



SEATTLE CITY COUNCIL

Legislative Summary

CB 118982

Record No.: CB 118982

Type: Ordinance (Ord)

Status: Passed

Version: 2

Ord. no: Ord 125360

In Control: City Clerk

File Created: 04/18/2017

Final Action: 08/02/2017

Title: AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at pages 112 and 113 of the Official Land Use Map to rezone land in the 23rd and Union node of the 23rd & Union-Jackson Residential Urban Village; amending Section 23.47A.009 of the Seattle Municipal Code to adopt development standards for certain properties in the 23rd & Union-Jackson Residential Urban Village; and amending Sections 23.58C.040 and 23.58C.050 of the Seattle Municipal Code to implement Mandatory Housing Affordability (MHA).

Notes:

Sponsors: Johnson

Date

Filed with City Clerk: 8/2/2017

Mayor's Signature: 7/28/2017

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Full Text: CB 118982 v2, Ex A - 23rd and Union Rezone Map v2

Drafter: valauri.stotler@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	05/09/2017	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	05/10/2017	sent for review	Council President's Office			
Action Text: The Council Bill (CB) was sent for review. to the Council President's Office							
Notes:							
1	Council President's Office	05/15/2017	sent for review	Planning, Land Use, and Zoning Committee			
Action Text: The Council Bill (CB) was sent for review. to the Planning, Land Use, and Zoning Committee							

- Notes:
- 1 Full Council 05/22/2017 referred Planning, Land Use, and Zoning Committee
- 1 Planning, Land Use, and Zoning Committee 06/20/2017 discussed
Action Text: The Council Bill (CB) was discussed in Committee.
Notes:
- 1 Planning, Land Use, and Zoning Committee 06/26/2017 discussed
Action Text: The Council Bill (CB) was discussed in Committee.
Notes:
- 1 Planning, Land Use, and Zoning Committee 07/18/2017 pass as amended Pass
Action Text: The Committee recommends that Full Council pass as amended the Council Bill (CB).
In Favor: 3 Chair Johnson, Vice Chair O'Brien, Member Herbold
Opposed: 0
- 2 Full Council 07/24/2017 passed Pass
Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
Notes:
In Favor: 7 Councilmember Bagshaw, Councilmember Burgess, Councilmember González, Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Sawant
Opposed: 0
- 2 City Clerk 07/25/2017 submitted for Mayor
Mayor's signature
- 2 Mayor 07/26/2017 Signed
Action Text: The Council Bill (CB) was Signed.
Notes:
- 2 Mayor 08/02/2017 returned City Clerk
Action Text: The Council Bill (CB) was returned. to the City Clerk
Notes:
- 2 City Clerk 08/02/2017 attested by City Clerk
Action Text: The Ordinance (Ord) was attested by City Clerk.
Notes:
-

CITY OF SEATTLE

ORDINANCE 125360

COUNCIL BILL 118982

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at pages 112 and 113 of the Official Land Use Map to rezone land in the 23rd and Union node of the 23rd & Union-Jackson Residential Urban Village; amending Section 23.47A.009 of the Seattle Municipal Code to adopt development standards for certain properties in the 23rd & Union-Jackson Residential Urban Village; and amending Sections 23.58C.040 and 23.58C.050 of the Seattle Municipal Code to implement Mandatory Housing Affordability (MHA).

WHEREAS, the Central Area is the historic home of the African American community in Seattle, and the 23rd & Union-Jackson Urban Village remains the heart of the African American community within the Central Area. According to 2010 U.S. Census data, the Black/African American population within the 23rd & Union-Jackson Urban Village declined from 64 percent in 1990 to 28 percent in 2010, while the White population increased from 16 percent to 44 percent in the same time period; and

WHEREAS, the Central Area is a diverse and inclusive neighborhood with a rich history of civic engagement on matters affecting the Central Area; and

WHEREAS, The City of Seattle is committed to strong partnerships building with communities engaged in inclusive and innovative community planning, visionary neighborhood plans, and effective action plans; and

WHEREAS, in 1998, the City Council recognized the Central Area Neighborhood Plan; and

WHEREAS, in 2013 and 2014, the Office of Planning and Community Development (OPCD) (previously the Department of Planning and Development) and Department of Neighborhoods (DON) conducted significant public outreach in the Central Area,

1 including outreach to historically underrepresented communities with focus on the
2 community nodes along 23rd Avenue at Union, Cherry, and Jackson Streets; and

3 WHEREAS, in March 2013, the 23rd Avenue Action Community Team (23rd Avenue ACT)
4 was formed to work in partnership with the City and the community to hold the Central
5 Area vision while balancing the different interests of the community. The 23rd Avenue
6 ACT consists of local leaders representing diverse backgrounds; over 50 percent are
7 Black/African American, over 30 percent are small business owners, and over 50 percent
8 are long time Central Area residents. They have worked together to oversee the creation
9 and implementation of the 23rd Avenue Action Plan (Union-Cherry-Jackson), the
10 amendments to the Comprehensive Plan Central Area Neighborhood Planning Element,
11 the Urban Design Framework (UDF) and proposed rezones; and

12 WHEREAS, under the 23rd Avenue ACT's leadership, over 2,000 Central Area residents,
13 business owners and stakeholders have been engaged in 93 public workshops and
14 meetings to create the 23rd Avenue Action Plan (Union-Cherry-Jackson), the Urban
15 Design Framework (UDF), and proposed rezones for these three community nodes that
16 reflect the vision of the Comprehensive Plan Central Area Neighborhood Planning
17 Element; and

18 WHEREAS, on September 27, 2014, the 23rd Avenue ACT organized the first Annual Central
19 Area Block Party. Over 1,000 diverse community members, including many who once
20 called the Central Area home, met to celebrate a very successful planning effort and offer
21 additional comments on the proposed 23rd Avenue Action Plan (Union-Cherry-Jackson),
22 UDF and rezones; and

1 WHEREAS, this robust engagement process with the 23rd Avenue ACT and the broader
2 community resulted in an Action Plan with five priorities: A Destination with a Unique
3 Identity; Connected People and Community; A Great Business Community; Livable
4 Streets for All; and A Healthy and Stable Community; and an Urban Design Framework
5 containing a broad set of recommendations to address community concerns and indicate
6 and provide options for zoning changes in the neighborhood; and

7 WHEREAS, on April 28, 2014 and October 16, 2015, the City Council passed Ordinance
8 124458 and 124887 respectively, amending the Seattle Comprehensive Plan with updates
9 to the Central Area Neighborhood Planning Element and the Future Land Use Map
10 changes recommended in the 23rd Avenue Action Plan (Union-Cherry-Jackson); and

11 WHEREAS, the proposed rezones increase the allowed density and intensity of the 23rd and
12 Union commercial node to concentrate commercial and residential growth, and support a
13 greater variety of shops, services, and housing including affordable housing; and

14 WHEREAS, on June 29, 2015, the Office of Planning and Community Development (OPCD)
15 published a Determination of Non-Significance for the proposed rezones that determined
16 that the rezones will not have a significant adverse environmental impact; and

17 WHEREAS, in September 2014, the City Council adopted Resolution 31546, in which the
18 Council and Mayor proposed that a Seattle Housing Affordability and Livability Agenda
19 (HALA) Advisory Committee be jointly convened by the Council and the Mayor to
20 evaluate potential housing strategies; and

21 WHEREAS, the HALA Advisory Committee provided final recommendations to the Mayor and
22 City Council on July 13, 2015; and

1 WHEREAS, the HALA Advisory Committee recommended extensive citywide upzoning of
2 residential and commercial zones and, in connection with such upzones, implementation
3 of a mandatory inclusionary housing requirement for new residential development and
4 commercial linkage fees for new commercial development; and

5 WHEREAS, the July 13, 2015, Statement of Intent for Basic Framework for Mandatory
6 Inclusionary Housing and Commercial Linkage Fee (commonly referred to as the “Grand
7 Bargain”) states that the mandatory housing affordability requirements for residential and
8 commercial development should achieve a projected production level over 10 years of no
9 less than 6,000 units of housing affordable to households with incomes no greater than 60
10 percent of median income, and that, if the projected production level falls below the
11 target, all parties agree to develop and consider options to achieve the agreed-upon
12 production target; and

13 WHEREAS, in November 2015, the City Council adopted Ordinance 124895, which established
14 the framework for an Affordable Housing Impact Mitigation Program for commercial
15 development; and

16 WHEREAS, in August 2016, the City Council adopted Ordinance 125108 which established the
17 framework for mandatory housing affordability for residential development; and

18 WHEREAS, RCW 36.70A.540 authorizes and encourages cities to enact or expand affordable
19 housing incentive programs providing for the development of low-income housing units
20 through development regulations or conditions on rezoning or permit decisions, or both;
21 and

22 WHEREAS, this ordinance would increase development capacity, in the form of an increase in
23 the amount of height or floor area allowed by zoning, and implement the Affordable

Housing Impact Mitigation Program for commercial development and mandatory housing affordability for residential development in the 23rd Avenue Corridor; and

WHEREAS, increased residential development in the 23rd Avenue Corridor will assist in achieving local growth management and housing policies; and

WHEREAS, the proposed rezone increase the allowed density and intensity of neighborhood commercial areas, and provide for pedestrian-oriented commercial districts by concentrating commercial and residential growth along 23rd Ave at E Union Street, E Cherry Street and S Jackson Street. These changes will encourage focused activity, a greater variety of shops, services and housing including affordable housing that serve the Central Area community, enhance the sense of community and identity for the Central Area, and support equitable development and community ownership; and

WHEREAS, staff has determined that the increased development capacity provided by this ordinance in the 23rd and Union node can be achieved subject to consideration of other regulatory controls on development; and

WHEREAS, the Council finds that the proposed rezones meet the Land Use Code rezone criteria contained in Chapter 23.34, Amendments to Official Land Use Map (Rezones), as described in the OPCD Director's Report for this legislation; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Official Land Use Map, Section 23.32.016 of the Seattle Municipal Code, is amended to rezone properties identified on pages 112 and 113 of the Official Land Use Map, as shown in Exhibit A attached to this ordinance.

Section 2. Section 23.47A.009 of the Seattle Municipal Code, last amended by Ordinance 125272, is amended as follows:

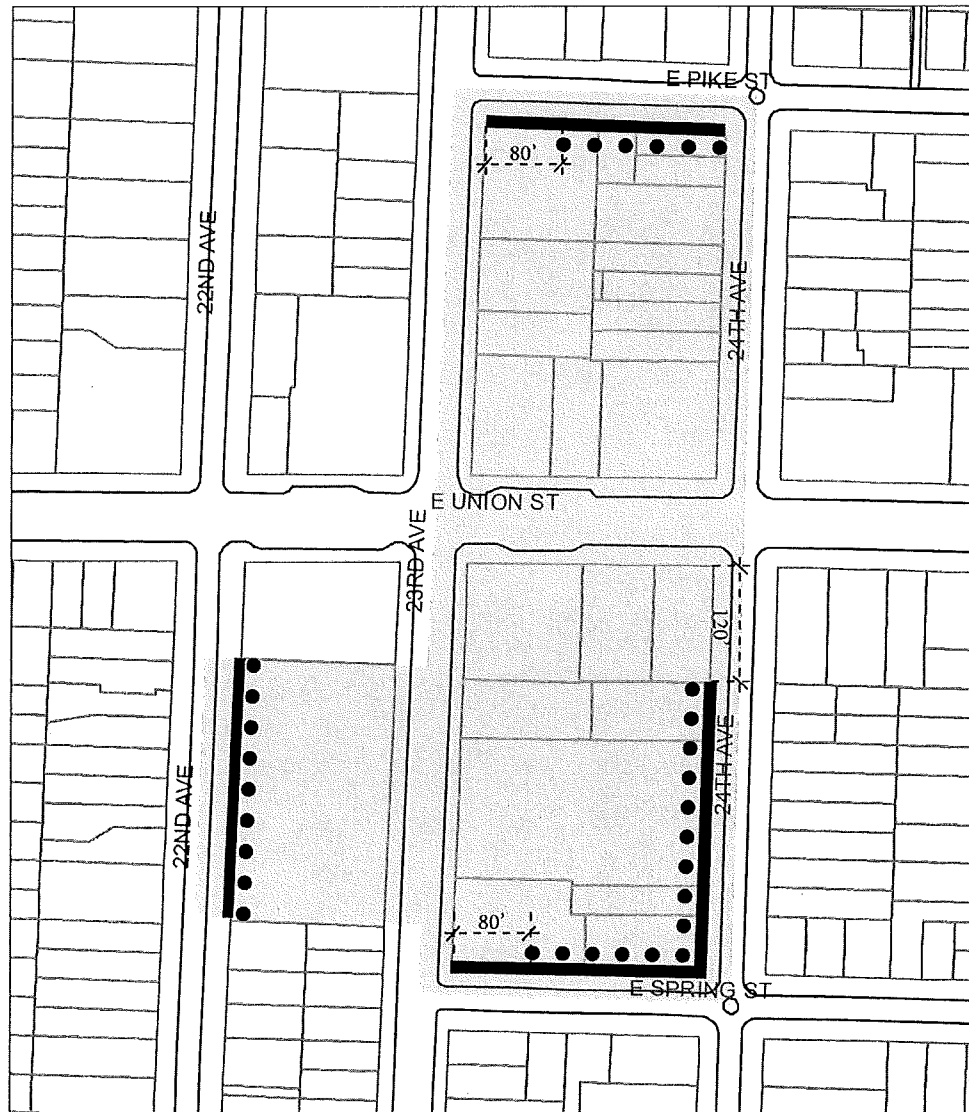
23.47A.009 Standards applicable to specific areas

* * *

H. 23rd and Union. The following provisions apply to development proposed in NC zones within the area shown on Map E for 23.47A.009.

Map E for 23.47A.009

Standards applicable to specific areas: 23rd & Union



Map E for 23.47A.009: Standards Applicable to Specific Areas: 23rd & Union



Area where 23rd & Union
specific development stan-
dards apply



Street frontage where
ground level and upper
level setbacks are required



Street level residential
uses are required



0 50 100 200 Feet

1 1. Setback requirements. Setbacks are required along East Spring Street, East
2 Pike Street, 22nd Avenue, and 24th Avenue as shown on Map E for 23.47A.009 as follows:

3 a. A minimum street-level setback of 5 feet along the length of the street
4 property line unless a larger setback is required by subsection 23.47A.008.D.2; and

5 b. A minimum upper-level setback of 15 feet for all portions of a
6 structure greater than 35 feet in height as measured from the average finished grade along the
7 sidewalk; and

8 c. Structures permitted in required setbacks are subject to subsection
9 23.47A.014.E.

10 2. Street-level residential uses. Street-level residential uses are required along
11 East Spring Street, East Pike Street, 22nd Avenue, and 24th Avenue as shown on Map E for
12 23.47A.009 except for the portions of East Pike Street and East Spring Street measured within
13 80 feet of the property line abutting 23rd Avenue and portion of 24th Avenue measured within
14 120 feet of the property line abutting East Union Street.

15 Section 3. Table B for 23.58C.040 of the Seattle Municipal Code, which section was last
16 amended by Ordinance 125291, is amended as follows:

17 **23.58C.040 Affordable housing – payment option**

18 * * *

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]	[RESERVED]	(([RESERVED])) <u>\$20.75</u>
Zones with an (M1) suffix	[RESERVED]	\$20.00	(([RESERVED])) <u>\$29.75</u>
Zones with an (M2) suffix	[RESERVED]	[RESERVED]	(([RESERVED])) <u>\$32.75</u>
((Footnotes to Table B for 23.58C.040))			

* * *

Section 4. Table B for 23.58C.050 of the Seattle Municipal Code, which section was last amended by Ordinance 125291, is amended as follows:

23.58C.050 Affordable housing – performance option

* * *

Table B for 23.58C.050

Performance calculation amounts:

Outside Downtown, SM-SLU, and SM-U 85 zones

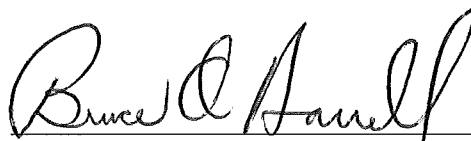
Zone	Percentage set-aside per total number of units to be developed in each structure		
	Low	Medium	High
Zones with an (M) suffix	[RESERVED]	[RESERVED]	(([RESERVED])) <u>7.0%</u>
Zones with an (M1) suffix	[RESERVED]	9.0%	(([RESERVED])) <u>10.0%</u>
Zones with an (M2) suffix	[RESERVED]	[RESERVED]	(([RESERVED])) <u>11.0%</u>

((Footnotes to Table B for 23.58C.050))

* * *

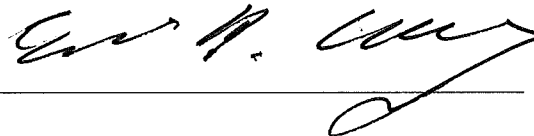
Section 5. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 24th day of July, 2017,
and signed by me in open session in authentication of its passage this 24th day of
July, 2017.



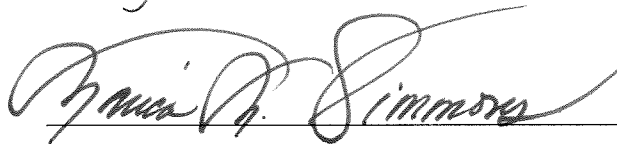
President _____ of the City Council

Approved by me this 26th - A.S. day of July, 2017.



Edward B. Murray, Mayor

Filed by me this 2nd day of August, 2017.

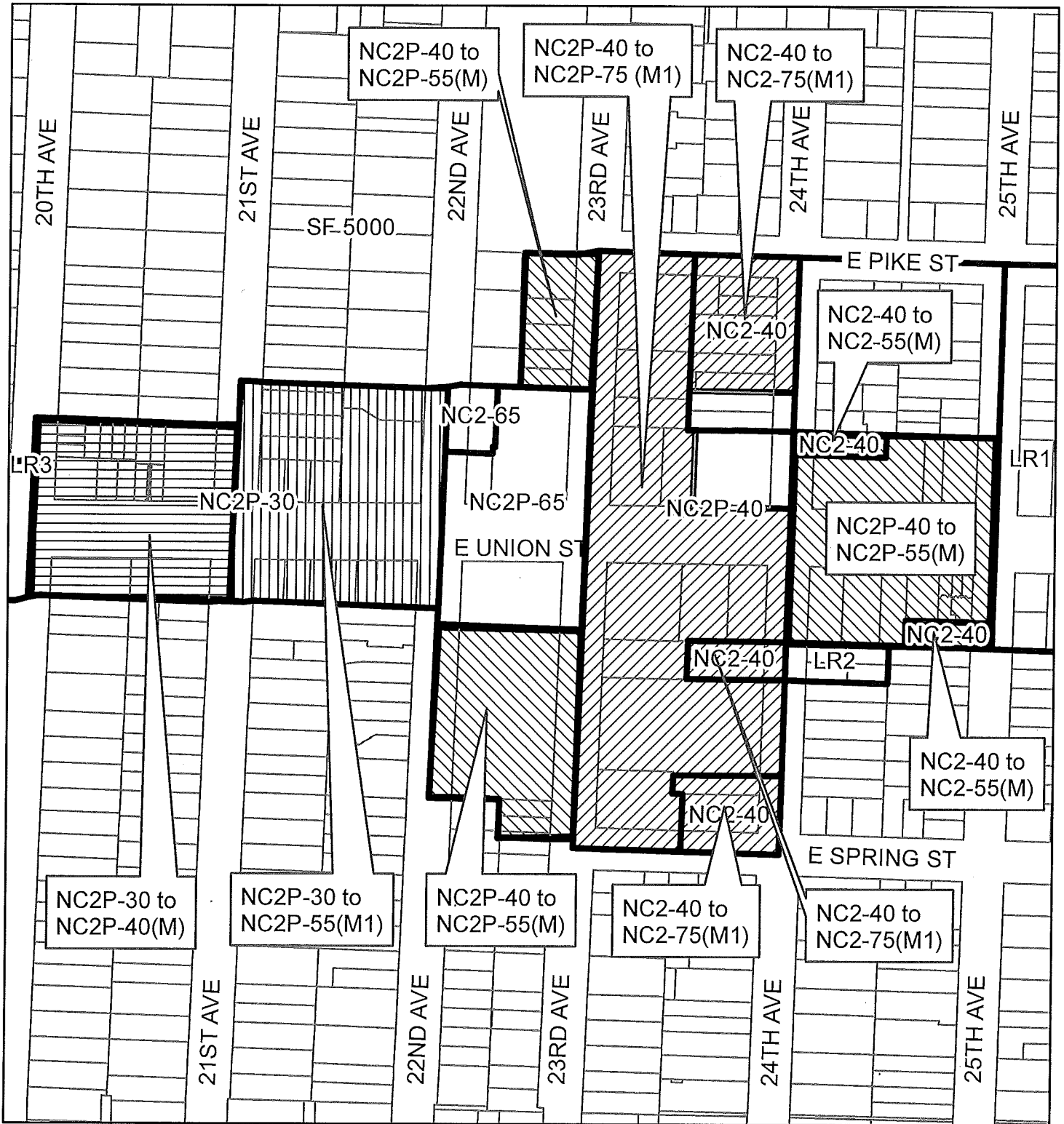


Monica Martinez Simmons, City Clerk

(Seal)

Exhibit:
Exhibit A – 23rd and Union Rezone Map

Exhibit A: 23rd and Union Rezone Map



23rd and Union
Rezone Map

Call-outs
show rezones

0 125 250
Feet

-  Current zoning
-  Parcels

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STATE OF WASHINGTON -- KING COUNTY

--SS.

352754

No.

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

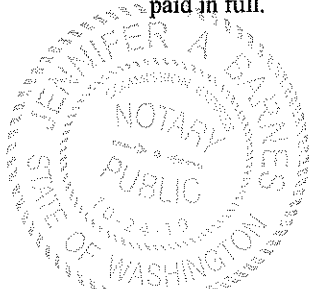
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:125357,359-125370

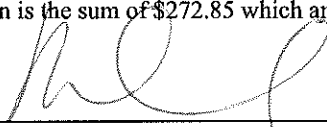
was published on

08/10/17

The amount of the fee charged for the foregoing publication is the sum of \$272.85 which amount has been paid in full.



Affidavit of Publication


Subscribed and sworn to before me on

08/10/2017


Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, approved by the City Council on July 24, 2017, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Ordinance 125357

Council Bill 119028

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 113 of the Official Land Use Map to rezone property located at 2320 E Union Street from Neighborhood Commercial 2 with a Pedestrian Overlay and 40-foot height limit (NC2P-40) and Neighborhood Commercial 2 with a 40-foot height limit (NC2-40) to Neighborhood Commercial 2 with a Pedestrian Overlay and a 65-foot height limit (NC2P-65), and accepting a Property Use and Development Agreement as a condition of rezoning approval. (Petition by Capitol Hill Housing, C.F. 814349, SDCI Project 3018178)

Ordinance 125359

Council Bill 118981

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at pages 112 and 113 of the Official Land Use Map to rezone land in the 23rd and Cherry node of the 23rd & Union-Jackson Residential Urban Village; and amending Sections 23.45.510, 23.45.512, 23.45.514, and 23.45.517 of the Seattle Municipal Code to implement Mandatory Housing Affordability (MHA).

Ordinance 125360

Council Bill 118982

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at pages 112 and 113 of the Official Land Use Map to rezone land in the 23rd and Union node of the 23rd & Union-Jackson Residential Urban Village; amending Section 23.47A.009 of the Seattle Municipal Code to adopt development standards for certain properties in the 23rd & Union-Jackson Residential Urban Village; and amending Sections 23.58C.040 and 23.58C.060 of the Seattle Municipal Code to implement Mandatory Housing Affordability (MHA).

Ordinance 125361

Council Bill 118983

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at pages 118 and 119 of the Official Land Use Map to rezone land in the 23rd and Jackson node of the 23rd & Union-Jackson Residential Urban Village to support community vision and implement Mandatory Housing Affordability (MHA); and amending Section 23.47A.009 of the Seattle Municipal Code to adopt development standards for certain properties in the 23rd & Union-Jackson Residential Urban Village.

Ordinance 125362

Council Bill 118980

AN ORDINANCE relating to land use and zoning; amending Section 23.41.010 of the Seattle Municipal Code to update the list of approved neighborhood design guidelines; approving and adopting the new Mount Baker Town Center Design Guidelines; and approving and adopting augmented Pike/Pine Design Guidelines.

Ordinance 125363

Council Bill 119004

AN ORDINANCE relating to land use and zoning; amending Map A for Section 23.68B.060 of the Seattle Municipal Code (SMC); and amending the Official Land Use

Map (Chapter 23.82 of the SMC) to make typographical corrections related to Exhibit A to Ordinance 125291 that rezoned certain land in Downtown, South Lake Union, and adjacent IC zones.

Ordinance 125364

Council Bill 119021

AN ORDINANCE relating to the reconstruction of Alaskan Way and the construction of Elliott Way surface street improvements necessary as part of the State of Washington's State Route 99 Alaskan Way Viaduct Replacement Program; authorizing the Mayor or the Mayor's designee to execute an Agreement with the State of Washington whereby the State will fund the construction of those improvements by The City of Seattle; and ratifying and confirming certain prior acts.

Ordinance 125365

Council Bill 119024

AN ORDINANCE relating to funding for housing and community development programs; adopting The City of Seattle 2017 Annual Action Plan to the 2014 - 2017 Consolidated Plan for Housing and Community Development and authorizing its submission to the United States Department of Housing and Urban Development; authorizing acceptance of grant funds from that department for programs and activities included in the Annual Action Plan; amending Ordinance 125207, which adopted the 2017 Budget, by modifying appropriations to various departments and budget control levels in the 2017 Adopted Budget; and lifting a proviso; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

Ordinance 125366

Council Bill 119026

AN ORDINANCE relating to property at Sand Point; authorizing the Housing Director to execute an amendment to and partial termination of the lease of City of Seattle land authorized by Ordinance 122459, as amended pursuant to Ordinance 123196, to remove two parcels from that lease; authorizing a new lease of the removed parcels to SPH Two LLLP; authorizing deeds to buildings on those parcels; authorizing related documents and actions; and ratifying and confirming certain prior acts.

Ordinance 125367

Council Bill 119031

AN ORDINANCE amending Ordinance 125205, which conditioned the Seattle Department of Transportation's 2017 grant applications and repealed Ordinance 118719.

Ordinance 125368

Council Bill 119032

AN ORDINANCE related to City public works and the priority hire program; amending Sections 20.37.010, 20.37.020, 20.37.040, and 20.37.050 of the Seattle Municipal Code to change references to "project labor agreement" to "community workforce agreement," to make certain technical corrections, and to change the number of core workers open-shop contractors may bring to a project.

Ordinance 125369

Council Bill 119033

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Ordinance 125370

Council Bill 118984

AN ORDINANCE relating to the Seattle Office for Civil Rights; amending Section 3.14.920 of the Seattle Municipal Code to increase the membership of the Seattle Human Rights Commission, the Seattle Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Commission, and the Seattle Commission for People with Disabilities and change the appointment authority for these and the Seattle Women's Commission.

Date of publication in the Seattle Daily Journal of Commerce, August 10, 2017.
8/10(362754)