



SEATTLE CITY COUNCIL

Legislative Summary

Res 31612

Record No.: Res 31612

Type: Resolution (Res)

Status: Adopted

Version: 2

In Control: City Clerk

File Created: 09/01/2015

Final Action: 11/17/2015

Title: A RESOLUTION stating the Council's intent to make changes to zoning and land use regulations to implement a mandatory inclusionary affordable housing program for residential development and an affordable housing impact mitigation program for commercial development recommended by the Housing Affordability and Livability Agenda Advisory Committee and the Mayor; clarifying the scope of changes to be considered; establishing minimum outreach, planning, and implementation requirements that must be met prior to Council consideration; and requesting regular reporting.

Notes:

Filed with City Clerk: 11/17/2015

Mayor's Signature: 11/17/2015

Sponsors: O'Brien

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att A - Implementation Areas, Att B - Implementation Timeline

Drafter: jodee.schwinn@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	City Clerk	09/22/2015	sent for review	Council President's Office			
	Action Text: The Resolution (Res) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	09/24/2015	sent for review	Select Committee on Housing Affordability			
	Action Text: The Resolution (Res) was sent for review. to the Select Committee on Housing Affordability						
	Notes:						
1	Full Council	09/28/2015	referred	Select Committee on Housing Affordability			

Action Text: The Resolution (Res) was referred. to the Select Committee on Housing Affordability

Notes:

- 1 Select Committee on 10/05/2015 discussed
Housing Affordability

Action Text: The Resolution (Res) was discussed.

Notes:

- 1 Select Committee on 10/12/2015 adopt as amended
Housing Affordability

Pass

Action Text: The Committee recommends that Full Council adopt as amended the Resolution (Res).

Notes:

In Favor: 9 Chair O'Brien, Vice Chair Okamoto; Councilmember Burgess,
Councilmember Bagshaw, Councilmember Godden, Councilmember
Harrell, Councilmember Licata, Councilmember Rasmussen,
Councilmember Sawant

Opposed: 0

- 2 Full Council 11/09/2015 adopted

Pass

Action Text: The Resolution (Res) was adopted by the following vote and the President signed the Resolution:

In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember
Godden, Councilmember Harrell, Councilmember Licata, Councilmember
O'Brien, Councilmember Okamoto, Councilmember Rasmussen,
Councilmember Sawant

Opposed: 0

- 2 City Clerk 11/12/2015 submitted for Mayor
Mayor's signature

Action Text: The Resolution (Res) was submitted for Mayor's signature. to the Mayor

Notes:

- 2 Mayor 11/17/2015 Signed

Action Text: The Resolution (Res) was Signed.

Notes:

- 2 Mayor 11/17/2015 returned City Clerk

Action Text: The Resolution (Res) was returned. to the City Clerk

Notes:

- 2 City Clerk 11/17/2015 attested by City
Clerk

Action Text: The Resolution (Res) was attested by City Clerk.

Notes:

CITY OF SEATTLE
RESOLUTION 31612

A RESOLUTION stating the Council's intent to make changes to zoning and land use regulations to implement a mandatory inclusionary affordable housing program for residential development and an affordable housing impact mitigation program for commercial development recommended by the Housing Affordability and Livability Agenda Advisory Committee and the Mayor; clarifying the scope of changes to be considered; establishing minimum outreach, planning, and implementation requirements that must be met prior to Council consideration; and requesting regular reporting.

WHEREAS, in September 2014 the Council adopted and the Mayor concurred in Resolution 31546, which established the Seattle Housing Affordability and Livability Agenda Advisory Committee (HALA); and

WHEREAS, in July 2015 HALA published its Final Advisory Committee Recommendations and the Mayor published Housing Seattle: A Roadmap to an Affordable and Livable City;

WHEREAS, both HALA and the Mayor recommend changes to zoning and land use regulations, which include implementing a mandatory inclusionary affordable housing program for residential development and an affordable housing impact mitigation program for commercial development;

WHEREAS, these programs should be developed to achieve a projected production level of no fewer than 6,000 affordable units for households with incomes no higher than 60 percent of median income over ten years, and if the projected production levels fall below the target, the Council intends to consider options to achieve the production target; and

WHEREAS, successfully and expeditiously implementing those programs and other changes to zoning and land use regulations will require: continuous, ongoing, and inclusive participation by the public; environmental review; and development of programs to address impacts, such as transportation, affordable childcare and preschool facilities, parks and open space impacts;

1 NOW, THEREFORE,

2 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE**
3 **MAYOR CONCURRING, THAT:**

4 Section 1. The Council intends to consider the following changes to zoning and land use
5 regulations in order to implement a mandatory inclusionary housing program for residential
6 development and an affordable housing impact mitigation program for commercial development.
7 Areas where the Council will consider implementing a mandatory inclusionary housing program
8 for residential development and an affordable housing impact mitigation program for
9 commercial development are shown on Attachment A.

10 A. Mandatory Inclusionary Housing Program for Residential Development. The program
11 should include a requirement that new multifamily and mixed-use buildings provide a percentage
12 of units affordable to households with incomes at or below 60 percent of Area Median Income
13 for 50 years. To implement the program, the Council will amend the Land Use Code to provide
14 additional development capacity. Where it is possible to use the additional development capacity,
15 the mandatory inclusionary housing program requirements will be applicable whether or not the
16 additional development capacity is used. Where otherwise applicable development standards
17 prevent the use of additional development capacity, the Council will consider establishing new
18 development standards or an administrative process for relief from those development standards.

19 1. Downtown, South Lake Union, and First Hill Urban Centers. The program
20 should include an option for a payment in-lieu of providing affordable units, provided that the
21 payment does not exceed the approximate cost of developing the same number and quality of
22 housing units that would otherwise be developed. For development accessing extra floor area
23 above base height or density limits, the in-lieu payment should be equivalent to current incentive

1 zoning payments. However, where it is possible to use the additional development capacity, all
2 development should be subject to a performance or fee obligation based on receiving the
3 additional development capacity even if that capacity is not used. Such a development capacity
4 increase will allow approximately 1,000 additional square feet per floor, or other comparable
5 floor area, for residential towers.

6 2. Outside of Downtown, South Lake Union, and First Hill Urban Centers. For
7 low and mid-rise multifamily and mixed-use zones the requirement should be no less than five
8 percent of total units in lower-cost markets, six percent of total units in medium cost markets,
9 and seven percent of total units in high cost markets. The program should include an option for a
10 payment in-lieu of providing affordable units, provided that the payment does not exceed the
11 approximate cost of developing the same number and quality of housing units that would
12 otherwise be developed. To implement such a program, the Council will increase development
13 capacity by increasing height approximately one additional floor or providing other comparable
14 development capacity increases.

15 3. In all areas, in-lieu payments shall achieve a result equal to or better than
16 providing the affordable housing on-site.

17 B. Affordable Housing Impact Mitigation Program for Commercial Development. The
18 program should include a per-square-foot payment amount to mitigate, in part, the impact on the
19 demand for affordable housing caused by new commercial development and an option to
20 perform by providing units on- or off-site. The Council's intent in implementing the program is
21 established in the ordinance introduced as Council Bill 118498.

22 C. Converting Certain Single-Family-zoned Areas to Multi-family and Mixed-use. The
23 Council will consider changing the zone designation of up to six percent of existing single-

1 family-zoned areas to zones that allow multifamily and mixed-use development to implement a
2 mandatory inclusionary housing program for residential development and an affordable housing
3 impact mitigation program for commercial development when those single-family-zoned areas
4 are: (1) within urban centers or villages designated in the Comprehensive Plan, as those areas
5 may be expanded to include a ten-minute walkshed from frequent transit service; or (2) in
6 transition areas from existing multifamily and mixed-use zones along arterial streets. Changes to
7 zone designations in these areas would require future development to participate in the
8 mandatory inclusionary housing program for residential development and an affordable housing
9 impact mitigation program for commercial development.

10 Section 2. Successfully and quickly implementing the changes to zoning and land use
11 regulations described in Section 1 will require: continuous, ongoing, and inclusive participation
12 by the public; environmental review; ongoing affordable housing needs assessments; and
13 implementation of programs to address impacts, such as transportation, parks, affordable
14 childcare and preschool facilities, and open space impacts. The Council will only consider
15 changes to land use and zoning if the following minimum outreach, planning, and mitigation
16 requirements have been met.

17 A. Public Participation and Outreach. The Council requests that the Mayor develop an
18 inclusive public outreach and engagement plan, which optimizes participation by under-
19 represented communities. Such a plan should include opportunities for ongoing and continuous
20 engagement through a variety of means including community meetings and social media. The
21 Council further requests that the Mayor convene at least one facilitated meeting on the suite of
22 changes to zoning and land use regulations outlined in this Resolution in each urban center or
23 village. Meetings for adjacent or nearby urban centers or villages may be combined. The meeting

1 should include representatives from the Department of Neighborhoods, the Office of Housing,
2 the Office of Economic Development, the Department of Planning and Development or its
3 successor departments, the Department of Transportation, and the Department of Parks and
4 Recreation. Outreach and materials for the meetings should be culturally appropriate.

5 B. Coordination with Seattle 2035. The Council requests that planning and
6 implementation of a mandatory inclusionary affordable housing program for residential
7 development and an affordable housing impact mitigation program for commercial development
8 be coordinated with the ongoing 7-year Comprehensive Plan update, known as Seattle 2035.
9 Where possible, planning, public engagement, and reporting requested by this resolution should
10 be integrated with planning, public engagement, and reporting for Seattle 2035.

11 C. Planning and Environmental Review. The Council requests that the Mayor develop
12 necessary planning studies to inform decision makers and the public about proposed changes to
13 zoning and land use regulations. Such studies should include, but are not limited to: (1)
14 architectural massing studies that illustrate how increased development capacity would translate
15 into the height, bulk and scale of new development relative to existing zoning and development;
16 (2) view corridor studies from State Environmental Policy Act (SEPA) protected viewpoints; (3)
17 transportation, parks and open space impact studies; and (4) analyses of the risk of displacement
18 of current residents and businesses. As appropriate, studies should be incorporated into
19 environmental documents required under SEPA.

20 D. Programs to Address Impacts. The Council requests that concurrently with any
21 legislative proposals to increase development capacity the Mayor continue to study
22 implementation of transportation impact fee and a parks impact fee, and implement expansion of
23 a childcare impact mitigation program to address the impact of development on affordable

1 childcare and preschool facilities throughout Seattle. Any legislation to implement impact fees
2 should include a prioritized list of capital improvement projects, by area, that would help
3 mitigate the impact on transportation and parks facilities associated with new development.

4 E. Implementation Timeline. The Council requests that the Mayor strive to meet the
5 implementation timeline set out in Attachment B in order to fully implement the program by
6 September 2017.

7 Section 3. The Council requests that the Mayor report quarterly to the Select Committee
8 on Housing Affordability. Reports should detail progress towards implementing changes to
9 zoning and land use regulations. After the mandatory inclusionary housing program for
10 residential development and an affordable housing impact mitigation program for commercial
11 development have been implemented, the report should track progress towards creating 6,000
12 new dwelling units affordable to households with incomes at or below sixty percent of Area
13 Median Income (AMI). Annually, this report should also include broader information about
14 housing construction including the number of housing units built, demolished and in permitting.
15 The first report should occur before the end of January 2016 and should include a proposed
16 inclusive public engagement plan.

Adopted by the City Council the 9th day of NOVEMBER, 2015, and
signed by me in open session in authentication of its adoption this 9th day
of NOVEMBER, 2015.



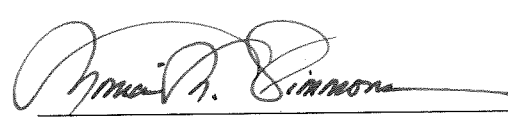
President _____ of the City Council

The Mayor concurred the 17th day of NOVEMBER, 2015.



Edward B. Murray, Mayor

Filed by me this 17th day of NOVEMBER, 2015.



Monica Martinez Simmons, City Clerk

(Seal)

Attachment A: Implementation Areas

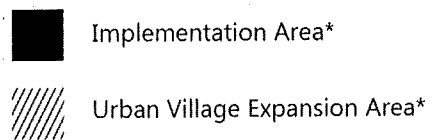
Attachment B: Implementation Timeline

Attachment B: Implementation Timeline

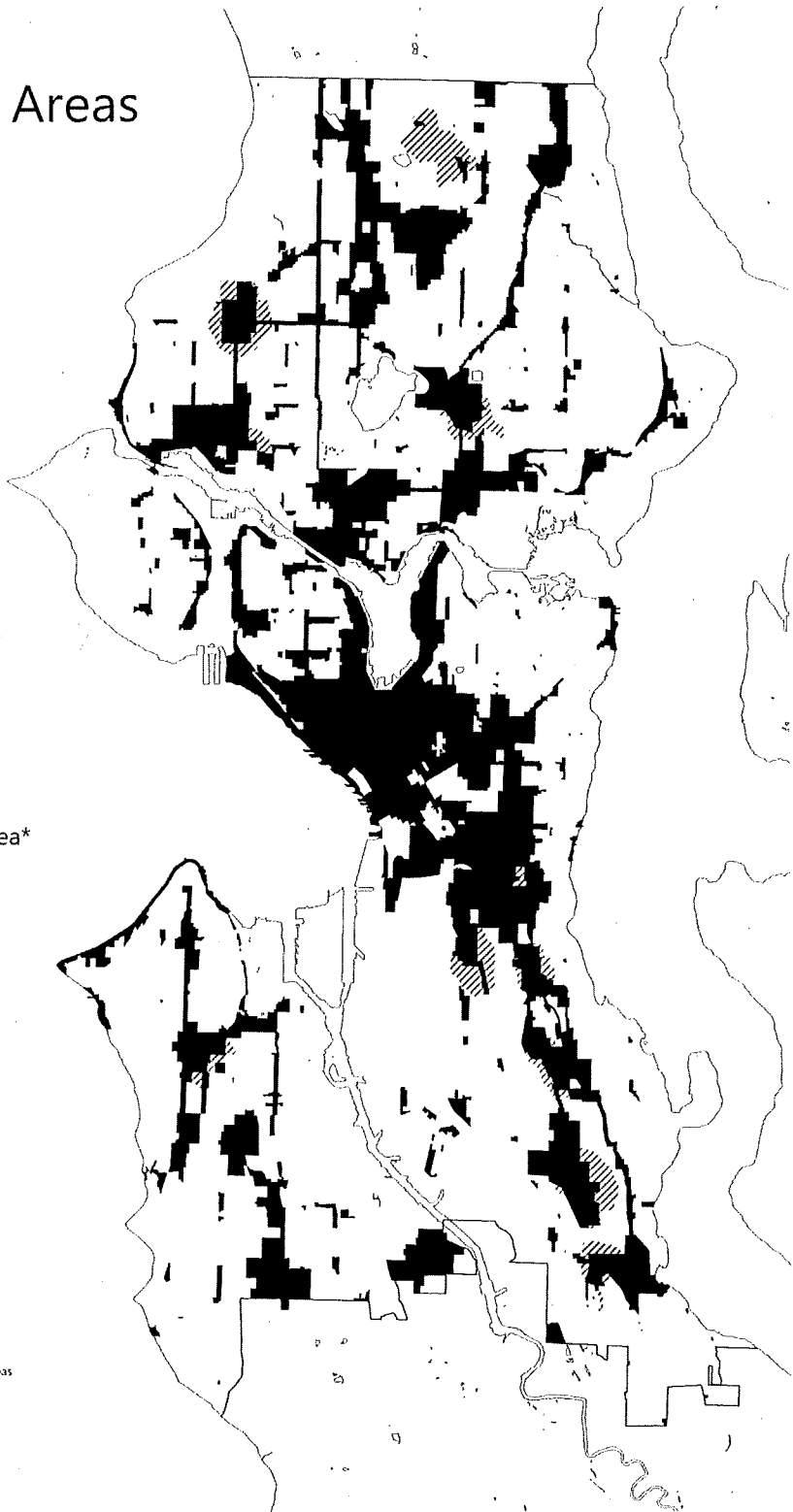
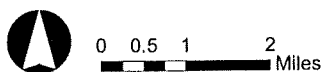
	July 2015	Aug 2015	Sept 2015	Oct 2015	Nov 2015	Dec 2015	Q1 2016	Q2 2016	Q3 2016	Q4 2016	Q1 2017	Q2 2017	Q3 2017
1. Affordable Housing Impact Mitigation Program for Commercial Development													
A new Land Use Code Chapter 23.58B that sets out program requirements and affordable housing payment and performance levels to mitigate commercial development in all zones. Program is not effective until rezones are made.													
a. Draft and refine legislation													
b. City Council review and action													
2. Mandatory Inclusionary Housing Framework Legislation													
A new Land Use Code Chapter 23.58C that sets out program requirements for inclusionary housing. Program is not effective until rezones are made.													
a. Draft and refine legislation													
b. City Council Review and action													
3. South Lake Union Zoning Changes													
Zoning changes increasing allowable residential floor plate limits by ~1,000 sf and increase of FAR by ~1.0 and other associated zoning refinements to activate MIH and Commercial Mitigation programs.													
a. SEPA Addendum to 2012 EIS													
b. Community review and engagement													
c. Draft and refine legislation													
d. VIZ Code re-write/clean up													
e. City Council review and action on zoning changes													
4. Downtown Zoning Changes													
Zoning changes increasing allowable residential floor plate limits by ~1,000 sf and increase of FAR by ~1.0, and/or height limit increases to allow ~1 additional story, depending on the zone, and other associated zoning refinements to activate MIH and Commercial Mitigation programs.													
a. New SEPA evaluation and Determination													
b. Community review and engagement													
c. Draft and refine legislation													
d. VIZ Code re-write/clean up													
e. City Council review and action on zoning changes													
5. University District Urban Design Framework Zoning Changes													
Make zoning changes in the U District consistent with the Urban Design Framework. Zoning changes also activate the MIH / CLF programs.													
a. Urban design framework													
b. EIS work													
c. Draft and refine zoning change legislation													
d. Additional community review and engagement													
e. City Council review and action on zoning changes													
6. Updates Related to Seattle 2035 Comprehensive Plan													
Establish expanded urban villages on the Comprehensive Plan Future Land Use Map.													
a. Seattle 2035 preferred alternative outreach													
b. Community engagement to consider urban village expansions													
c. Final Seattle 2035 Plan													
d. City Council Review and Action													
7. Other Rezones with Area Planning													
As rezones are made through area planning work for sub-areas, activation of the MIH / commercial mitigation programs can be made.													
23rd Ave. Urban Design Framework													
Uptown Urban Center Urban Design Framework													
Rainier Beach Community Planning													
Ballard													
Others TBD...													
8 Citywide zoning changes for Mandatory Inclusionary Housing & Mitigation for Commercial Development													
Zoning changes allowing approximately one additional story in all zones that allow multi-family development, and rezones of single family areas within urban villages to residential small lot or a Lowrise zone, to activate the MIH / commercial mitigation programs.													
a. EIS structure & consultant selection													
b. EIS evaluation including impacts, urban design, massing etc.							Scoping	Analysis and review	DEIS	FEIS			
c. Community review and engagement													
d. Draft and refine zoning code changes													
Commercial / Neighb. Comm zones													
Multi-family zones													
Changes to single family areas in urban villages													
e. City Council review and action (Packages of rezones by zone category or geography are expected)													
	July 2015	Aug 2015	Sept 2015	Oct 2015	Nov 2015	Dec 2015	Q1 2016	Q2 2016	Q3 2016	Q4 2016	Q1 2017	Q2 2017	Q3 2017

Attachment A

Implementation Areas



* For illustrative purposes only. Regulations specifying applicability areas of programs are to be specified in the Land Use Code.



STATE OF WASHINGTON -- KING COUNTY

--SS.

330916

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

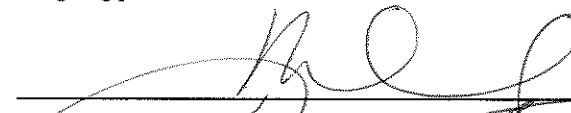
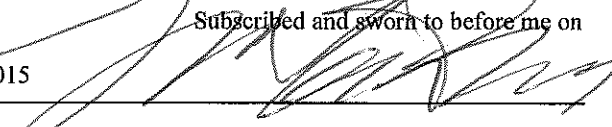
CT:31612 RES TITLE ONLY

was published on

12/01/15

The amount of the fee charged for the foregoing publication is the sum of \$31.00 which amount has been paid in full.




Subscribed and sworn to before me on
12/01/2015

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

Resolution 31612

A RESOLUTION stating the Council's intent to make changes to zoning and land use regulations to implement a mandatory inclusionary affordable housing program for residential development and an affordable housing impact mitigation program for commercial development recommended by the Housing Affordability and Livability Agenda Advisory Committee and the Mayor; clarifying the scope of changes to be considered; establishing minimum outreach, planning, and implementation requirements that must be met prior to Council consideration; and requesting regular reporting.

Date of publication in the Seattle Daily Journal of Commerce, December 1, 2015.
12/1(330916)