

**Amendment 1**  
to  
**Council Bill 120227 - LEG Affordable Housing Street Vacations ORD**

**Author:** CM Pedersen

**Sponsor:** CM Herbold

Provide compensation waivers only to projects with at least 40 percent affordable units

Amend proposed subsection 15.62.090 C as shown below in red and double underline:

C. Petitioners shall be exempt from such payment if before passing the ordinance vacating a street or alley, the project receives public funding or 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 that restricts **at least 40 percent of the project's** units at rent and income levels consistent with the City's Housing Funding Policies as adopted by Ordinance 125308 and subsequently amended. Petitioners exempt from compensating the City for the value of the right-of-way under this subsection 15.62.090 C shall pay to the City all costs incurred by the City in processing the vacation request.

**Effect:** [Council Bill 120227](#) would relieve affordable housing projects from a requirement to pay the appraised value of right-of-way that the City has agreed to vacate. As proposed, a mixed-income project that includes any share of publicly-subsidized units would be eligible for this waiver. The proposed amendment would limit the waiver to projects with at least 40 percent of their units receiving public subsidies and agreeing to restrict tenant income and rent levels consistent with the City's [Housing Funding Policies](#). This threshold is consistent with thresholds for projects that are exempt from participating in the Mandatory Housing Affordability program (see Seattle Municipal Code section [23.58C.025](#) C.)

Lish Whitson

**Date: December 2, 2021**

**Version: 1**

--