

SUMMARY and FISCAL NOTE*

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** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and zoning; removing regulatory barriers and simplifying and increasing permitting predictability for equitable development projects by modifying requirements for small institutions in residential zones; and amending Sections 23.44.006, 23.44.022, 23.45.570, 23.54.015, and 23.84A.018 of the Seattle Municipal Code.

Summary and Background of the Legislation: The Office of Planning and Community Development (OPCD) proposes a suite of Land Use Code amendments that remove regulatory barriers facing equitable development projects. These code changes support anti-displacement projects, including those funded by the City’s Equitable Development Initiative (EDI), by simplifying and removing uncertainty from the permitting process and updating code language to provide clarity and consistency for the types of activities these projects tend to include.

In 2016, the City established EDI to address financial barriers to equitable development. Since then, dozens of community-led projects have received funding, but many continue to face regulatory hurdles that thwart, complicate, delay, and add cost to these projects. One reason for this is the types of uses these projects often include. Many EDI projects combat displacement through inclusion of community gathering space, arts and cultural space, civic and educational programming, and other community uses. These activities generally align most closely with the Land Use Code definition of a “community center,” a type of small institution permitted in residential zones only as a conditional use. Conditional uses are subject to several requirements and limits beyond the standards for other uses, like additional setbacks, dispersion requirements, and a discretionary approval process that adds time and cost.

This legislation addresses specific land use barriers that many EDI applicants and grantees are currently facing. This legislation:

- Allows community centers and libraries as institution uses permitted outright in Neighborhood Residential zones rather than requiring a conditional use permit that adds time, cost, and uncertainty for applicants
- Modifies the amount of off-street parking required for community centers and libraries
- Defines and provides standards for “community farms” as a type of institution allowed outright in Neighborhood Residential zones

- Modifies the definition of “community club or center” to better reflect the types of activities and programming commonly included in EDI projects and increase predictability in the permitting process
- Allows community centers to include certain accessory commercial uses, subject to limits, to let these institutions provide additional community services and generate revenue that supports the nonprofit organization
- For institutions in LR zones, applies setback requirements consistent with those for uses permitted outright in the zone rather than requiring larger setbacks, and eliminates specific setback requirements for outdoor play equipment and game courts

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

No.

Are there financial costs or other impacts of *not* implementing the legislation?

Some current and likely future EDI-funded projects would continue to require conditional use permits in order to proceed, which can add costs to a project by extending the timeline, increasing permit review fees, and requiring more specialized professional expertise to navigate and complete the design and permitting process.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

The proposal affects the permitting pathway that SDCI follows for some small institutions. Projects that include uses affected by the proposal (community centers, libraries, and community farms) also sometimes include low-income housing funded by OH.

b. Is a public hearing required for this legislation?

Yes. A public hearing is expected to be held in April or May 2023.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

Yes. Notice is required for the public hearing and will be published in the Daily Journal of Commerce. Notice was also required and provided for the SEPA determination of non-significance published March 23, 2023.

d. Does this legislation affect a piece of property?

The legislation affects certain small institution uses throughout Seattle.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

The legislation is intended to support anti-displacement projects funded through the Equitable Development Initiative. EDI grantees tend to be community organizations led by and/or serving people of color, and their projects are community-driven strategies in areas with high risk of displacement. This legislation, and OPCD's broader Equitable Development Zoning effort of which it is an initial implementing action, reflects interviews with EDI applicants and grantees and the guidance of an EDI stakeholder group that has convened since June 2022.

OPCD is currently developing a project website where information will be posted, with translations available on request.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

No.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

The proposal would reduce regulatory barriers to help equitable development projects succeed. While unlikely on its own to substantially alter the number, frequency, or size of these community-serving institutions, the legislation would support institutions that provide services that can help communities at risk of displacement stay in place and

sustain cultural networks, which will become more important in the future as these communities face the effects of climate change.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?

This legislation is the first implementation action from OPCD's Equitable Development Zoning (EDZ) initiative, which aims to align land use policy more closely with the City's equitable development goals. This proposed legislation intends to simplify and streamline the permitting process for EDI-funded projects. Over time, EDZ aims to encourage equitable development uses more broadly through land use tools. Intended outcomes include faster and more predictable permitting processes for EDI projects, more suitable sites for equitable development uses throughout the city, and ultimately more regulatory and programmatic support for community-driven anti-displacement efforts.