Principles to Guide Implementation of Mandatory Housing Affordability (MHA)

Synthesis of Input from the HALA Community Focus Groups

DRAFT

July 2016
Principles to Guide Implementation of Mandatory Housing Affordability (MHA)

Background
As part of the Housing Affordability and Livability Agenda (HALA), the City of Seattle is committed to a goal of building or preserving 20,000 affordable homes over 10 years. A critical part of achieving this goal is implementation of Mandatory Housing Affordability (MHA). MHA would create 6,000 homes affordable for 50 years to households earning no more than 60% of the area median income (AMI). Under MHA, multifamily and commercial development would be required to contribute to affordable housing, with additional development capacity allowed to minimize the impact of MHA requirements on the cost of new housing. These mandatory contributions are consistent with a state-approved approach for similar programs. (See http://tinyurl.com/MHA-1Page for background on MHA.)

Community Focus Groups
The Community Focus Groups comprise residents from neighborhoods across the city who volunteer to inform the HALA process. A key topic for the Community Focus Groups is land use and zoning changes that could affect neighborhoods.

• Community Focus Groups meet monthly, March–December 2016.
• Each of four groups is composed of 20–40 people.
• Groups include representatives of every urban village and neighborhood area in Seattle.
• The meetings are intended to elicit constructive dialogue about housing programs.
• Meetings are open for other members of the public to observe and provide comment during a set time on the agenda.

The City values participation by a broad range of community members who reflect our City’s diverse population. Focus Groups are assembled to provide balanced representation from a range of different demographics and perspectives including:

• Traditionally under-represented groups, including minorities, immigrants, refugees, and non-native English speakers;
• Renters;
• Households with children; and
• Experienced neighborhood advocates

The MHA Implementation Principles
The City is developing a set of Principles to help guide MHA implementation choices. The statements seek to reflect what the City has heard during months of conversations in neighborhoods and online. When finalized, we will use the Principles guide choices about future changes to zoning or urban village boundaries to implement MHA in neighborhoods.

Focus Group Input on the MHA Principles
This document synthesizes input on the MHA Implementation Principles from the Community Focus Groups. Given the volume of input received, it does not include every specific individual comment Focus Group participants have made. It captures the main themes and highlights expressed in each group. It also identifies areas of agreement and places where opinions diverged.

We collected input on the MHA Principles from Focus Group members in the following ways:

• May 2016 Meeting: Focus Group members reviewed principles and participated in a dot exercise indicating agreement or disagreement with the MHA Principles. Participants wrote initial comments and questions.
• Email Distribution: Participants received the draft MHA Principles in an email to review and prepare for the June 2016 Focus Group meeting, and also received detailed responses from City staff to questions posed in May.
• June 2016 Meeting: Focus Group members participated in a small group exercise. The small groups engaged in dialogue and discussion supported by City staff. Comments and ideas were recorded on a large sheet on the table. The meeting concluded with a report-out from each group.
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The Draft Principles are grouped into the following three categories:

A. Principles that form the foundation of MHA
   • These are essential to MHA.
   • They include core values critical to HALA goals.
   • Although comments on these foundational principles are welcome, it is unlikely that major changes will be made.

B. Community-generated principles that will help guide MHA implementation
   (These principles were the bulk of the discussion.)
   • These are draft statements about how to implement MHA, based on community-generated ideas and preferences.
   • These ideas will meaningfully shape MHA implementation choices.
   • Comments may both improve current draft principles and propose new ones.
   • The final set of these principles will be used by the City, communities, and Focus Groups to evaluate choices for zoning changes.

C. Principles addressed outside of MHA
   • These are important principles about housing and livability that cannot be addressed through MHA.
   • Other existing or proposed programs will address these principles.

The End Result
   • After extensive community input through neighborhood meetings, Community Focus Groups, citywide conversations, and online engagement, the City will develop a final set of principles.
   • Principles will be used to help shape and evaluate MHA implementation choices in coming months.
   • Not everyone will agree with all of the final MHA Principles, but the goal is to reflect widely held community-based ideas.

Updates of the Principles
Based on Focus Group input these Principles have been updated and improved from the first draft. Improvements include better language for clarity and inclusion of additional principles to reflect new suggestions and ideas.

Other Input on the MHA Principles
In addition to the Focus Groups, the City is receiving a lot of community input on the Principles. This includes discussion at neighborhood meetings and events, including the April 14, 2006, Livability Night Out event held at MOHAI. We are also receiving input on the Principles through an online dialogue platform at HALA.Consider.It that hundreds of participants have used. These sources of direct community input will inform the final Principles later this the summer.
Focus Group Perspectives Vary
The four Focus Groups are assembled in groupings of urban villages with similar characteristics. The groups bring together community members from geographically separate areas of the city that nonetheless face similar issues (see the map at right).

While common themes and areas of agreement emerged through the process, an equally important observation is that the four groups have different perspectives and areas of interest. City staff and facilitators observed that each of the groups tended to focus on slightly different topics and key issues. Below, for each of the four Focus Groups, we note topics of particular interest:

**Urban Village Expansion Areas:** Urban villages with a proposed expansion as part of the Seattle 2035 Comprehensive Plan Update. These areas typically include single family zoned areas that are proposed to be included in the MHA program. Key issues or areas of interest for this Focus Group include:

- Interest in investment in infrastructure, open spaces, etc. in areas experiencing growth
- Interest in avoiding displacement of vulnerable populations as the neighborhood grows
- Interest in small business and employment opportunities in addition to housing strategies

**Lower Density Urban Villages:** Urban villages with substantial amounts of lower-density or lower-intensity zoning, including existing Single Family zoning within an urban village, or large percentages of Lowrise zoning.

- Concern about urban design quality for new buildings
- Ensure local conditions and context are considered with respect to zoning choices

**Medium Density Urban Villages:** Urban villages where multifamily and mixed-use buildings comprise a substantial portion of the neighborhood. These villages have little or no single-family zoning within urban village boundaries. Key issues or areas of interest for this Focus Group include:

- Preference for ensuring new affordable housing is located in the neighborhood
- A view that even more areas of Seattle should participate in MHA
- Desire for preparation of plans and design guidelines in areas that do not yet have them

**Hub Urban Villages:** Places designated as a Hub Urban Village in the Comprehensive Plan. These areas typically include multifamily development and mixed-use buildings in the 4- to 6-story range. Key issues or areas of interest for this Focus Group include:

- Strong support for strategies that build more housing
- Relatively high level of acceptance for adding additional development capacity
- Support for high-quality and safe development
- Support for family-sized housing and housing that serves a broad spectrum of income levels

Urban Villages represented in the Community Focus Groups
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**Discussion**

**Principles that form the foundation of MHA**

Although comments on these foundational principles are welcome, it is unlikely that major changes will be made.

**MHA implementation will:**

1. Contribute to the 10-year HALA goal of 20,000 net new units of rent- and income-restricted housing. Specifically, the MHA goal is at least 6,000 units of housing affordable to households with incomes up to 60% of the area median income (AMI), units that will remain affordable for 50 years. In 2016, 60% of the AMI is $37,980 for an individual and $54,180 for a family of four.

2. Require multifamily and commercial developments to contribute to affordable housing.

3. Contributions to affordable housing will be provided by including affordable housing on site, or by providing a payment to the Seattle Office of Housing for creation of new affordable housing.

4. Ensure MHA program creates affordable housing opportunities throughout the city.

5. In alignment with a state-approved approach, new affordability requirements are linked to allowing some additional development capacity in commercial and multifamily zones (in many cases one additional floor).

6. Allow more variety of housing types in existing single-family zones within urban villages.

7. Expand the boundaries of some urban villages to allow more housing near high-frequency transit hubs.

8. Keep Seattle an inclusive city by providing housing opportunities for everyone: people of all ages, races, ethnicities, and cultural backgrounds and households of all sizes, types, and incomes.

9. Evaluate MHA implementation using a social and racial equity/justice lens.

**Areas of general agreement**

- Strong concurrence with Principle A.4 — that affordable housing should be provided throughout the city. Some Focus Group members are concerned that affordable housing won’t be located as frequently in high-cost, amenity-rich neighborhoods.

- Strong interest in making sure that MHA reflects the City’s race and social justice principles. Some participants questioned how the RSJI lens would directly influence MHA program decisions, and how progress towards RSJI goals will be measured.

- Strong concurrence with Principle A.8 concerning keeping Seattle affordable for a broad range of household types. Focus Group members suggested LGBTQ and disabled persons as additional populations warranting consideration.

- Concern about why the City is encouraging both “payment” and “performance” options (Principle A.3). Participants suggested additional criteria or other measures to make the payment option more palatable.

**Additional ideas**

- Some Focus Group members questioned why additional Single Family areas outside of urban villages are not being considered for MHA and zoning increases.

- Some Focus Group members expressed interest in weighing in on a wider range of HALA recommendations, in addition to MHA.

- Some questioned the income levels that MHA would serve per Principle A.1 and suggested that the program should ensure lower income (i.e., households earning up to 30% AMI) be served.

- Others Focus Group members questioned why MHA would not serve other middle-income levels (i.e., 80-100% AMI).
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Community-generated principles that will help guide MHA implementation

Your input needed!
Your comments and suggestions will further shape these principles.

B

1. Housing Options
   a. Encourage or incentivize a wide variety of housing sizes, including family-sized units and not just one-bedroom and studio units.
   b. Encourage more small scale multi-unit housing, such as cottages, duplexes or triplexes, rowhouses, and townhouses, that are family friendly.

Discussion

Areas of general agreement

- The market is not currently producing much new housing suitable for families, in terms of size, number of bedrooms, shared spaces, and other characteristics.
- Very little “missing middle” housing — small multi-unit or clustered housing compatible in scale with single-family homes — is being constructed.
- Consider that households and families of different ethnic or cultural backgrounds have different needs and desires.
- Access to child care, public schools, play areas, and open space is also very important in creating housing for families.

Additional ideas

- Consider both larger, family-size units, as well as smaller efficiency dwellings (e.g., SEDUs, microhousing).
- Remove some of the constraints related to accessory dwelling units and backyard cottages.
- Consider a range of homeownership models, including condominiums, co-ops, and smaller lot sizes.
- Be careful not to over-regulate unit size or housing type. We have an increasing number of single-person households.
- Encourage design that helps create a sense of community.
- Also useful are two-bedroom units for low-income, non-related roommates.
Community-generated principles that will help guide MHA implementation

Your input needed!
Your comments and suggestions will further shape these principles.

2. Urban Design Quality
Address urban design quality, including high-quality design of new buildings and landscaping.

- Encourage publicly visible green space and landscaping at street level.
- Encourage design qualities that reflect Seattle’s context, including materials and architectural style.
- Encourage design that allows access to light and views in shared and public spaces.

Areas of general agreement

- Strong agreement that the design of new buildings is critical to building acceptance for additional housing and density. Reflecting the local context in new design is important.
- Encourage more attention to quality material; more variation in new buildings including style, massing and scale. Many new developments seem the same.
- Strong support for Principal 2.c. Participants want to see the design of new buildings foster a sense of community by building more shared and public-facing spaces.
- Many participants expressed support for updated Design Guidelines or new guidelines for neighborhoods that do not have design guidelines.
- Encourage ways to mix in preservation of existing structures with new development.
- Upper-level setbacks are an effective way to make buildings feel more approachable (i.e., “wedding cake” setbacks).

Additional ideas
- Questions about how to define local context and style.
- Encourage development to be healthy and sustainable.
- Varied ideas about the value of street level landscaping and green space. Some supported principle 2.a, but others felt that good urban design can be achieved in other ways, and that such green spaces could decrease opportunities to create new housing.

Discussion

Focus Group members suggested that variation in building massing and form, and higher quality materials can help larger buildings gain acceptance in local communities.
Community-generated principles that will help guide MHA implementation

Your input needed!
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3. Transitions

Plan for transitions between higher- and lower-scale zones as additional development capacity is accommodated.

a. Zone full blocks instead of partial blocks in order to soften transitions.

b. Consider using low-rise zones to help transition between single-family and commercial / mixed-use zones.

c. Use building setback requirements to create step-downs between commercial and mixed-use zones and other zones.

Areas of general agreement

- Strong agreement that providing transitions between higher and lower scale buildings is important to help with livability.
- Focus Group members agreed that the type of transition provided (i.e. 3.a, 3.b, or 3.c) should be based on specific local conditions and factors, and each of these could be appropriate in certain circumstances.
- Most Focus Group members sought assurance that the transition be provided within the Urban Village, and not be construed to mean adding additional density outside of the urban village or center boundary.

Additional ideas

- Some Focus Group members expressed concern that transitions (particularly 3.c) could decrease new housing opportunities, suggesting this should be avoided.
- Some Focus Group members suggested that additional density could be added at the outside edges of urban villages or centers.

Here we see a zone boundary drawn in the middle of a block. Throughout Seattle, there are examples of adjacent lots with very different zoning, such as Neighborhood Commercial and Single Family.

To address this, one approach is to use a Lowrise zone to create a "step-down" in scale between the larger and smaller buildings.

Another approach is to create zone boundaries at a street. Here we extend the NC zone across the block. The width of the street right-of-way creates separation between zones.

Design features can also create a transition between zones. Requiring an upper-level setback can reduce the perceived scale of buildings where one zone is next to another.
Principles to Guide Implementation of Mandatory Housing Affordability (MHA)

Community-generated principles that will help guide MHA implementation

Your input needed!
Your comments and suggestions will further shape these principles.

4. Historic Areas
   a. In Seattle’s Historic districts, do not increase development capacity, even if it means these areas do not contribute to housing affordability through MHA.
   b. In other areas of historic or cultural significance, do not increase development capacity, even if it means these areas do not contribute to affordability through MHA.

Note: Focus Group input would suggest a revision of these principles statements to better reflect the area of agreement. The principle has not yet been revised in order to collect additional input from other stakeholder outside of the Focus Groups.

Discussion

Areas of general agreement
   • Most Focus Group members agreed that MHA should be considered for Historic Districts. Regulations should be crafted carefully to encourage preservation of structures of historic value while other infill sites are allowed to redevelop and contribute to affordable housing.
   • Consider cultural preservation to curb displacement and gentrification in neighborhoods like the Central Area and Little Saigon.

Additional ideas
   • Preservation in Historic Districts can provide affordable commercial and residential spaces because of the characteristics and variety of the spaces. Therefore, Historic Districts should not have zoning changes, because these areas provide affordability anyway.
Community-generated principles that will help guide MHA implementation

Your input needed!
Your comments and suggestions will further shape these principles.

5. Assets & Infrastructure
   a. Consider locating more housing near neighborhood assets and infrastructure such as parks and schools.

Areas of general agreement
   • Strong sentiment from Focus Group members (particularly in the Expansion Area group) that more new investments in infrastructure and assets should be made in areas experiencing growth. Discussion of such investments included drainage, schools, parks and transit.
   • General agreement with principle 5.a - with a corresponding concern that some assets (i.e. schools) are perceived to be over capacity.

Additional ideas
   • Interest in encouraging and preserving commercial assets in neighborhoods. There is interest in supporting small local business by providing and preserving spaces that are amenable to those businesses.
   • Impact fees on development were discussed and supported by many participants.

Discussion

Schools: Residents of multifamily housing near schools may have the benefit of their children attending a neighborhood school. Residents may also use school grounds informally outside of school hours for recreation, open space, and playground needs.

Parks: Multifamily housing next to or nearby a park enables residents to take advantage of the park to meet their open space needs — such as places for children to play.
Community-generated principles that will help guide MHA implementation

Your comments and suggestions will further shape these principles.

6. Urban Village Expansion Areas
   a. Implement the urban village expansions using 10-minute walksheds similar to what was shown in the draft Seattle 2035 Comprehensive Plan update.
   b. Implement urban village expansions recommended in Seattle 2035 but with modifications to the 10-minute walkshed informed by local community members.
      Consider the following conditions:
      • Topography
      • “Natural” boundaries, such as parks, major roads, and other large-scale neighborhood elements
      • People with varying ranges of mobility
   c. In general, any development capacity increases in urban village expansion areas should ensure new development is compatible in scale relative to the existing neighborhood context.

Areas of general agreement
• Questions about the method and factors for establishing the 10-minute walkshed and a recommendation that walksheds be ground-truthed.
• Strong agreement with Principle 6.b, noting that various local conditions should be considered as boundaries are established.
• Make sure that urban village expansions are done in an equitable manner. Consider potential impacts on vulnerable populations.

Additional ideas
• Consider multiple nodes or centers for the measurement of a 10-minute urban village, rather than solely a high-capacity transit station.

Discussion

Note: Focus Group input would suggest a revision of these principles in favor of 5.b instead of 5.a to better reflect the area of agreement. The principle has not yet been revised in order to collect additional input from other stakeholder outside of the Focus Groups.
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Community-generated principles that will help guide MHA implementation

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7. Unique Conditions
   a. Consider location-specific factors such as documented view corridors from a public space or right-of-way when zoning changes are made.

8. Neighborhood Urban Design
   a. Consider local urban design priorities when zoning changes are made.

Areas of general agreement
- Support for Principle 7.a — consideration of location-specific factors. Support for considering viewsheds only for designated viewsheds.
- Ensure that consideration of unique conditions is done in an equitable manner.
- Early community input in the Design Review process is a good way for local conditions and neighborhood design priorities to be considered at the time of new development.
- Many participants expressed support for updated Design Guidelines or new guidelines for neighborhoods that do not yet have design guidelines.

Additional ideas
- Some participants expressed concern that neighborhood councils are being shut out of the process and stated that there is not adequate consideration of local preferences in MHA implementation.
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Summary of Principles ‘Dot’ Exercise
During the May Focus Group meeting members participated in a dot exercise to record their initial thoughts on the Draft Principles for MHA implementation. For each statement, members placed a dot indicating whether they agreed, disagreed or were neutral about the principle. The responses for each Focus Group are summarized below.

1. Housing Options
Encourage a wide variety of housing options, including family-sized units and not just one-bedroom and studio units.

2. Urban Design Quality
Address urban design quality, including high-quality design of new buildings and landscaping.
   a. Encourage publicly visible green space and landscaping at street level.
   b. Encourage design qualities that reflect Seattle’s context, including materials and architectural style.
   c. Encourage design that allows access to light and views in shared and public spaces.

3. Transitions
Plan for transitions between higher- and lower-scale zones as additional development capacity is accommodated.
   a. Zone full blocks instead of partial blocks in order to soften transitions.
   b. Consider using low-rise zones to help transition between single-family and commercial/mixed-use zones.
   c. Use building setback requirements to create step-downs between commercial and mixed-use zones and other zones.

4. Historic Areas
In Seattle’s Historic districts, do not increase development capacity, even if it means these areas do not contribute to housing affordability through MHA.

5. Assets & Infrastructure
Consider locating more housing near neighborhood assets and infrastructure such as parks and schools.

6. Urban Village Expansion Areas
Implement the urban village expansions using 10-minute walksheds similar to what was shown in the draft Seattle 2035 Comprehensive Plan update.
   a. Implement urban village expansions recommended in Seattle 2035 but with modifications to the 10-minute walkshed informed by local community members.
   b. Consider the following conditions:
      - Topography
      - “Natural” boundaries, such as parks, major roads, and other large-scale neighborhood elements
      - People with varying ranges of mobility
   c. In general, any development capacity increases in urban village expansion areas should ensure new development is compatible in scale relative to the existing neighborhood context.

7. Unique Conditions
Consider location-specific factors such as documented view corridors from a public space or right-of-way when zoning changes are made.

Note: Underlined text indicates language that was edited or added after the first draft of the principles.
Other HALA strategies and City initiatives address the many other housing and livability issues of importance to the community. The following Part C principles for topics outside of MHA are drawn from community input and Focus Group input to date. Information provided below each statement outlines how other HALA actions and City efforts are addressing these principles.

1. Concurrency
   a. Address need for parks, open space, transit, and infrastructure as the city grows

   **Parks & Open Space**
   The Seattle Parks District was approved by the voters in 2015 and provides ongoing funding for the acquisition of parks and open spaces throughout the City. The Parks Department’s acquisition program targets areas in need of park space as identified in Seattle Parks and Recreation’s 5 year Development Plan, with updates coming in 2017.

   **Transit**
   Prop. 1, approved by voters in November 2015, led to the largest increase in transit service in more than 40 years. Today, more than 70% of Seattle residents live within a short walk of frequent bus service. Additionally, the $930 million Levy to Move Seattle, approved by voters in 2015, provides funding to improve safety for all travelers, maintain our streets and bridges, and invest in reliable, affordable travel options for a growing city over the next nine years. Please see the Seattle Department of Transportation’s 10-year Strategic Vision for Transportation for more details.

2. Homeless, Low, and Middle Income Populations
   a. Address Seattle’s homelessness crisis
      The City of Seattle is committed to addressing the homelessness crisis in Seattle. On any given night in Seattle, nearly 3,000 people are living unsheltered in our community. To address this, each year HSD spends $40.84 million to assist single adults, youth, young adults, and families, survivors of domestic violence, older adults and veterans who are currently at-risk of or experiencing homelessness. In November 2015 Mayor Murray signed a Proclamation of Civil Emergency and Executive Constantine signed a Local Proclamation of Emergency in response to the growing crisis. Mayor Murray also outlined a $5.3 million package to respond to the growing demand for services. In June 2016, Mayor Murray took action through Executive Order directing the creation of a low-barrier, one-stop service center for individuals without shelter to receive the customized support they need to move from the streets back into permanent homes. See more of the City of Seattle’s Key Actions, Addressing Homelessness.

   b. Preserve existing housing that serves low-income people
      The City of Seattle’s Office of Housing funds acquisition and rehabilitation of existing affordable apartments, and rents those units to low-income households. The Office of Housing’s investments focus on households earning up to 85% of Seattle’s Area Median Income (AMI), with direct investments serving the lowest income households, at 60% AMI or less. The 2009 voter-approved Housing Levy produced or preserved 2,184 apartments affordable to low-income renters. The Housing Levy expires this year, and a proposal to renew and double the levy will be up for public vote in August 2016. Through HALA, the City is also pursuing a Preservation Tax Exemption through the state legislature that would provide a property tax incentive to landlords who keep 25% of a building’s units affordable to households earning less than 50-60% of the Area Median Income. (50% of AMI in Seattle for 2016 is $31,850 for an individual and $45,150 for a family of four.)

   c. Produce and preserve existing housing that serves middle-income people
      The City of Seattle’s Office of Housing manages Incentive Zoning (IZ) and Multifamily Tax Exemption (MFTE) programs aimed at producing new housing affordable to low- and middle-income households. These voluntary incentive programs serve households earning 60-85% of the Area Median Income (AMI). Through MFTE there are nearly 4,000 affordable units across Seattle, and IZ has resulted in construction of nearly 1,000 affordable units that otherwise would not have been built.

   d. Address displacement as the city grows
      Seattle’s Comprehensive Plan (Seattle 2035) directs the City to expand housing choice throughout Seattle, especially in areas where displacement risk is high. Payments made through MHA will be invested in a way that builds on the Office of Housing’s 35-year track record of supporting housing in neighborhoods experiencing displacement pressure and rising housing costs. The City is also pursuing programs that would allow rental-housing owners to access financing to rehabilitate their properties without increasing rents for current residents.
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Principles addressed outside of MHA

We welcome your input.
Your comments and suggestions will further shape these principles.

e. **Address rising property taxes for homeowners**

f. **Restrict rent increases**

Restricting rent increases (i.e., rent control) is illegal in Washington State (RCW 35.21.830). The Tenants Union of Washington State explains that “landlords can raise the rent as much as they see fit as long as they comply with the appropriate notice period and have not issued the notice to discriminate or retaliate against the tenant.” The City, however, can now help ensure that housing meets certain code standards if a landlord chooses to increase residential rents at the conclusion of a lease term. In June 2016 the City enacted a tenant protection ordinance which delays allowed rent increases on housing units that do not meet minimum code standards (Council Bill 118678). See the Rental Registration and Inspection Ordinance (RRIO) checklist for conditions which would trigger this delay, indicated with an asterisk. This new law helps protect tenants against rent increases on substandard housing.

b. **Find ways for single-family areas to contribute to housing affordability.**

5. **Affordable Commercial Space**

a. **Address affordability of retail/commercial spaces.**

In April 2016 Mayor Murray announced the launch of a Commercial Affordability Advisory Committee to address rising cost of commercial space for small businesses.

6. **Historic Preservation**

a. **Provide strategies for preserving places of cultural significance.**

Through the City’s Equitable Development Initiative and Community Development planning processes, the City helps facilitate projects such as the Multicultural Community Center in the Othello neighborhood.

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