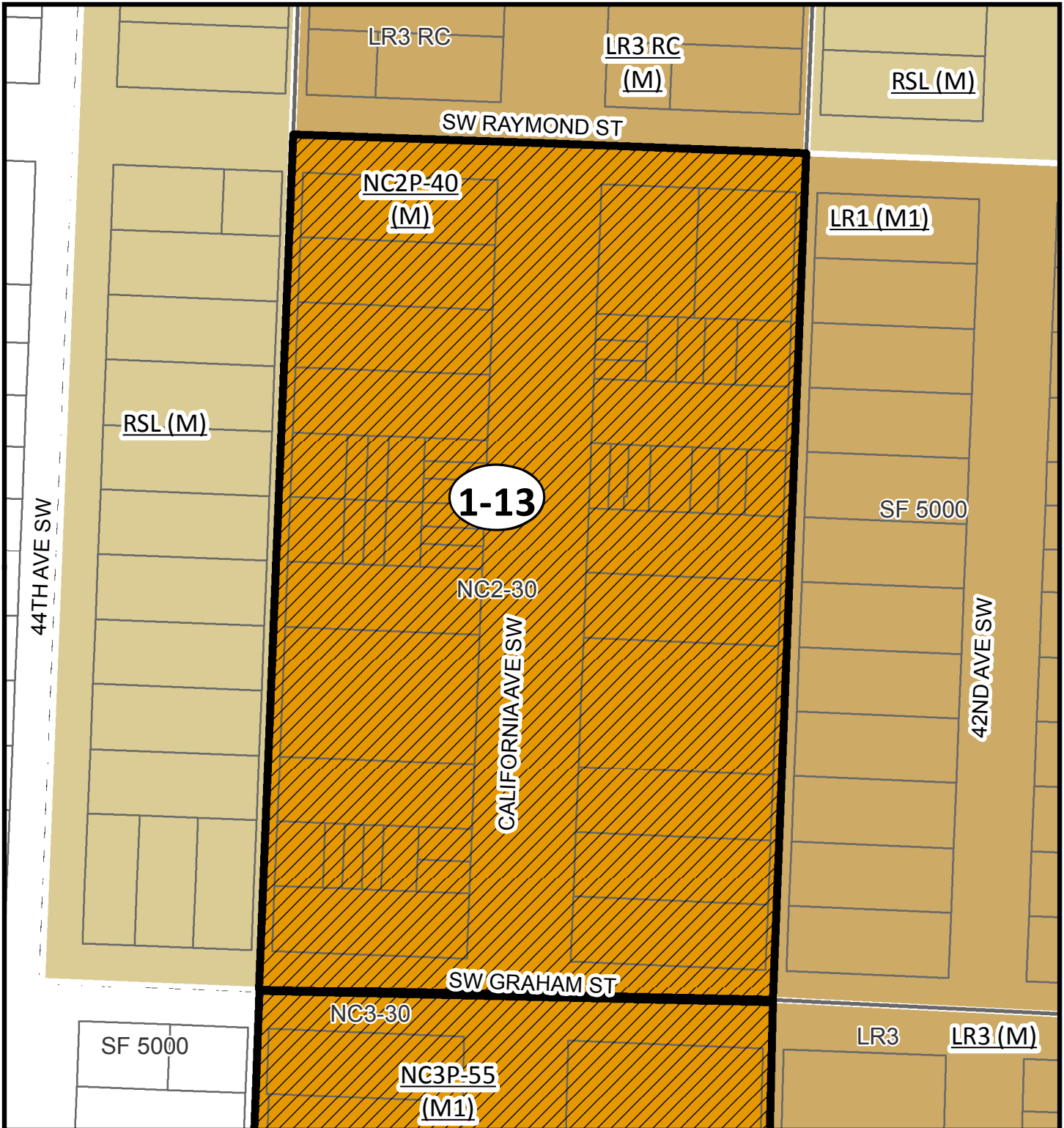
Remove the Pedestrian (P) Zone designation in Morgan Junction Urban Village.

Comprehensive Plan Amendment Required? No

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1-13

California Ave SW between SW Graham & SW Raymond

From:
NC2-30

To: CB 119444	NC2P-40 (M)
Amendment	NC2-40 (M)



Amendment
Current Zoning

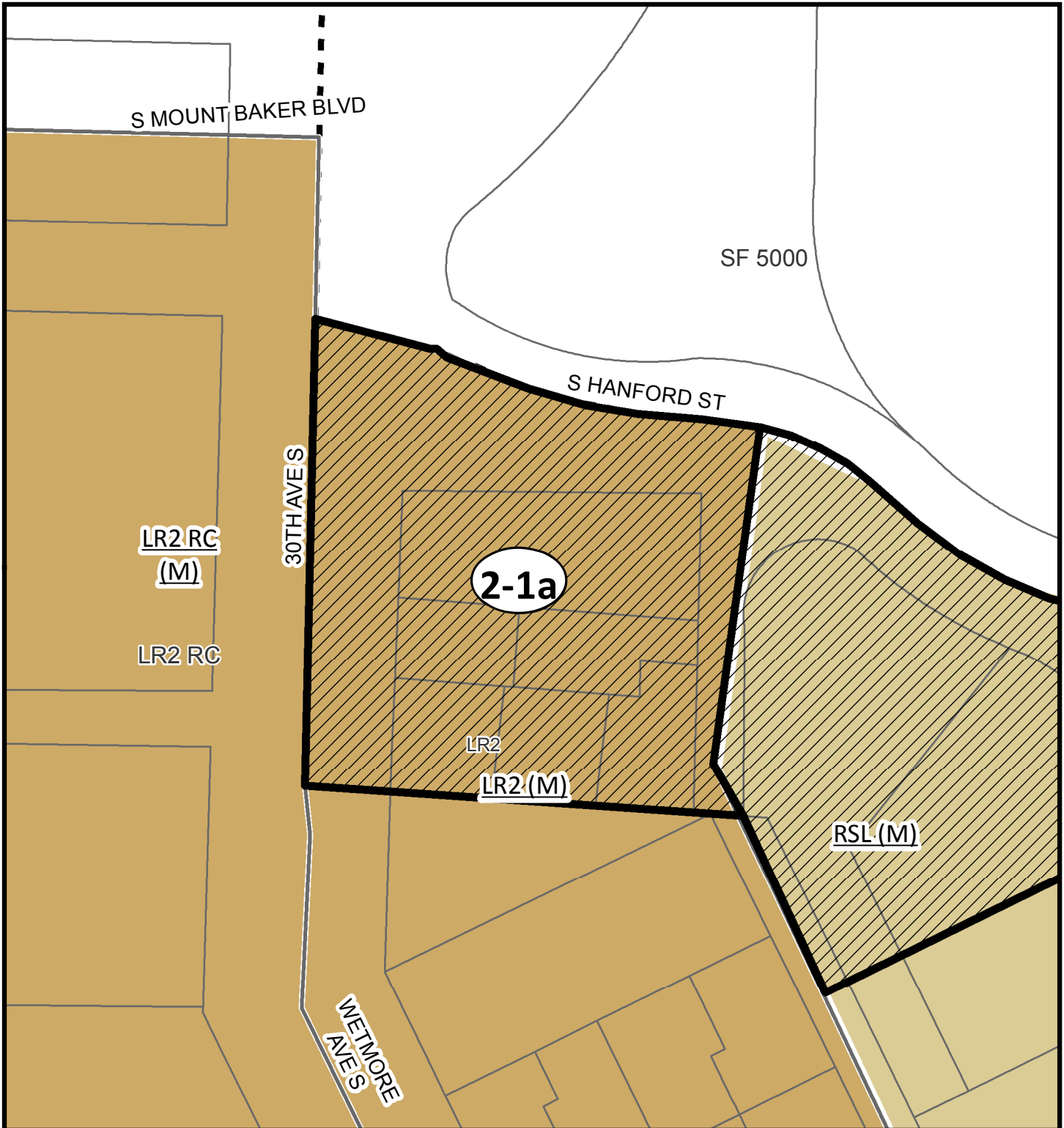
Remove the Pedestrian (P) Zone designation in Morgan Junction Urban Village.

Comprehensive Plan Amendment Required? No

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Link to record for CB 119444: <http://seattle.legistar.com/LegislationDetail.aspx?ID=3840745&GUID=7E5F305E-10DA-41F3-AE5D-66E3CAEB81B1>





2-1a

North Rainier Urban Village - Mt Baker Park Historic District

From:
LR2

To: CB 119444	LR2 (M)
Amendment	LR2 (no rezone)

 Amendment
 Current Zoning

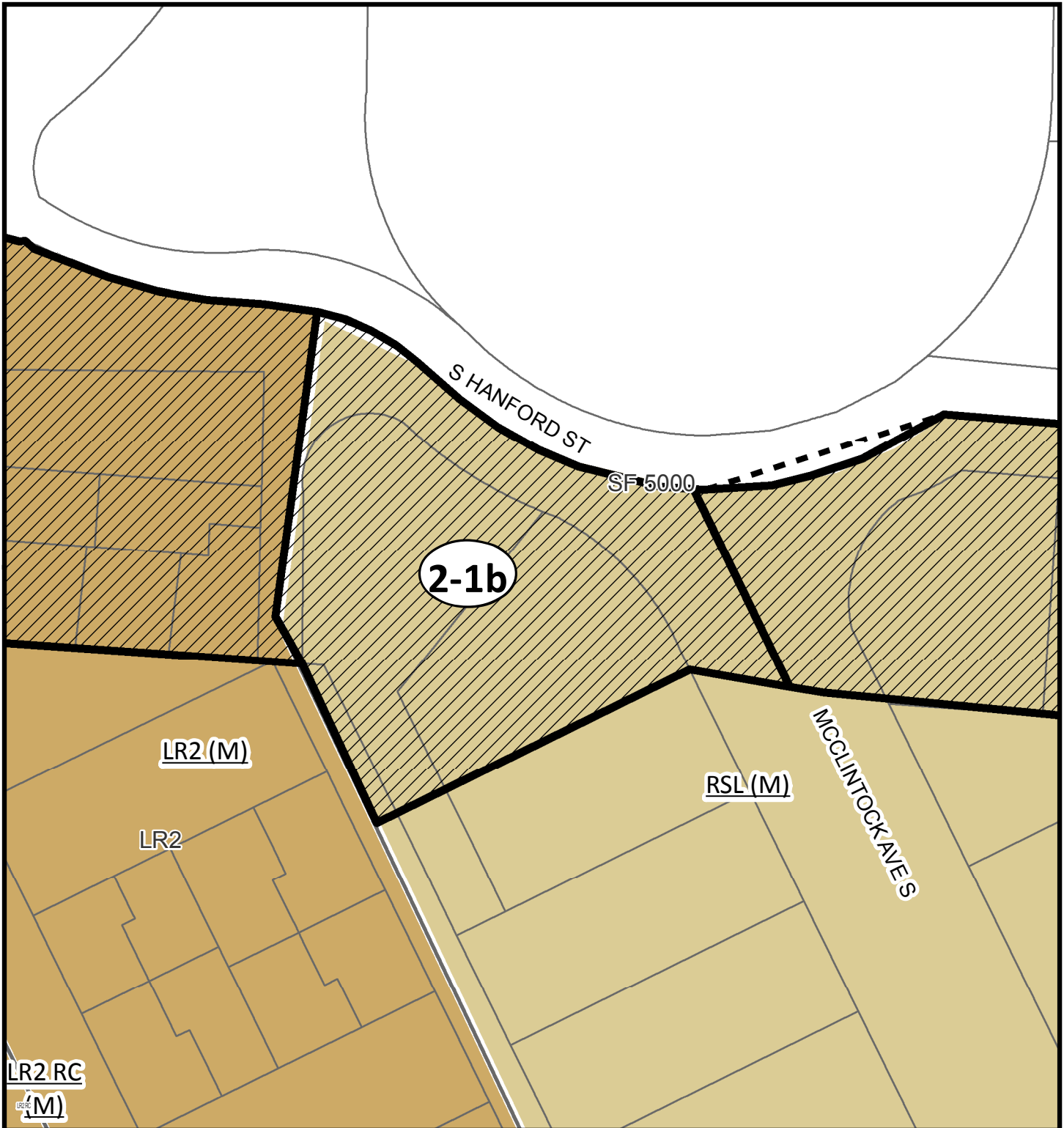
Remove areas within the Mount Baker Park Historic District from the North Rainier Urban Village expansion area, maintain existing zone designations, and do not apply MHA.

Comprehensive Plan Amendment Required? No

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Link to record for CB 119444: <http://seattle.legistar.com/LegislationDetail.aspx?ID=3840745&GUID=7E5F305E-10DA-41F3-AE5D-66E3CAEB81B1>





2-1b

North Rainier Urban Village - Mt Baker Park Historic District

From:
SF 5000

To: CB 119444	RSL (M)
Amendment	SF 5000 (no rezone)

 Amendment
 Current Zoning

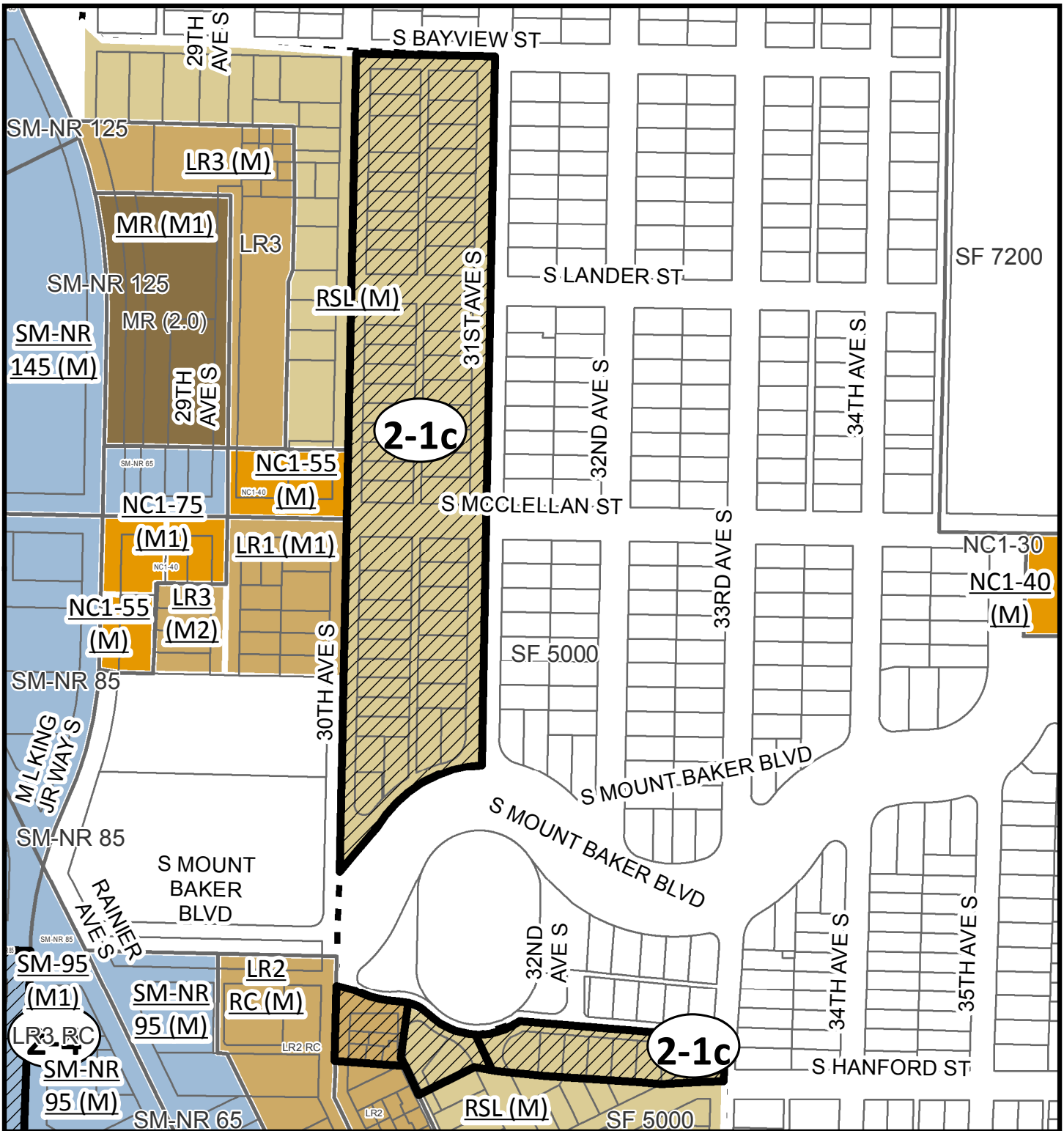
Remove areas within the Mount Baker Park Historic District from the North Rainier Urban Village expansion area, maintain existing zone designations, and do not apply MHA.

Comprehensive Plan Amendment Required? No

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Link to record for CB 119444: <http://seattle.legistar.com/LegislationDetail.aspx?ID=3840745&GUID=7E5F305E-10DA-41F3-AE5D-66E3CAEB81B1>



2-1c

North Rainier Urban Village - Mt Baker Park Historic District

From:
SF 5000

To: **CB 119444**

RSL (M)

Amendment

SF 5000 (no rezone)



Amendment



Current Zoning

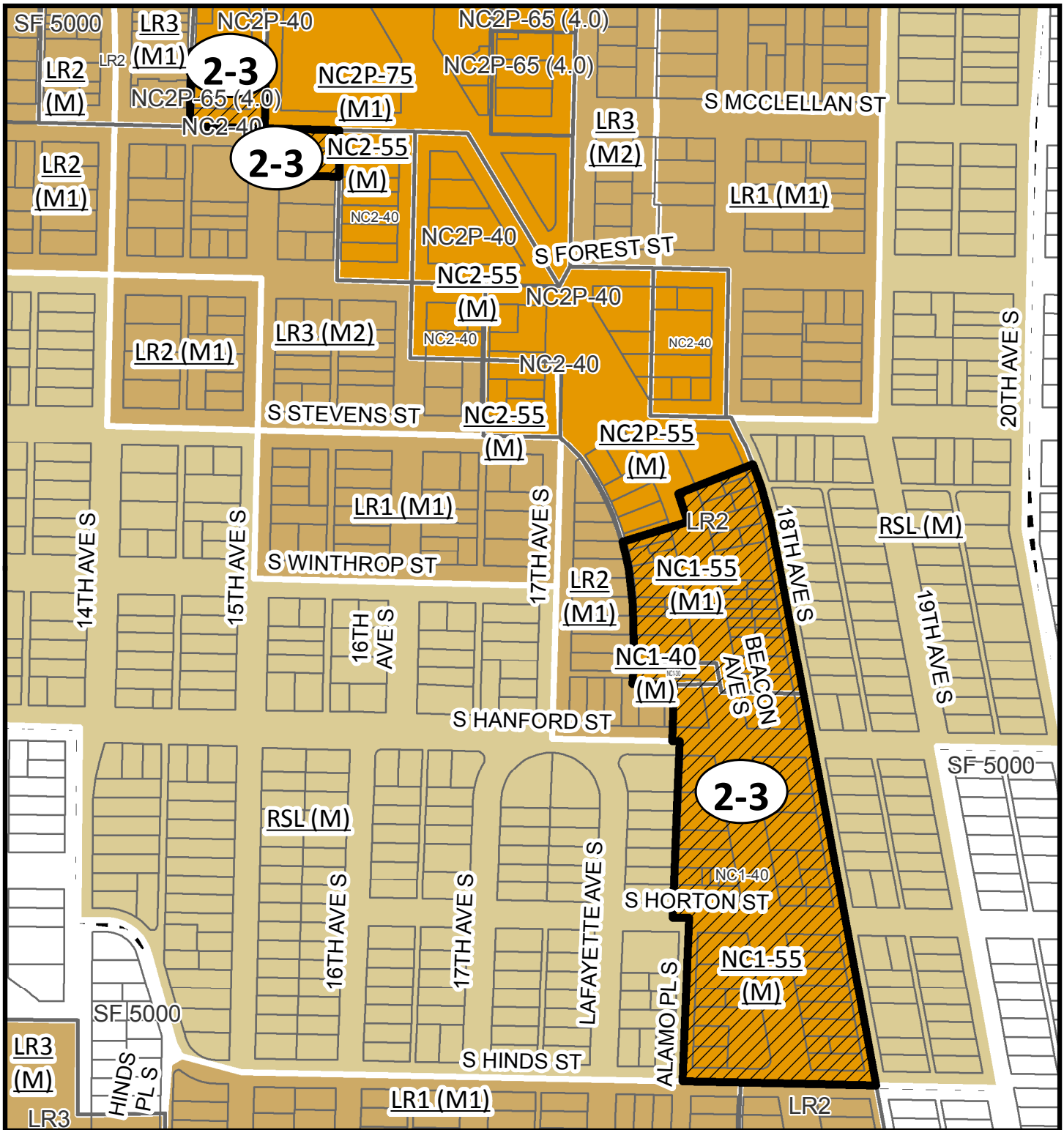
Remove areas within the Mount Baker Park Historic District from the North Rainier Urban Village expansion area, maintain existing zone designations, and do not apply MHA.

Comprehensive Plan Amendment Required? Yes

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2-3

North Beacon Hill - Beacon Ave S

From:
various NC

To: CB 119444	NC1 AND NC2
Amendment	NC1P AND NC2P

 Amendment
 Current Zoning

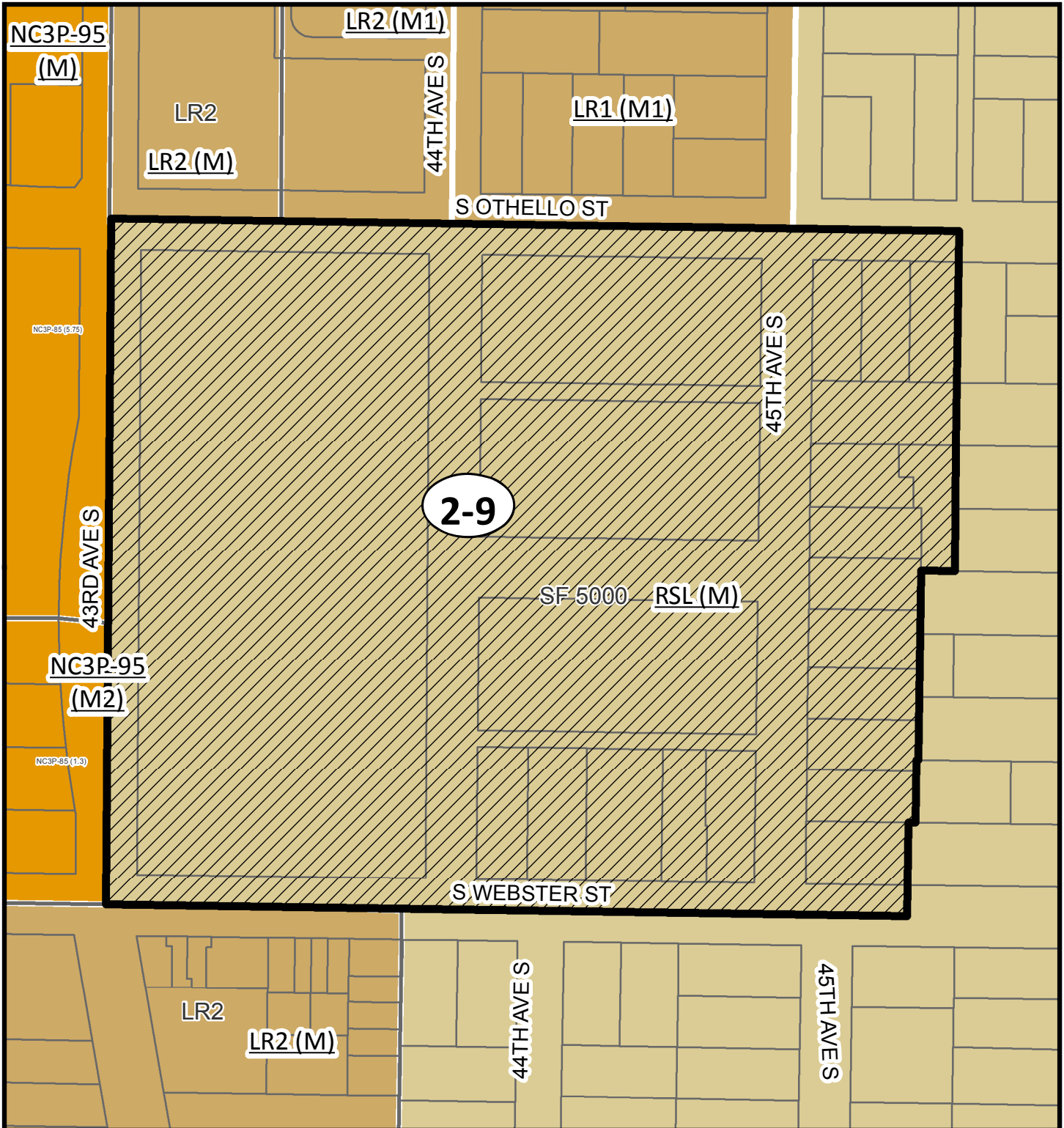
Extend the Pedestrian designation to the full extent of the Neighborhood Commercial zones fronting on Beacon Av S and 15th Av S within the North Beacon Hill Urban Village.

Comprehensive Plan Amendment Required? No

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2-9

Block face east of Othello Park on S 45th Street

From:
SF 5000

To: CB 119444	RSL (M)
Amendment	LR1 (M1)



Amendment
Current Zoning

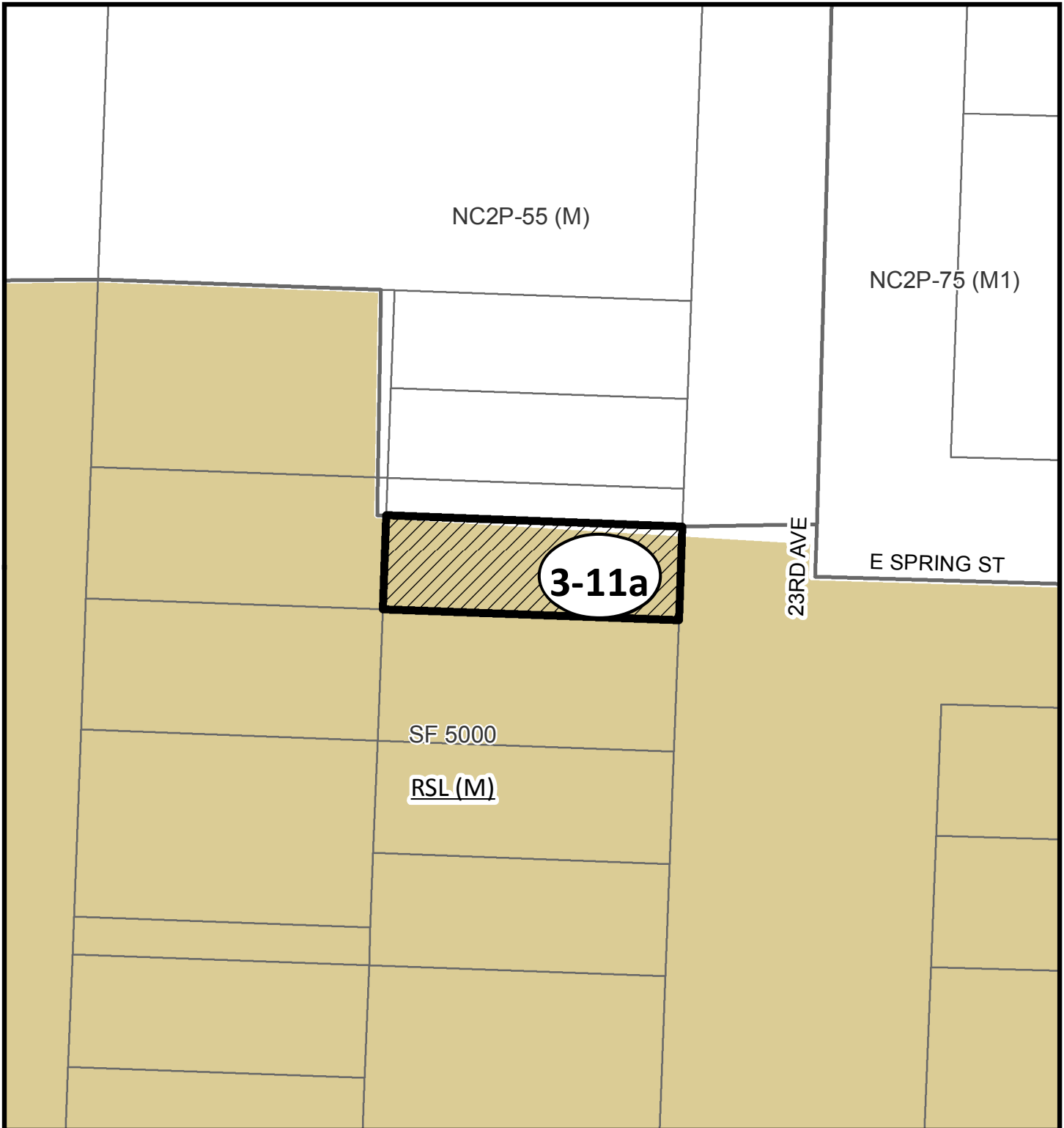
Increase the proposed zone designation from Residential Small Lot to Lowrise 1 multifamily in the area to the east and south of Othello Park in the Othello Urban Village.

Comprehensive Plan Amendment Required? No

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3-11a

953 23rd Avenue

From:
SF 5000

To: CB 119444	RSL (M)
Amendment	LR1 (M1)



Amendment

Current Zoning

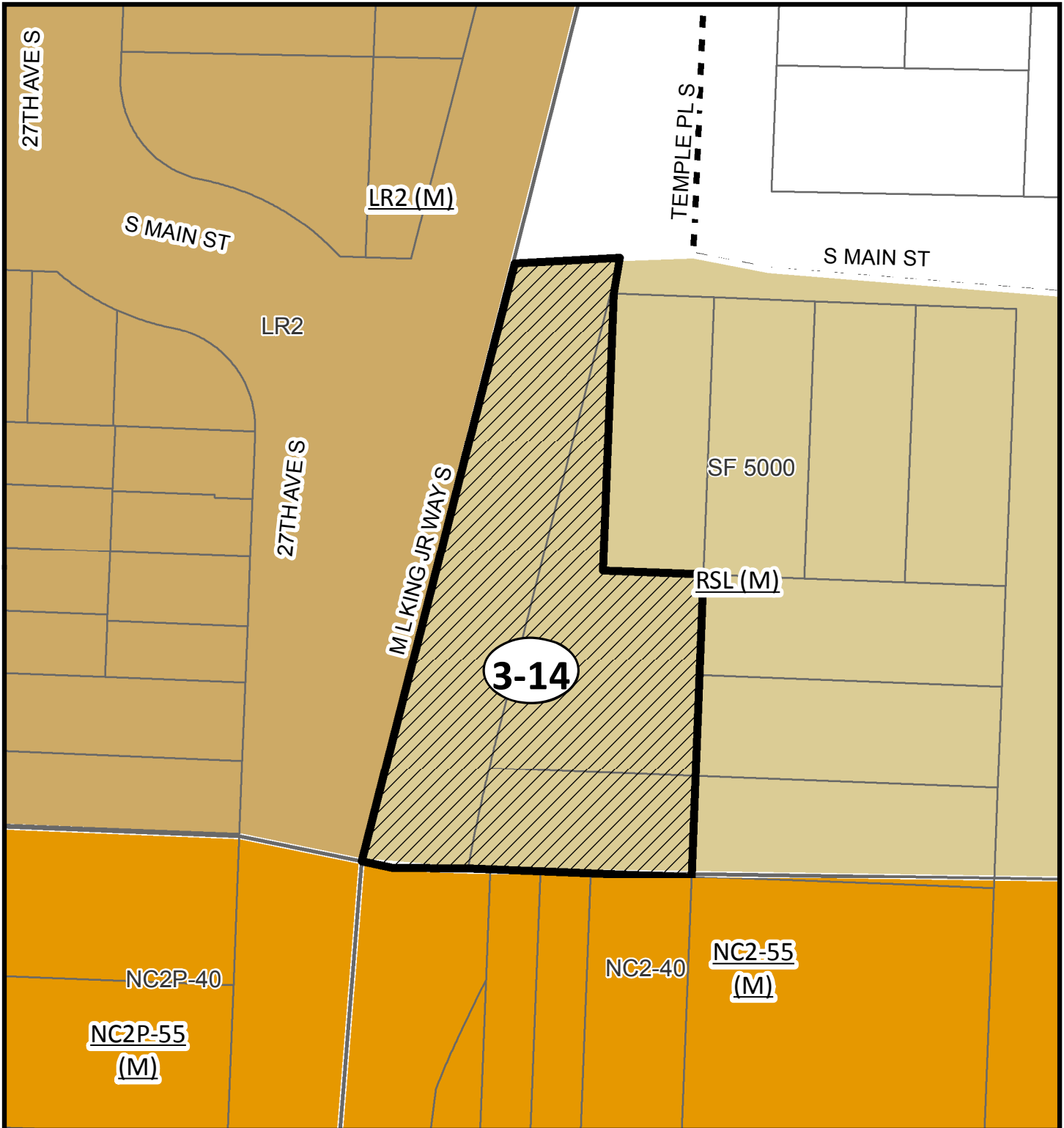
Increase the proposed zone designation for the SF 5000 portion of the parcel addressed as 953 23rd Avenue from Residential Small Lot to Lowrise 1. Note that the current zoning of this parcel is split: SF 5000 and NC2P-55 (M).

Comprehensive Plan Amendment Required? No

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3-14

Areas east of Martin Luther King Junior Way and S Jackson St

From:
SF 5000

To: CB 119444	RSL (M)
Amendment	LR1 (M1)

 Amendment
 Current Zoning

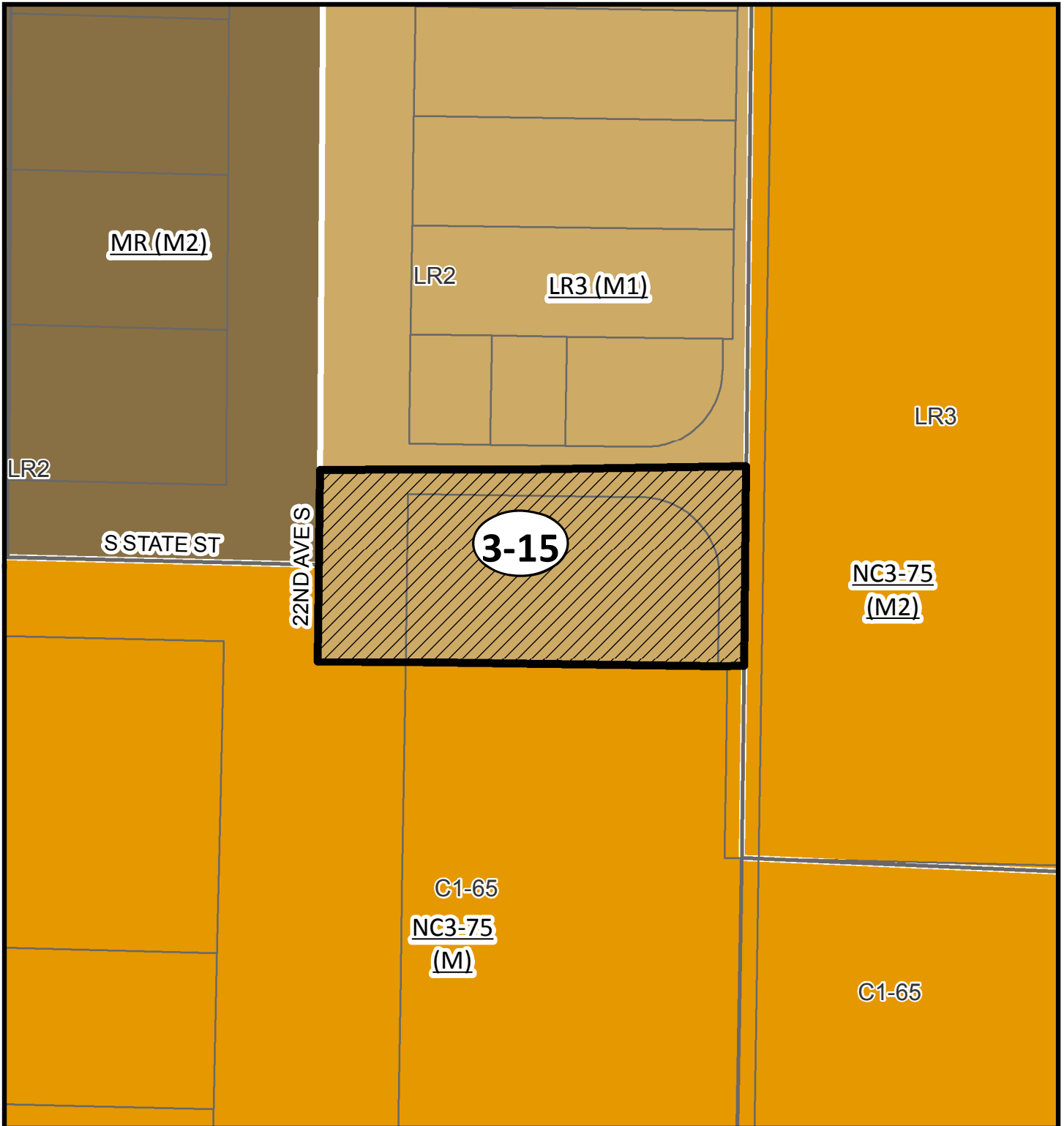
Increase the proposed zone designation in the areas east of Martin Luther King Junior Way and S Jackson St from Residential Small Lot to a Lowrise multifamily zone designation.

Comprehensive Plan Amendment Required? No

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3-15

1722 22nd Ave S

From:
LR2

To: CB 119444	LR3 (M1)
Amendment	MR (M2)



Amendment
Current Zoning

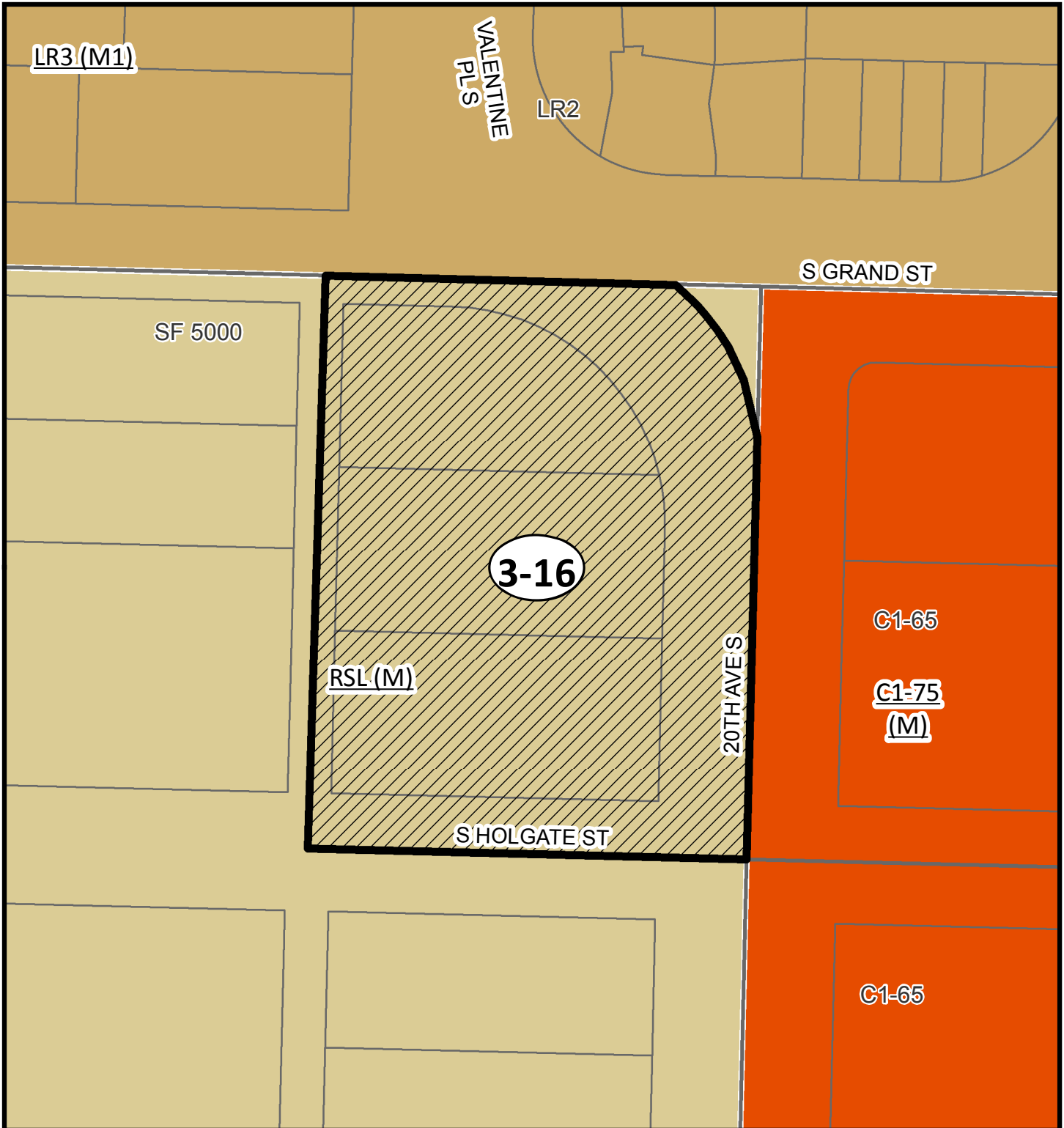
Increase the proposed zone designation from Lowrise multifamily to Midrise.

Comprehensive Plan Amendment Required? No

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3-16

Northwest corner of 20th Av S and S Holgate

From:
SF 5000

To: CB 119444	RSL (M)
Amendment	LR2 (M1)

 Amendment
 Current Zoning

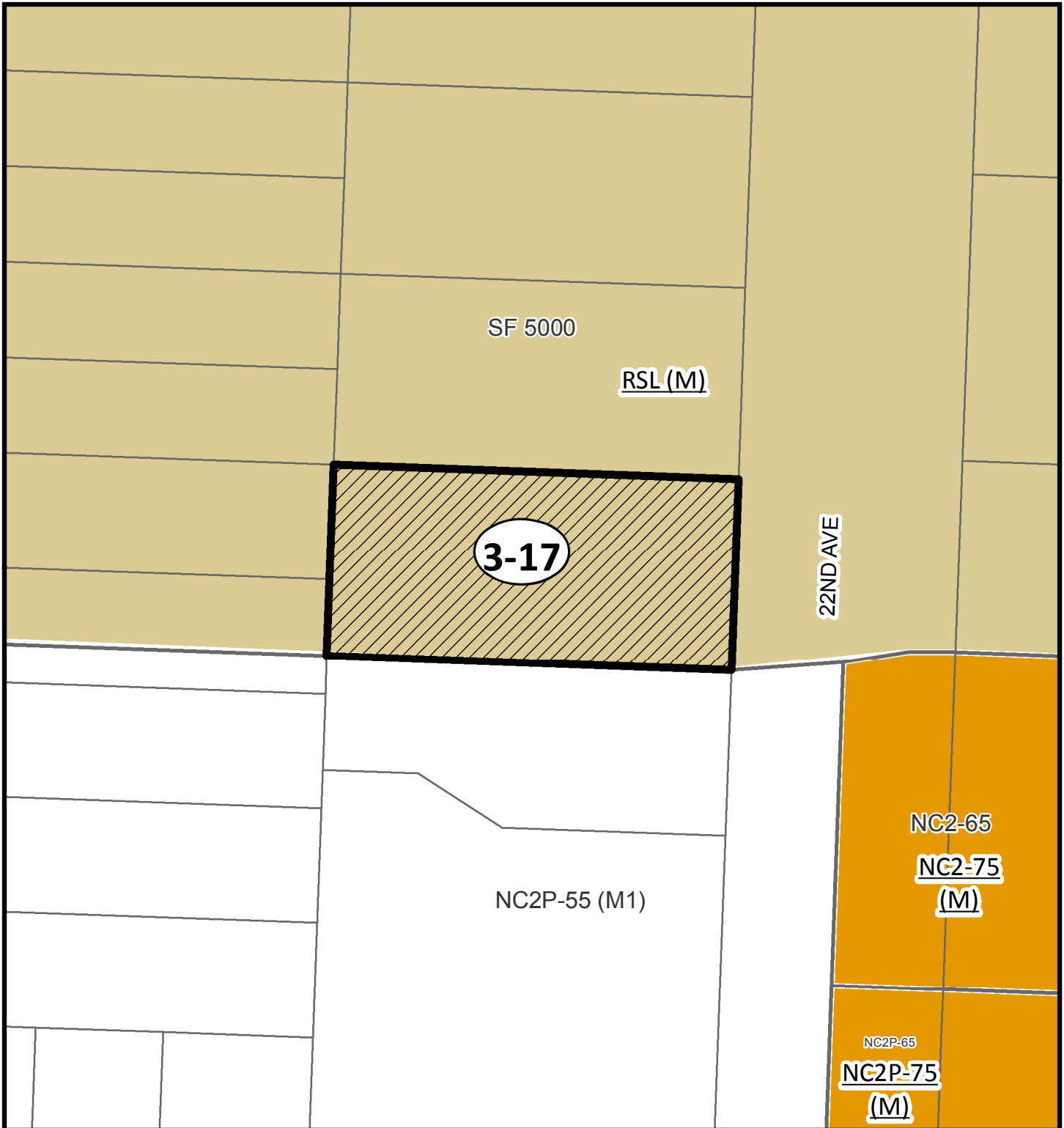
Increase the proposed zone designation for a portion of the block at the northwest corner of 20th Av S and S Holgate St from Residential Small Lot to Lowrise multifamily.

Comprehensive Plan Amendment Required? No

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3-17

1419 22nd Avenue

From:
SF 5000

To: CB 119444	RSL (M)
Amendment	LR2 (M1)

 Amendment
 Current Zoning

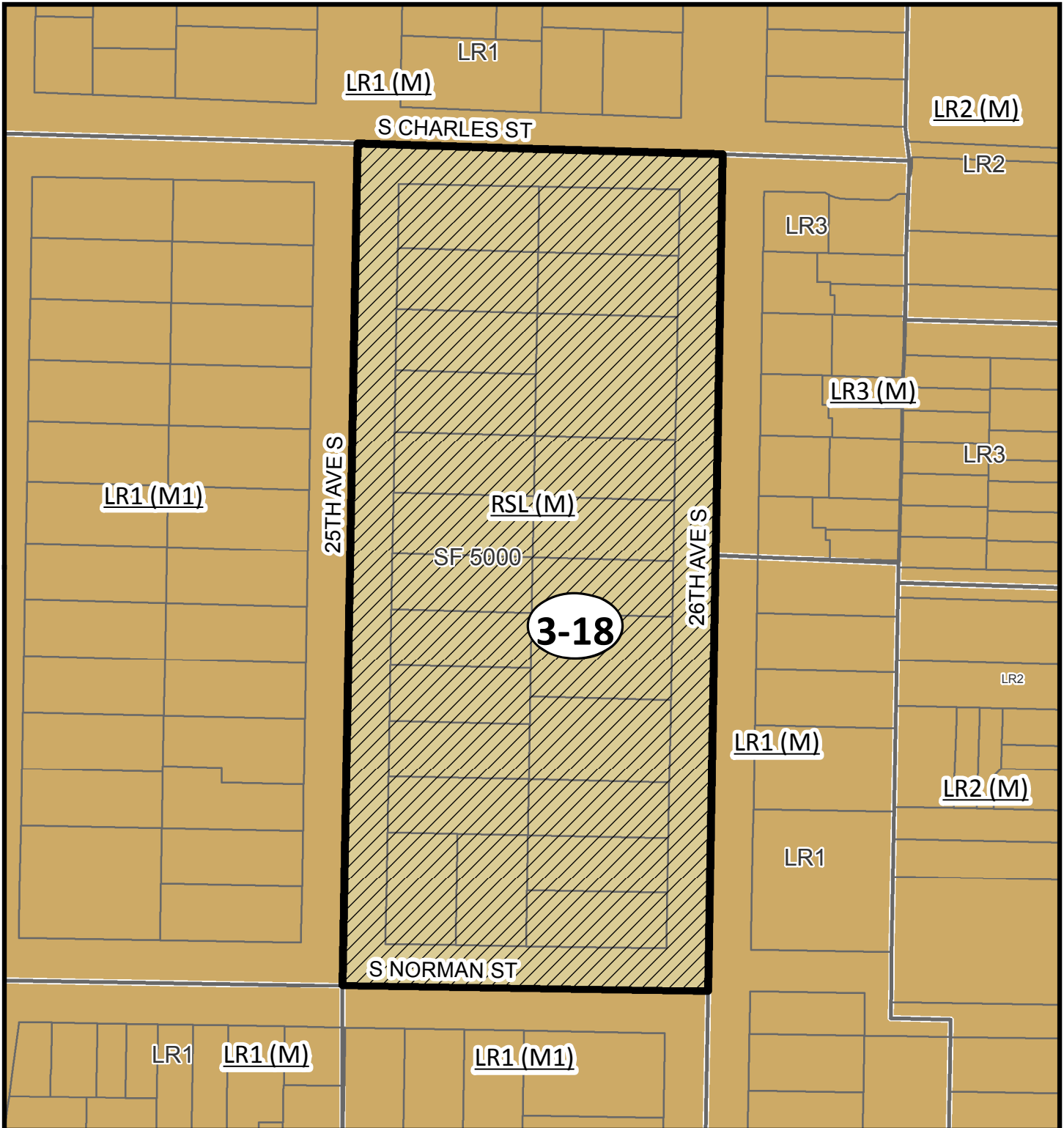
Increase the proposed zone designation to LR2 (M1)

Comprehensive Plan Amendment Required? No

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3-18 Block bounded by S Charles ST, S Norman ST, 25th Ave S, and 26th Ave S

From:
SF 5000

To: CB 119444	RSL (M)
Amendment	LR1 (M1)



Amendment



Current Zoning

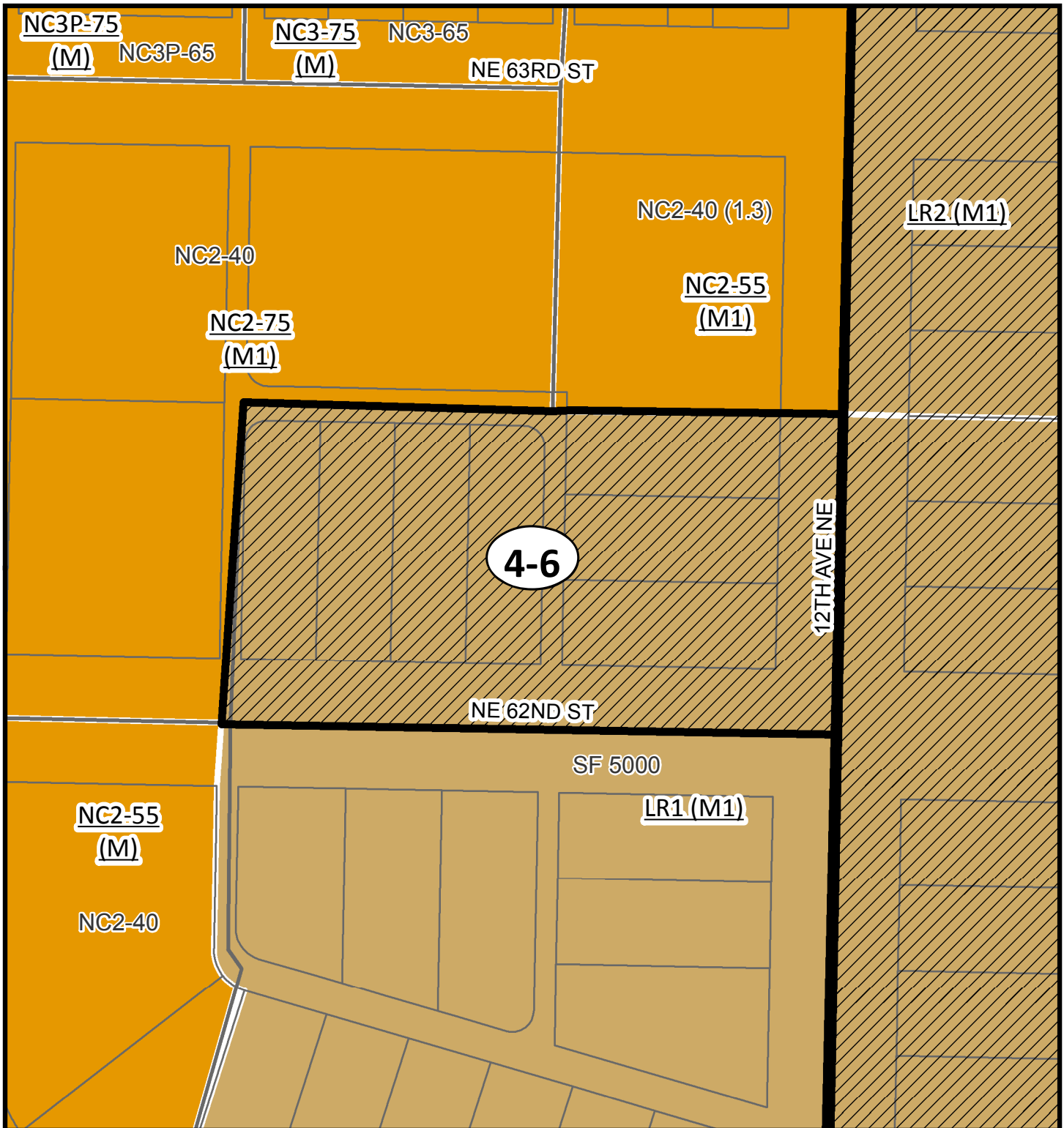
Increase the proposed zoning designation of the block bounded by S Charles ST, S Norman ST, 25th Ave S, and 26th Ave S from RSL (M) to LR1 (M1).

Comprehensive Plan Amendment Required? No

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4-6

6207-6211 12th Ave NE; 1012-1032 NE 62nd

From:
SF 5000

To: CB 119444	LR1 (M1)
Amendment	LR2 (M1)



Amendment



Current Zoning

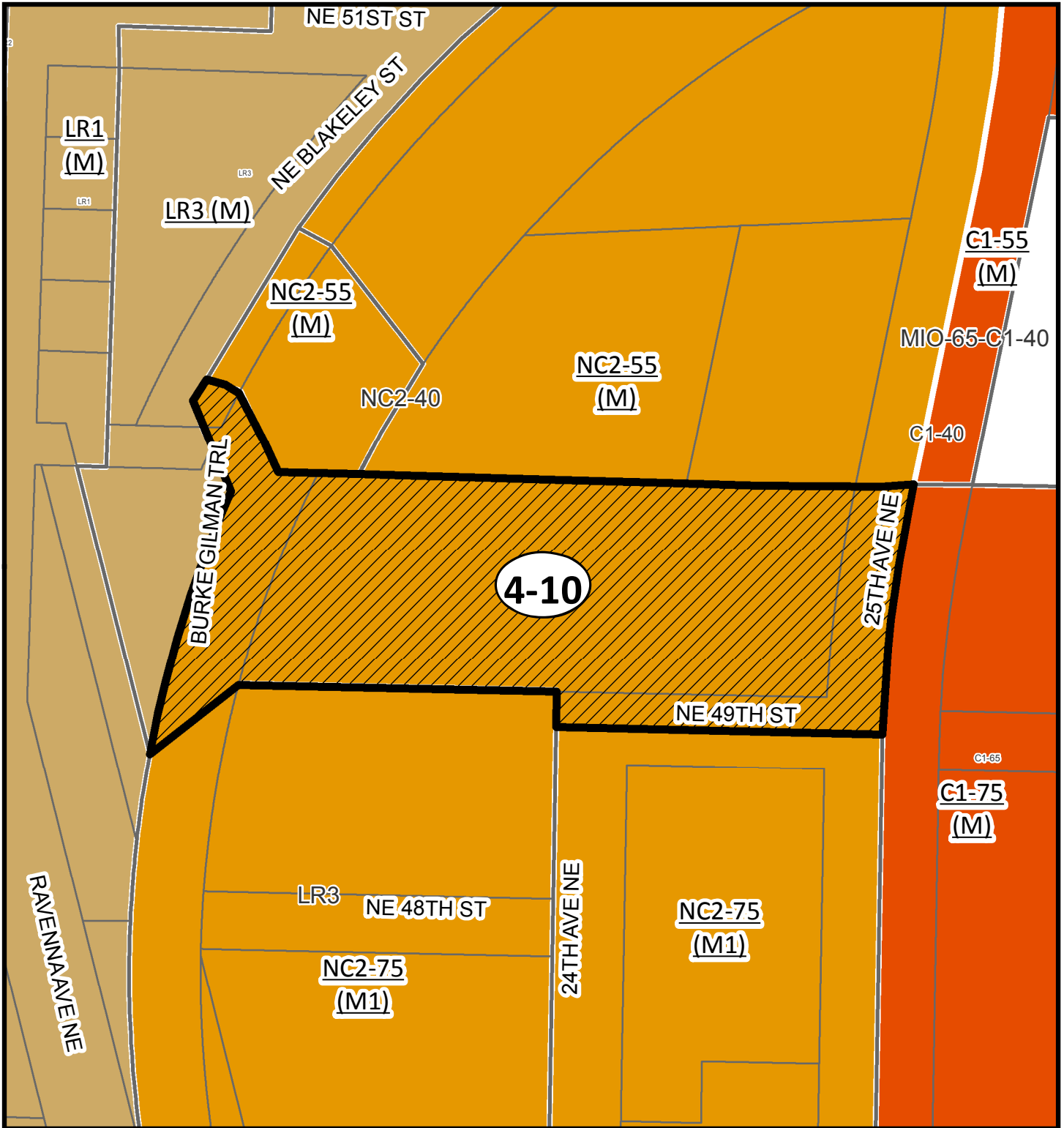
Increase the proposed zone designation on NE 62nd St between Roosevelt Way NE and 12th Av NE in the Roosevelt Urban Village from Lowrise 1 to Lowrise 2.

Comprehensive Plan Amendment Required? No

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4-10

4907 25th Ave NE

From:
C1-40

To: CB 119444	NC2-55 (M)
Amendment	NC2-75

 Amendment
 Current Zoning

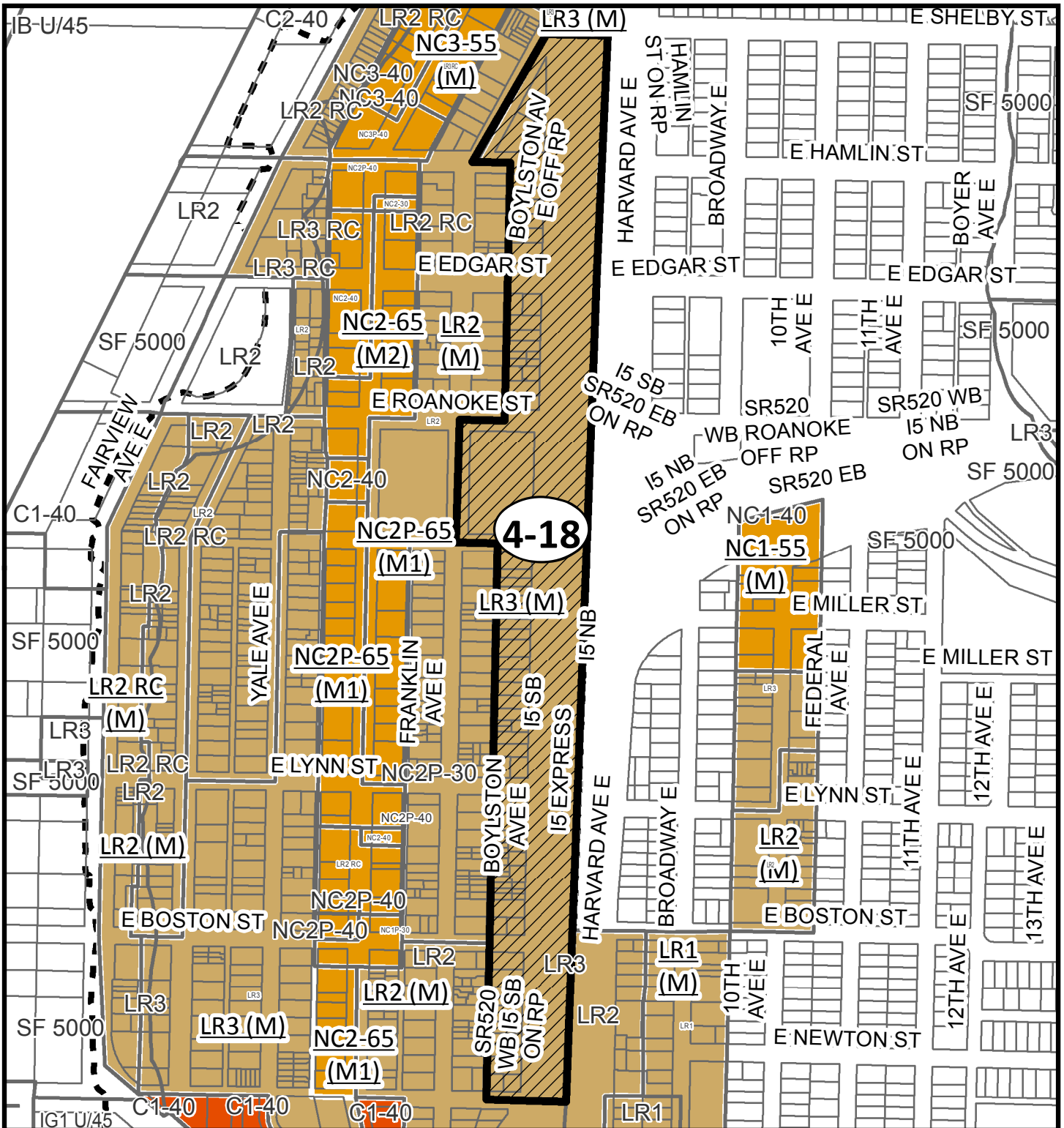
Increase the proposed height from 55 feet to 75 feet.

Comprehensive Plan Amendment Required? No

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4-18

Eastern edge of Eastlake Urban Village

From:	To:	CB 119444	LR3 (M)
LR3	Amendment		MR (M1)

-  Amendment
-  Current Zoning

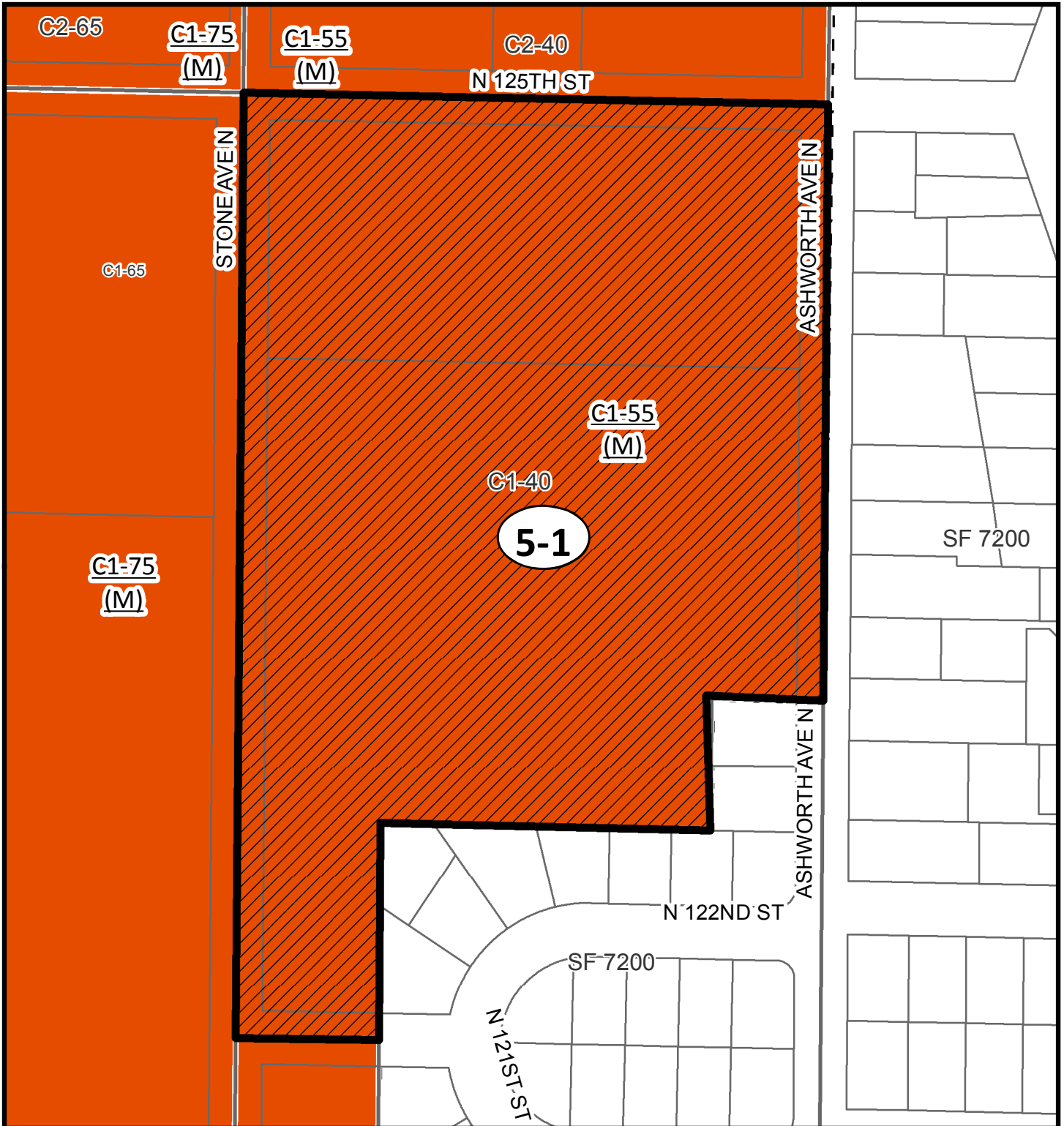
Increase proposed multifamily zone designations on the east side of the Eastlake Urban Village to Midrise.

Comprehensive Plan Amendment Required? No



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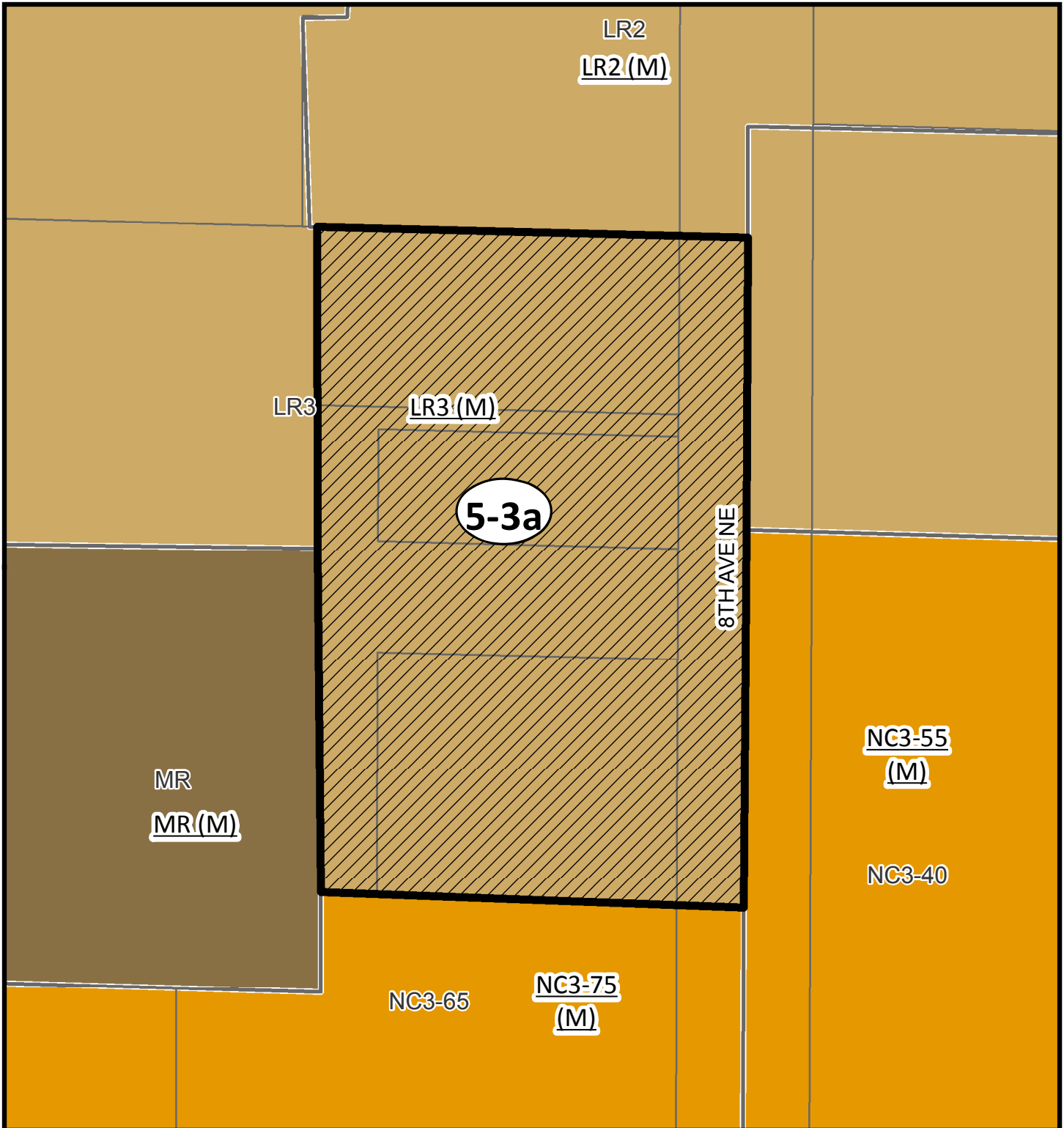


5-1 Mobile Home Parks south of N 125th St and west of Ashworth Av N

From:	To: CB 119444	C1-55 (M)	 Amendment  Current Zoning
C1-40	Amendment	C1-40 (no rezone)	

Do not apply MHA and do not rezone two mobile home parks located southwest of the intersection of N 125th St and Ashworth Av N in the Bitter lake Urban Village.

Comprehensive Plan Amendment Required? No



5-3a

Northhaven site

From:
LR3

To: CB 119444	LR3 (M)
Amendment	NC2-75 (M1)



Amendment



Current Zoning

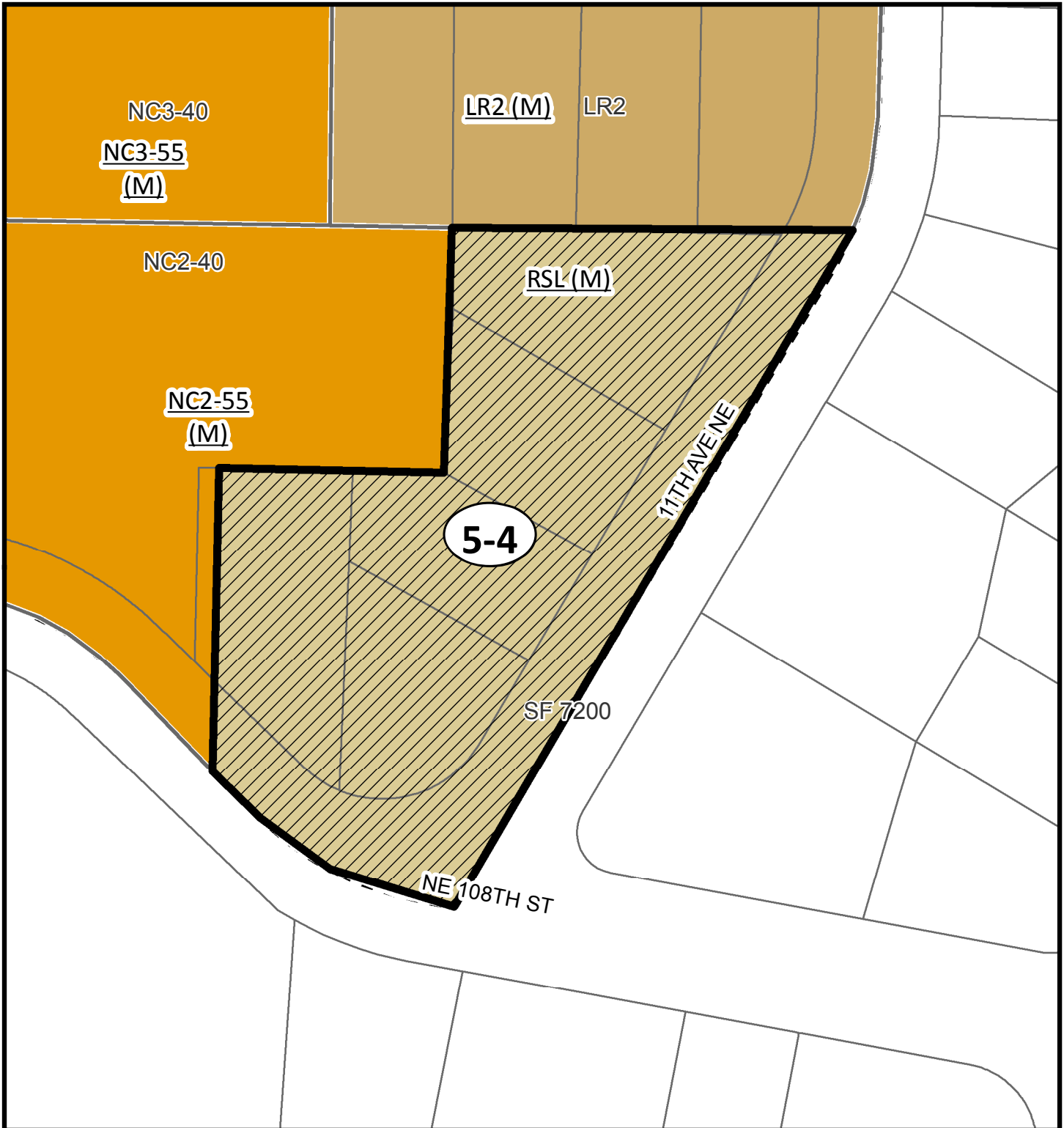
Increase the height and rezone the eastern portion of the Northhaven site from Lowrise 3 (M) to Neighborhood Commercial 2 with a 75 foot height limit (M1).

Comprehensive Plan Amendment Required? No

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5-4 Area along NE 108th St between 11th Av NE and NE Northgate Way

From:
SF 5000

To: CB 119444	LR1 (M1)
Amendment	RSL (M)

 Amendment 0225
 Current Zoning

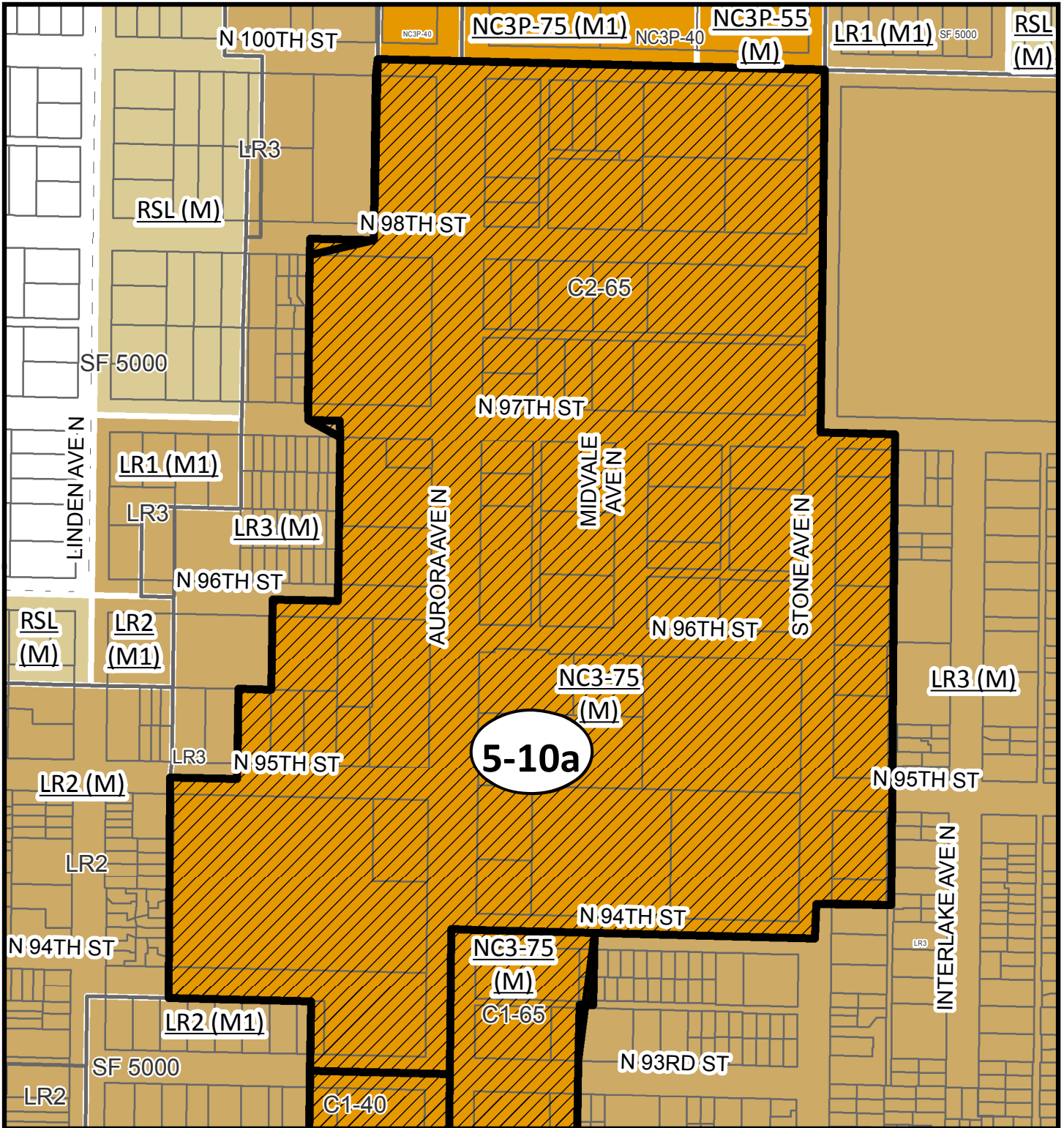
Reduce the proposed zone designation for an area along NE 108th St between 11th Av NE and NE Northgate Way from Lowrise multifamily to Residential Small Lot.

Comprehensive Plan Amendment Required? No

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5-10a

Aurora Ave N between N 100th St and N 93rd St

From:
C2-65

To: CB 119444
Amendment

NC3-75 (M)
NC3P-75 (M)



Amendment
Current Zoning

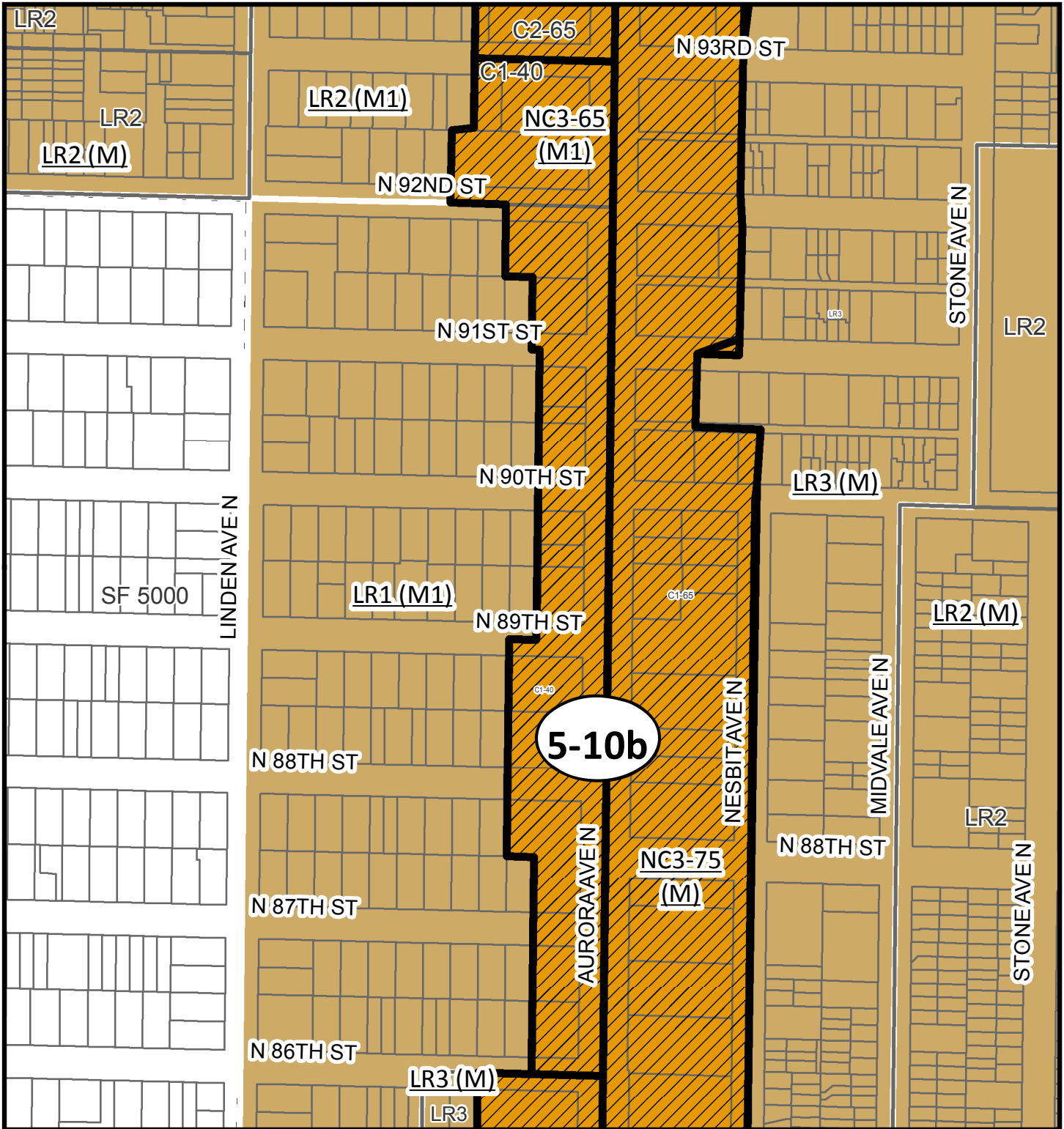
Expand pedestrian designations along some Neighborhood Commercial - zoned areas along Aurora within the Aurora - Licton Spring Urban Village.

Comprehensive Plan Amendment Required? No

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5-10b

west side of Aurora Ave N between N 93rd St and N 86th St

From:
C1-40

To: CB 119444	NC3-65 (M1)
Amendment	NC3P-65 (M1)



Amendment



Current Zoning

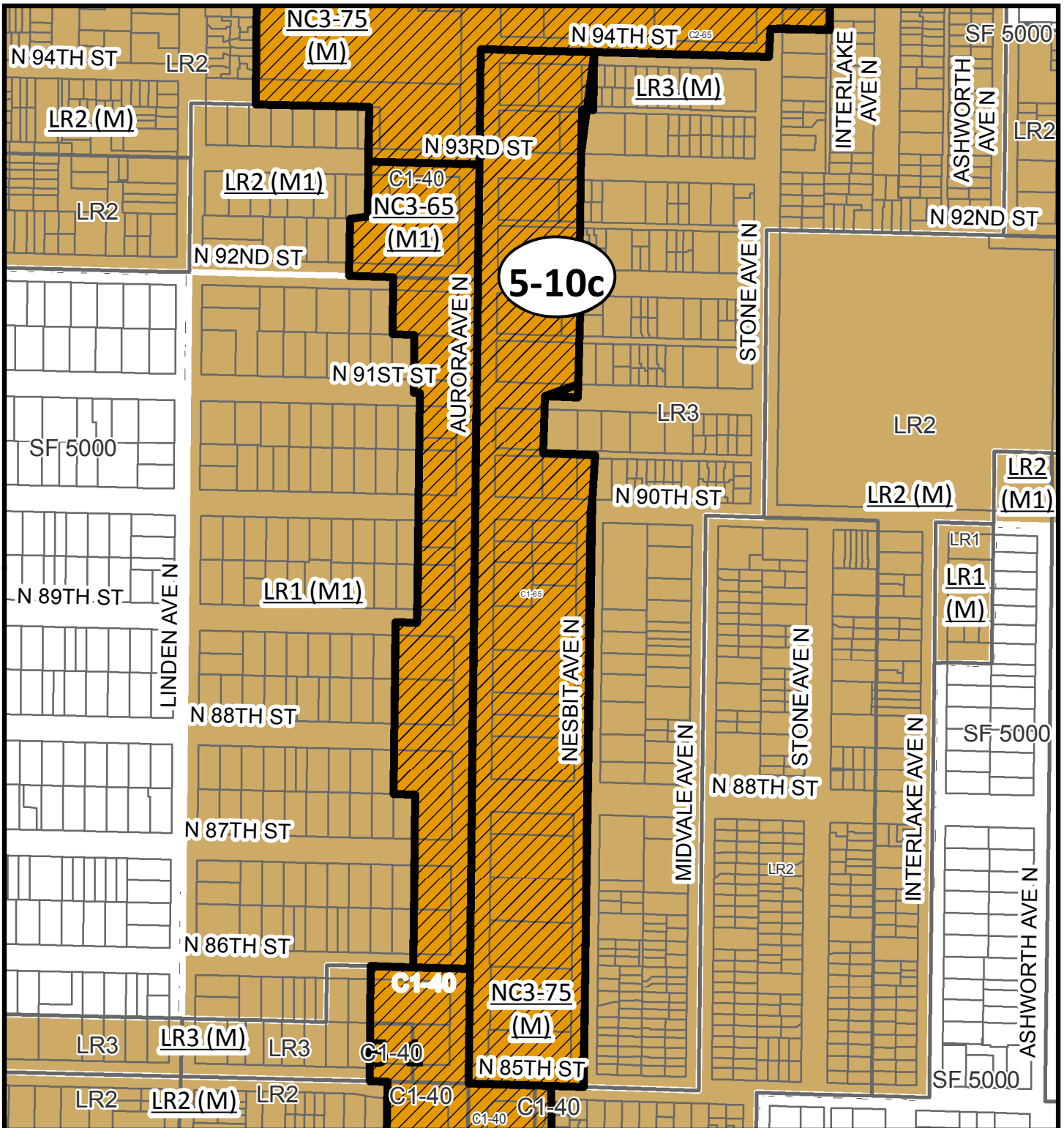
Expand pedestrian designations along some Neighborhood Commercial - zoned areas along Aurora within the Aurora - Licton Spring Urban Village.

Comprehensive Plan Amendment Required? No

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5-10c

east side of Aurora Ave N between N 94th St and N 85th St

From:
C1-65

To: CB 119444	NC3-75 (M)
Amendment	NC3P-75 (M)



Amendment
Current Zoning

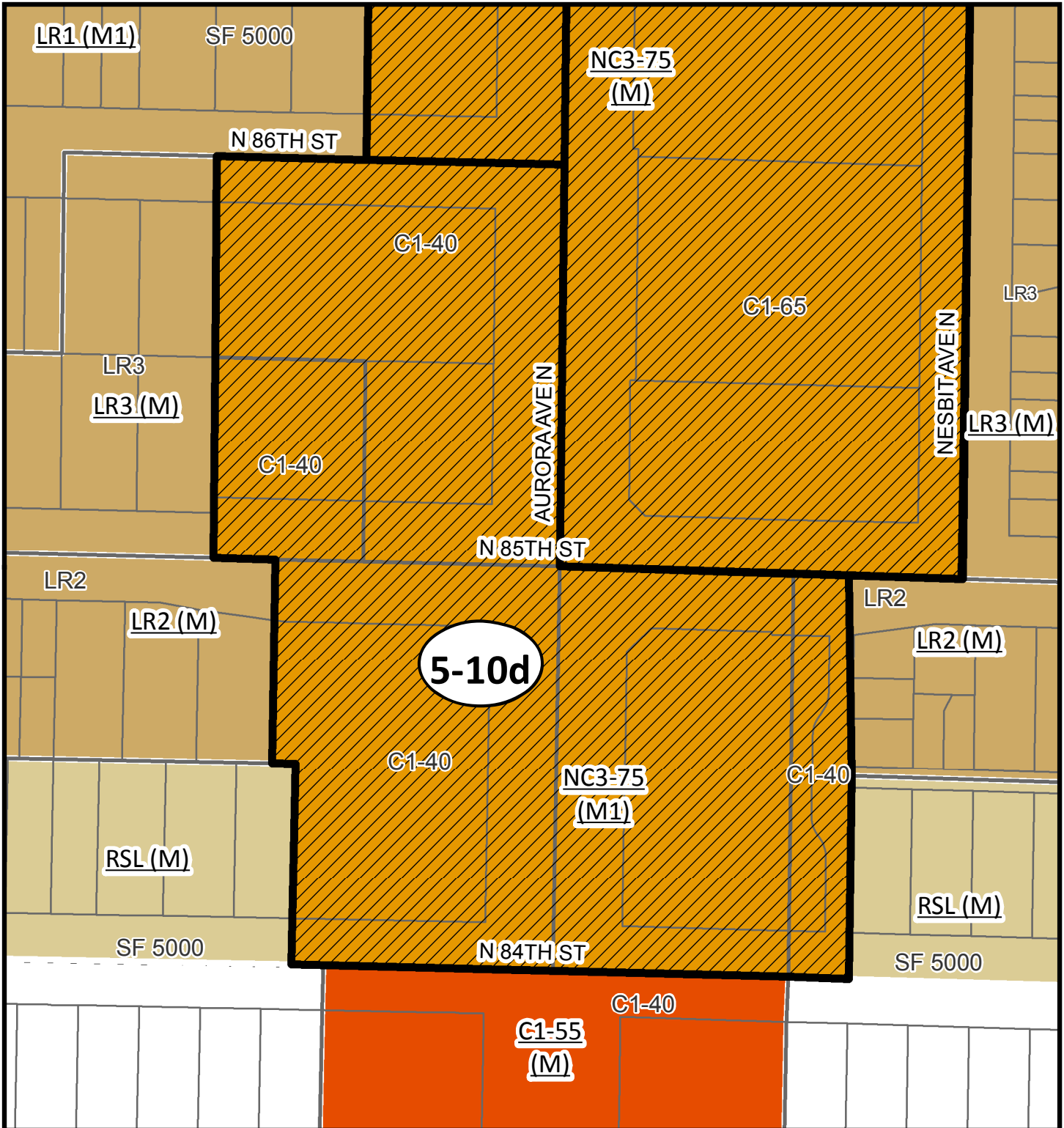
Expand pedestrian designations along some Neighborhood Commercial - zoned areas along Aurora within the Aurora - Licton Spring Urban Village.

Comprehensive Plan Amendment Required? No



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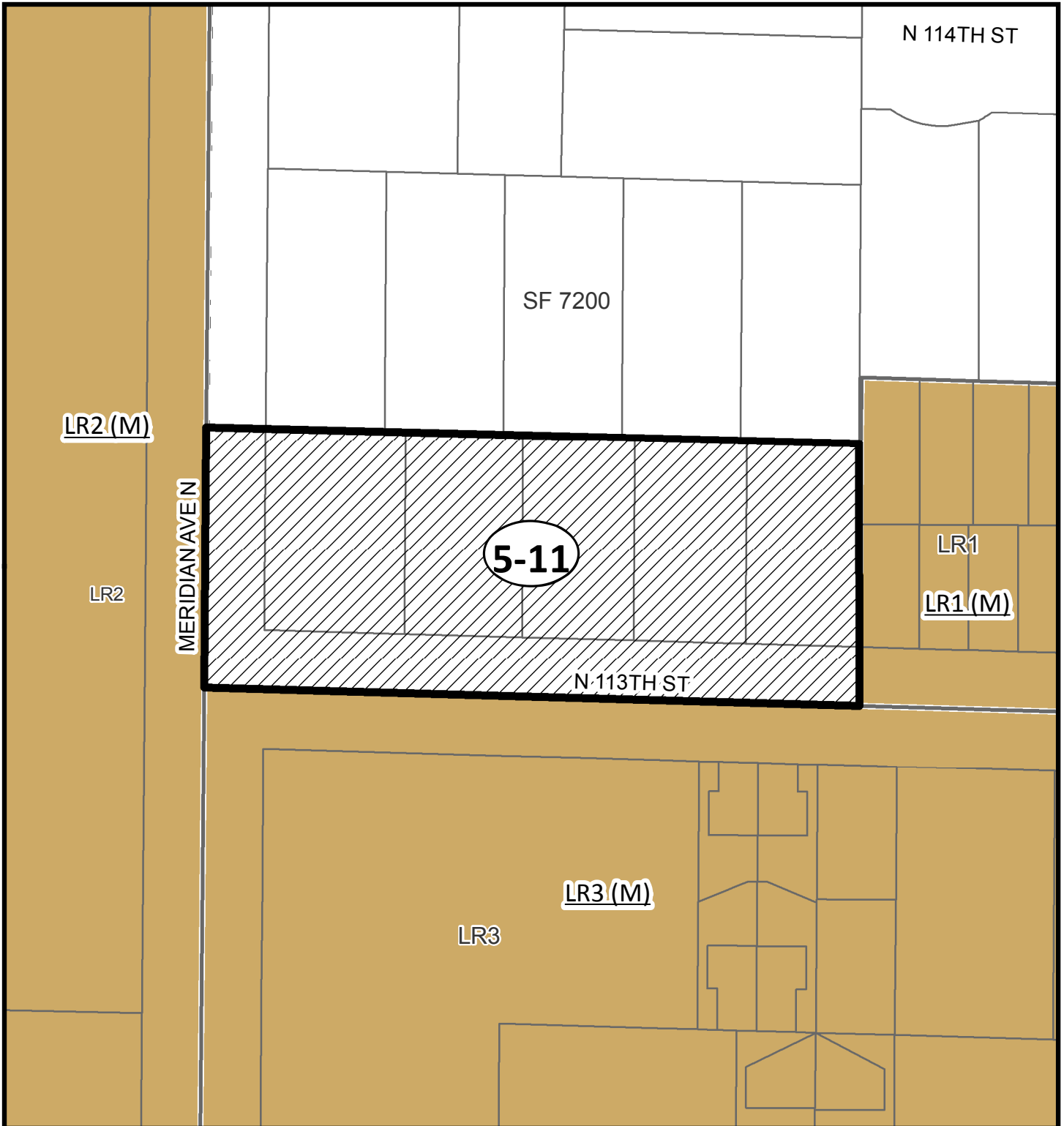


5-10d W side of Aurora Ave N from N 86th St to N 84th St; E side from N 85th St to N 84th St

From: C1-40	To: CB 119444 Amendment	NC3-75 (M1) NC3P-75 (M1)	 Amendment
			 Current Zoning

Expand pedestrian designations along some Neighborhood Commercial - zoned areas along Aurora within the Aurora - Licton Spring Urban Village.

Comprehensive Plan Amendment Required? No



5-11

The area northeast of the intersection of Meridian Ave N and N 113th St

From:
SF 5000

To: CB 119444	none
Amendment	LR2 (M1)



Amendment



Current Zoning

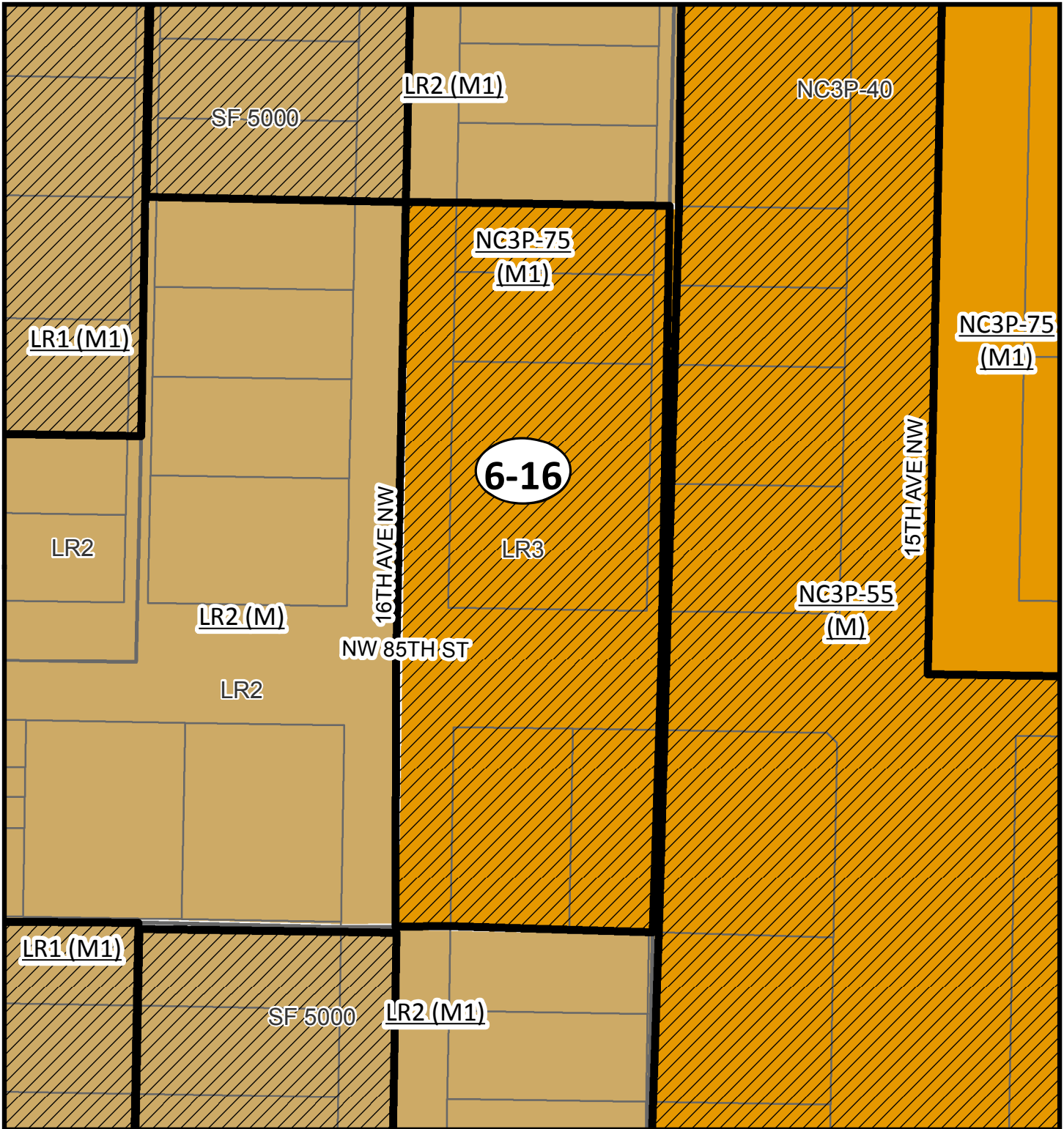
Rezone from Single Family to Lowrise multifamily and expand the boundary of the Northgate Urban Center.

Comprehensive Plan Amendment Required? Yes

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6-16

The area west of the intersection of 15th Ave NW and NW 85th St

From:
LR3

To: CB 119444	NC3P-75 (M1)
Amendment	NC3P-55 (M)

 Amendment
 Current Zoning

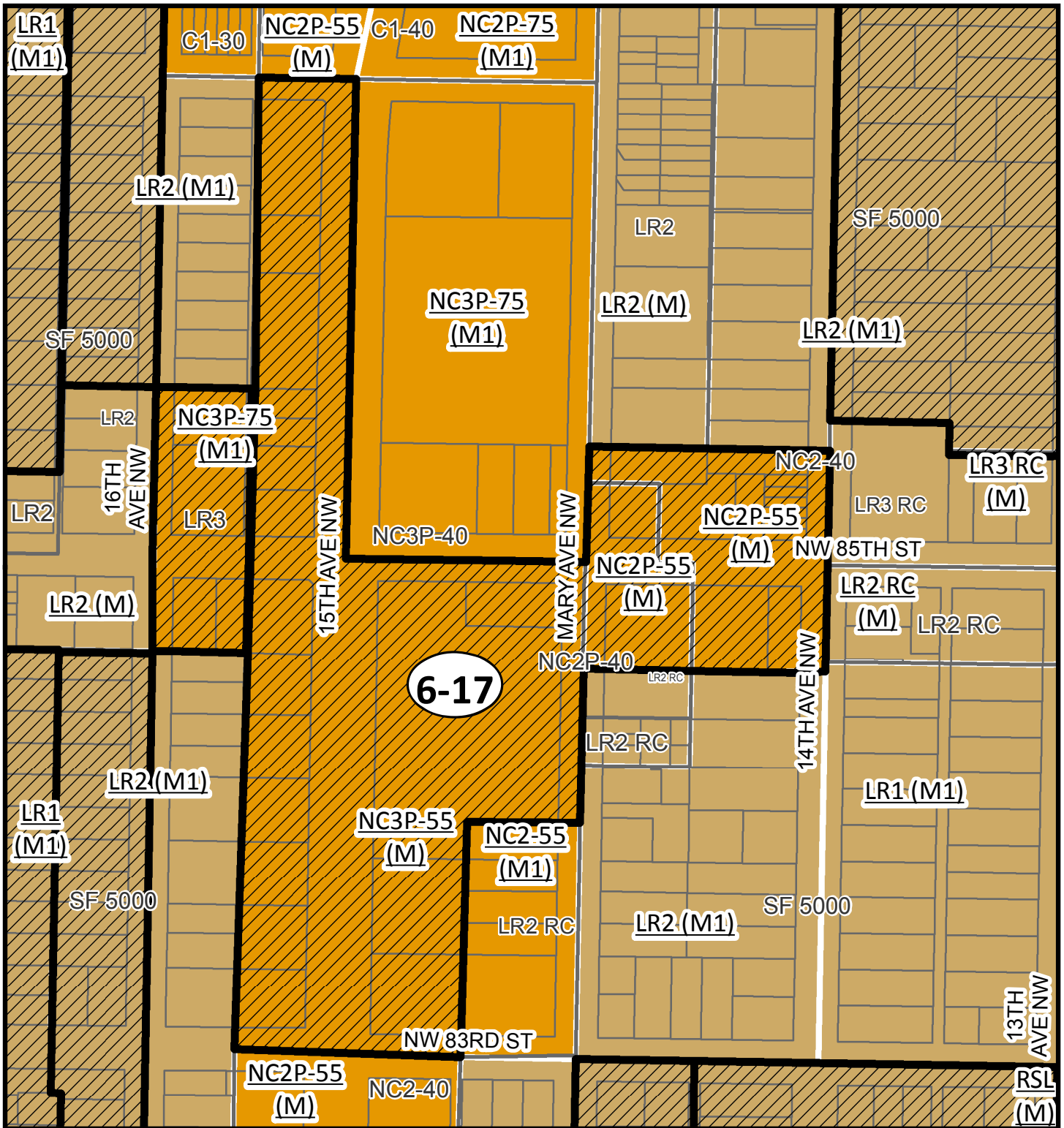
Reduce the height of the proposed commercial zone from 75 feet to 55 feet.

Comprehensive Plan Amendment Required? No

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6-17

Commercial node at the intersection of 15th Ave NW and 85th ST

From:
NC3P-40

To: CB 119444	NC3P-55 (M)
Amendment	NC3P-75 (M1)

 Amendment
 Current Zoning

Increase the height of the proposed commercial zone designation from 55 feet to 75 feet and increase the MHA tier.

Comprehensive Plan Amendment Required? No

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