



Date: August 28, 2020
To: Councilmember Dan Strauss
From: Sam Assefa, Director, and Geoff Wentlandt
CC: Noah An, Yolanda Ho
Subject: Legislative rezones in the Rainier Beach neighborhood

BACKGROUND

This memo documents why the proposed rezones of lands in the Rainier Beach neighborhood are initiated by the City of Seattle as a legislative rezone. In July 2020 City Council introduced Council Bill 119827 to rezone a group of lands in the Rainier Beach neighborhood to support affordable housing and community-supportive services. A public hearing was held on August 12th, and the Council Land Use and Neighborhoods committee will consider the proposal during the September 9 meeting.

Legislative rezones are approved by City Council as a Type V land use decision. Type V decisions are made by the Council in its capacity to establish policy. Legislative rezones contrast with quasi-judicial “contract rezones”, which are Type IV land use decisions made by the Council pursuant to existing legislative standards and based upon the Hearing Examiner's record and recommendation. (See Seattle Municipal Code 23.76.004.C for description of legislative and quasi-judicial actions.)

Area wide standard for a legislative rezone

SMC Table A for 23.76.004 lays out different land use decisions and their land use decision types. The city has specific procedures for each land use decision type. “Area-wide amendments to the Official Land Use Map” (rezones), are listed under Type V – legislative in the table. The SMC does not explicitly define “area-wide”, however. Our office in consultation with the City Attorney’s office determined that the proposal fits the criterion of “area-wide” based on several factors described below. Together these factors distinguish this proposal from a site-specific rezone proposal.

- ***A collection of sites and parcels composing a large area.***
There are two clusters of parcels in the proposal. The cluster at S. Cloverdale St. consists of three platted land parcels. The cluster at Rose St. consists of one abnormally large platted parcel, that is covered by three existing zoning designations. The land area in total is

approximately three acres. These physical factors distinguish from the scenario of a sole property owner pursuing a zone change for one plot of land.

- ***Physical proximity of the lands in one neighborhood.***

The two proposed rezone locations are close to one another within the same neighborhood. They are separated by approximately ¼ mile. As a physically proximate group of sites, the rezone geographies are within one broad area.

- ***Coordinated, strategic purpose.***

The two proposed rezones serve a single coordinated purpose. That purpose is to increase the quantity and efficiency of affordable housing construction on underused or vacant lands. Therefore, the grouping of sites in the rezone area is related by a programmatic theme in addition to being related by physical proximity.

Direct implementation of priority City policies and goals.

The City Council acts to set policy when it approves an area-wide legislative rezone. Due to time, resource and other constraints, the City and the Council can pursue only a limited number of area-wide rezones. The Council and the executive have discretion over which area-wide policy-based rezones to pursue. The proposal is brought forward at this time because it is a high priority and directly implements City policies and goals. As such, the proposal is consistent with the Council's capacity to set land use policy.

The proposal is a high priority at this time because the COVID-19 global pandemic is having disproportionate health impacts on communities of color as evidenced by relatively higher rates of COVID-19 infections and deaths among communities of color. The economic impacts of the response to the pandemic have disproportionately impacted persons in lower-wage occupations and sectors that are disproportionately held by persons of color. The Rainier Beach neighborhood is among the neighborhoods in Seattle with the highest percentage share of non-white households, and is among the neighborhoods with the highest relative risk of displacement according to the City's Growth and Equity Analysis. The proposed legislation would increase the amount of community-based rent- and income-restricted affordable housing providing a potential benefit to community members at risk of displacement. The legislation would also directly support new social service uses including housing services, a food center, and affordable child care, which are supports with potential to benefit community members facing economic hardship.

Additionally, numerous policies in the City's Comprehensive Plan and the Rainier Beach Neighborhood Plan are carried out by the proposed action. An excerpt of several specific policies that would be directly advanced by the proposed rezone are listed below.

Growth Strategy Policies

GS 1.5 Encourage infill development in underused sites, particularly in urban centers and villages.

GS 1.8 Use zoning and other planning tools to shape the amount and pace of growth in ways that will limit displacement of marginalized populations, and that will accommodate and preserve community services, and culturally relevant institutions and businesses.

GS 1.13 Provide opportunities for marginalized populations to live and work in urban centers and urban villages throughout the city by allowing a variety of housing types and affordable rent levels in these places.

Housing Policies

H 1.7 Support the development and preservation of affordable housing in areas with a high risk of displacement through tools and actions such as land banking, public or non-profit acquisition of affordable buildings, and new affordable and mixed income development.

H 2.4 Encourage use of vacant or underdeveloped land for housing and mixed-use development, and promote turning vacant housing back into safe places to live.

H 3.3 Encourage the development of family-sized housing affordable for households with a broad range of incomes in areas with access to amenities and services.

H 4.8 Explore ways to reduce housing development costs.

H 5.6 Increase housing choice and opportunity for extremely low- and very low-income households in part by funding rent/income-restricted housing throughout Seattle, especially in areas where there is a high risk of displacement. Also increase housing choice in areas where lower-cost housing is less available but where there is high frequency transit service and other amenities, even if greater subsidies may be needed.