

Amend sections 53 and 58 of Council Bill 117603 to modify performance requirements, affordability levels, and in-lieu payment requirements for projects in South Lake Union using extra residential and extra commercial floor area. Amendments are shown in track changes.

Section 53. Section 23.58A.014 of the Seattle Municipal Code, last amended by Ordinance 123589 is amended as follows:

23.58A.014 Bonus residential floor area for affordable housing((:))

B. Performance ((Θ))option

1. Amount of affordable housing.

a. Except as provided in subsection 23.58A.014.B.1.b. ((A))an applicant using the performance option shall provide ((low-income))affordable housing with a gross floor area at least equal to the greatest of(((a1((:)))): ((17.5))Fourteen percent of the ((net))gross bonus residential floor area obtained through the performance option, except that an applicant may elect to provide ((low-income))affordable housing equal to ((10))8 percent of the ((net))gross bonus residential floor area obtained through the performance option if the housing is affordable to, and restricted to occupancy by, households with incomes no higher than 50((%)) percent of median income as defined by Section 23.84A.025; or (((b2((:)))): Three hundred net residential square feet; or (((e3((:)))): any minimum floor area specified in the provisions of the zone. The percentage of ((net))gross bonus residential floor area obtained through the performance option to be provided as ((low-income))affordable housing may be reduced by the Council below ((17.5))14 percent of the ((net))gross bonus residential floor area to no less than ((15))12 percent of the ((net))gross bonus residential floor area as a Type V decision on an official land use map amendment or text amendment when the Council determines that the reduction is needed to accomplish Comprehensive Plan goals and policies or to reflect economic conditions of the area. Applicants may provide ((low-income))affordable

housing as part of the ~~((project))~~development using extra floor area, or by providing or contributing to ~~((a low-income))~~affordable housing ~~((project))~~ at another location, subject to requirements in subsection 23.58A.014.B.~~((5 of this section))~~8 and approval in writing by the Director of Housing prior to issuance of any permit after the first building permit for the development using the bonus residential floor area and before any permit for any construction activity other than excavation and shoring for the development using the bonus residential floor area is issued.

b. In the South Lake Union Urban Center, an applicant using the performance option shall provide affordable housing with a gross floor area equal to the 1), for on-site performance, 29 percent of the gross bonus residential floor area obtained through the performance option or 2), for off-site performance, 43 percent of the gross bonus residential floor area obtained through the performance option. Half of the units provided through the performance option shall be restricted to occupancy by households with incomes no higher than 80 percent of median income as defined by Section 23.84A.025, and half of the units provided through the performance option shall be restricted to occupancy by households with incomes no higher than 60 percent of median income as defined by Section 23.84A.025. Applicants may provide affordable housing as part of the development using extra floor area, or by providing or contributing to affordable housing at another location, subject to requirements in subsection 23.58A.014.B.8 and approval in writing by the Director of Housing prior to issuance of any permit after the first building permit for the development using the bonus residential floor area and before any permit for any construction activity other than excavation and shoring for the development using the bonus residential floor area is issued. For the purposes of this subsection 23.58A.014.B.1.b, providing or contributing to affordable housing at another location is off-site performance.

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.

1. Amount of payments.

a. Except as provided in subsection 23.58A.014.C.1.b, ~~((H))~~-in lieu of all or part of the performance option, an applicant may pay to the City \$~~((18.94))~~15.15 per square foot of ~~((net))~~gross bonus residential floor area. ~~The City may accept real property in lieu of cash payments where the City Council has approved acceptance of the property through a development agreement with the property owner pursuant to RCW 36.70B.170 through RCW 36.70B.210.~~

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 \$96.00 per square foot of gross bonus residential floor area.

Section 58. Section 23.58A.024 of the Seattle Municipal Code, last amended by Ordinance 123589 is amended as follows:

23.58A.024 - Bonus nonresidential floor area for ~~((low-income))~~affordable housing and child care

~~((€))~~D. Payment ~~((Θ))~~option~~((;-))~~

1. Amount of payments.

a. Except as provided in subsection 23.58A.024.D.1.b, ~~in~~ in lieu of all or part of the performance option for ((low-income))affordable housing, an applicant may provide a cash contribution to the City of \$18.75 per gross square foot of bonus nonresidential floor area, if the Director of Housing determines that the payment achieves a result equal to or better than providing the low-income 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. In lieu of all or part of the performance option for child care, the applicant may provide a cash contribution to the City of \$3.25 per gross square foot of bonus nonresidential floor area to be used for child care facilities, to be administered by the Human Services Department. ~~The City may accept real property in lieu of cash payments where the City Council has approved acceptance of the property through a development agreement with the property owner pursuant to RCW 36.70B.170 through RCW 36.70B.210.~~

b. In the South Lake Union Urban Center, in lieu of all or part of the performance option for affordable housing, an applicant may provide a cash contribution to the City of \$56.00 per gross square foot of bonus nonresidential floor area, if the Director of Housing determines that the payment achieves a result equal to or better than providing the low-income 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. In lieu of all or part of the performance option for child care, the applicant may provide a cash contribution to the City of \$4.32 per gross square foot of bonus nonresidential floor area to be used for child care facilities, to be administered by the Human Services Department.
