City of Seattle
Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
DETERMINATION OF NON-SIGNIFICANCE BY
THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Applicant Name: The Department of Planning and Development

Address of Proposal: Twenty-Third & Cherry node of the 23rd Ave. @ S Jackson-Union Urban Village

SUMMARY OF PROPOSED ACTION

This proposal is to adopt rezones to implement the Comprehensive Plan Neighborhood Planning Element in and the 23rd Avenue Action Plan (Union-Cherry-Jackson) recommendations. The proposal includes changing existing SF 5000 zones to NC1-40 and LR2-RC, changing existing LR2 zones to NC1-40, and increasing the height limits of the existing NC1-30 zones to NC1-40. All of the proposed rezones are located within the 23rd Ave. @ Jackson-Union Urban Village.

The following approval is required:

SEPA – Environmental Threshold Determination (SMC Chapter 25.05)

SEPA DETERMINATION:

☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with Conditions

☐ DNS involving non-exempt grading or demolition, or involving another agency with jurisdiction

BACKGROUND DATA

Background

The proposed rezones are located within the 23rd @ S Jackson-Union Urban Village, near the community core around the intersection of 23rd Avenue and E Cherry Street.

In 2013, Central Area residents, business interests, property owners, and local institutions began work with the City to create the 23rd Avenue Action Plan (Union – Cherry – Jackson). The purpose of the planning process was to create a focused set of priorities and actions ripe for implementation. The mayor's office is leading an interdepartmental effort for continued collaboration and coordination with implementation of the Action Plan, development of an economic development plan, and creation of a Central Area Cultural and History District.

The Department of Planning and Development (DPD) is recommending rezones and land use code amendments to carry out priorities identified by the community during the 23rd Avenue Action Plan (Union-Cherry-Jackson) and Urban Design Framework process. The 23rd Avenue Action Plan (Union–Cherry–Jackson) is not a replacement of the previous Central Area action plans, instead, it intends to confirm and update priorities in previous Central Area Action Plans with focus on 23rd Ave at Union, Cherry and Jackson, and identify implementation mechanisms to help make this great neighborhood a healthier, more equitable and viable destination for all people who call the Central Area home.

The rezones are intended to achieve the community's vision and goals to strengthen the Central Area's unique identity and community character. These rezones are the product of a two year community development process that engaged a broad cross section of the community through hands-on and interactive workshops, focus group meetings, individual workshops, in-person interviews, business canvasing, and online surveys. All of the proposed rezones are within or abutting the 23rd Ave. @ S Jackson-Union Urban Village and are within areas designated as Commercial/Mixed Use or Multi-Family Residential on the Comprehensive Plan's Future Land Use Map. The analysis in this decision focuses specifically on rezones in Area 4, 5, 6, and 7.

Proposal Description

This proposal is to rezone 20 parcels in the 23rd & Union-Jackson Residential Urban Village at the node around 23rd Avenue and E Cherry Street. The rezone area is approximately 3 acres in size.

DPD is recommending a series of zoning changes and area-specific development standards to implement the 23rd Avenue Action Plan (Union-Cherry-Jackson) recommendations to encourage a greater variety of small neighborhood scale shops and services at 23rd and Cherry and an activated street frontage. The proposed zoning will support a smaller scaled community-serving node that allows mixed-use commercial development along 23rd Ave across the street from the Garfield High School campus and enables existing landmark businesses and institutions to expand, while also supporting increased development capacity along MLK Jr Way S. The proposed rezone will align zoning, current uses and future land use map designations.

The rezones are anticipated to result in a 20 year growth projection of 107 additional households and 139 additional jobs.

Proposed rezones are as follows:

> *Area 4:* Increase the height limits of the existing Neighborhood Commercial (NC1-30) zone to Neighborhood Commercial (NC1-40(.02.25)).
>
> *Area 5:* Rezone existing Single Family (SF 5000) zone to Neighborhood Commercial (NC1-40(.75))
>
> *Area 6:* Rezone existing Lowrise (LR2) to Neighborhood Commercial (NC1-40(1.3))
>
> *Area 7:* Rezone existing Single Family (SF 5000) to Lowrise Residential Commercial (LR2-RC(.75))

<u>Incentive Zoning</u>

The extra height and floor area allowed through the proposed rezone could only be obtained by providing affordable housing on site or off-site within the Central Area through the incentive provisions described in the Seattle Municipal Code Chapter 23.58A.

An amendment to the Land Use Code Chapter 23.58A Incentive Provisions is proposed (in a separate rezone ordinance for the 23rd and Union node of the 23rd Ave. @ S Jackson-Union Urban Village) to require development within the rezone area to provide off-site affordable housing within the Central Area Neighborhood Plan Boundary. This will provide more affordable housing to off-set displacement in the Central Area and promote equitable growth. This will allow people of all races, ethnicities and abilities to access more housing and to stay within the Central Area.

Public Comments

Proposed changes to the Land Use Code require City Council approval. Public comment will be taken on the proposed amendments at a future scheduled Council public hearing.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist dated June, 2015. The information in the checklist, the information and analysis in the Director's Report and Recommendation, a copy of the proposed text changes, and the experience of the lead agency with review of similar legislative actions form the basis for this analysis and decision.

As noted above, all of the proposed rezones are located within the existing 23rd & Union-Jackson Residential Urban Village, including several existing SF5000 zones that will be rezoned to either LR2 or NC1-40 to align these areas with the Comprehensive Plan's Future Land Use Map. Potential impacts of the rezone proposal are analyzed below.

Short-term Impacts

As a non-project action, the proposed amendment will not have any short-term impact on the environment.

Long-term Impacts

Most long-term impacts of these proposed actions are expected to be minor. Impacts to noise, light and glare, shadows, air quality (including greenhouse gas emissions), and use of energy, natural resources, and most public services and facilities may slightly increase, due to larger structures and greater levels of activity on various sites, but are not expected to be significant. Projects developing pursuant to these proposed actions would be subject to environmental review if they meet or exceed environmental review thresholds. In addition, projects would need to comply with existing codes and regulations, including the Land Use Code, Environmentally Critical Areas regulations, and the Stormwater Code and the Grading Code.

Increased housing density in the type of mixed use environment envisioned by the 23rd Avenue Action Plan (Union-Cherry-Jackson) in the Jackson core area may, in certain cases, reduce demands for energy and natural resources. This concentration of residential commercial uses in the vicinity of frequent transit service and bike facilities can reduce energy consumption by

clustering services and having a good land use mix, increasing the convenience and likelihood that people will walk, bike and use transit for work and pleasure trips. The proposed changes do not alter any regulations directly related to energy or natural resources such as energy performance standards in new development. Projects would continue to be required to comply with the existing Energy Code and standards for sustainable development.

The most likely adverse impacts of the proposed actions would be to land use; height, bulk, and scale; and traffic and transportation, and public services and utilities. These topics are discussed further below:

Land Use

The Land Use SEPA policy states, in part, that "it is the City's policy to ensure that proposed uses are reasonably compatible with surrounding uses and are consistent with any applicable, adopted City land use regulations, the goals and policies set forth in Section B of the land use element of the Seattle Comprehensive Plan regarding Land Use Categories, and the shoreline goals and policies set forth in section C-4 of the land use element of the Seattle Comprehensive Plan for the area in which the project is located".

In general, rezoning from Single Family to Lowrise and Neighborhood Commercial zones would represent a moderate change in the types and density of land uses allowed within the area. The rezone proposal would aid in encouraging future development that would be consistent with the intent of the 23rd Avenue Action Plan (Union-Cherry-Jackson), Central Area Neighborhood Plan and Comprehensive Plan policies, by encouraging pedestrian-friendly mixed-use development at 23rd Ave and E Cherry St that includes a greater variety of shops and services and activates street frontage while respecting the small scale and historic character of this node. The type of mixed-use development anticipated will allow continued intensification of land uses, which could support an active community destination with greater mix of housing choices and a more vibrant neighborhood-serving commercial district as envisioned by the community. The uses that would be allowed under the proposed rezones are expected to be reasonably compatible with uses in adjacent zones. No portion of the proposed rezones is within the City's Shoreline District.

Specifically, the proposed rezones and text amendments are proposed to facilitate the following:

- LUG11: "Encourage the development and retention of a diversity of multifamily housing types to meet the diverse needs of Seattle's present and future populations."

- LUG12: "Promote a residential development pattern consistent with the urban village strategy, with increased availability of housing at densities that promote walking and transit use near employment concentrations, residential services and amenities."

- LUG15: "Provide for the concentration of housing in areas where public transit and local services are conveniently available and accessible on foot."

The proposed rezone supports the goals of the Comprehensive Plan Urban Village Element to focus housing and jobs in areas where they can support existing neighborhood centers, maximize transportation and utility investments, and create walkable, pedestrian-friendly communities. These goals are described, in part, through the following goals and policies:

- UVG3 Promote densities, mixes of uses, and transportation improvements that support walking, use of public transportation, and other transportation demand management (TDM) strategies, especially within urban centers and urban villages.

- UVG4 Direct the greatest share of future development to centers and urban villages and reduce the potential for dispersed growth along arterials and in other areas not conducive to walking, transit use, and cohesive community development.

- UVG8 Use limited land resources more efficiently and pursue a development pattern that is more economically sound, by encouraging infill development on vacant and underutilized sites, particularly within urban villages.

- UVG11 Increase public safety by making villages places that people will be drawn to at all times of the day.

- UVG27 Promote the development of residential urban villages, which function primarily as compact residential neighborhoods providing opportunities for a wide range of housing types and a mix of activities that support the residential population. Support densities in residential urban villages that support transit use.

- UVG29 Encourage growth in locations within the city that support more compact and less land-consuming, high quality urban living.

- UV1 Promote the growth of urban villages as compact mixed-use neighborhoods in order to support walking and transit use, and to provide services and employment close to residences.

The proposed rezone is consistent with existing growth targets for the 23rd Ave. @ S Jackson-Union Urban Village and Vision 2040. Urban village policy 40 provides guidance on the intent of the 20 year growth targets:

- UV40 Use 20-year growth targets for urban villages as a tool for planning for the growth that may occur in each urban village. Use these targets as a guide for City plans for development and infrastructure provision. Recognize that the growth targets do not represent the maximum amount of growth that could occur in a village. Recognize also that the private sector builds most housing units and creates most jobs, and, therefore, the growth targets impose no obligation on the City to ensure that those numbers of households or jobs actually occur.

This rezone would also support the following goals and policies of the Comprehensive Plan Neighborhood Planning Element for the Central Area:

- CA-G18 The three community nodes along 23rd Ave at Jackson, Union and Cherry are each distinct with a different niche, but together they exhibit or demonstrate the shared identity of the Central Area. These community nodes together serve the diversity of cultures in the Central Area and continue to be home to those businesses and institutions that are central to the African American community:

    - 23rd and Jackson - The largest of the three community nodes with larger scaled mixed use developments. It is the community's center for general goods and services including education, arts, places of worship and gathering, parks, a library, housing, social services and places to shop for daily household needs. It is a local and regional destination that draws a broad mix of people.

    - 23rd and Union - A medium sized community-serving node with mixed use developments. This node has locally owned businesses and institutions and continues to serve as the center of the African American community. It is a neighborhood scale destination that builds on existing assets and draws customers from the larger neighborhood.

    - 23rd and Cherry - This is a smaller scaled community-serving node with finer grained mixed use developments. This node has an abundance of community assets including parks/open space, Garfield High School and

Community Center, teen center, arts programs, and small businesses, in particular ethnic restaurants, that create a unique identity for this node. It draws a broad mix of people, especially youth.

- CA-P66 Preserve small-scale neighborhood character, immigrant and refugee owned businesses while providing a greater variety of shops and services at 23rd and Cherry and an activated street frontage.

- CA-P67 Improve access and connectivity to community assets at 23rd and Cherry and activate space around Garfield High School, Garfield Community Center, and Medgar Evers Pool.

- CA-G1 The Central Area is a community proud of its culture, heritage, and diversity of people and places. This richness derives from the fact that this neighborhood has always been a place of welcome and it has been, and continues to be the center of the African American community.

- CA-P6 Create an appealing environment that enhances the historic character while providing opportunities for existing and new development to grow, and serve the emerging needs of the diverse community.

- CA-P7 Create a vibrant commercial district, encouraging dense urban development in the commercial areas and encouraging housing supportive of the community through land use tools, such as rezones, design guidelines and incentives.

- CA-G7 The Central Area is a culturally and ethnically diverse and economically strong community. Its business districts provide the goods and services needed for the multicultural community who live, work, worship and shop there.

- CA-P38 Support vibrant, diverse and distinct commercial districts that provide a range of goods and services for the entire community.

The increased density that could result from the proposed rezones is consistent with the goals and policies cited above. The proposed rezone area is entirely within the 23rd Ave. @ S Jackson-Union Urban Village.

Development on parcels proposed to be rezoned will be subject to design review, assuming they exceed thresholds for design review established in the Land Use Code. Design review considers the context and character of surrounding development in applying City design guidelines, thus providing an additional opportunity to address any potential incompatibilities

between new development and development on adjacent parcels. It is not anticipated that the proposed text amendments will result in significant land use impacts, pursuant to SMC 25.05.675 J. The proposed rezones for these areas are also consistent with the land use designations on the Future Land Use Map.

Height, Bulk, and Scale

An increase in height and density is proposed for the existing neighborhood commercial core where higher residential and commercial density is consistent with comprehensive and neighborhood plan goals. Areas rezoned to NC1-40 will allow an additional 10' over current 30' allowed in SF5000 and LR2 zones. This 40' height is consistent with the existing 40' height limit of the neighborhood commercial core and slightly more than the lower density multifamily area under current zoning. The neighborhood core is buffered from the surrounding single family residential areas by low and moderate density multifamily residential areas with lower heights.

There are no protected public views listed in Seattle Municipal Code 25.05.675 located near the rezone area that could be significantly impacted by this proposal.

Negative impacts could include increased shading and private view blockage where development occurs. Minor shading impacts on adjacent properties could occur particularly on the southeast side of the rezone area; however these impacts will tend to be minimized by the existing development standards. Overall, because of the small difference in magnitude of these impacts relative to what could occur under existing conditions as well as for the other reasons discussed in specific sections of this checklist, the impact is not expected to be significant.

Bulk and scale impacts of projects developed pursuant to the proposed rezones may also be addressed by the City's design review process. Specific height, bulk and scale impacts of proposed development will be determined at the time of project review. The proposed rezones are not expected to have a significant impact on height, bulk, and scale, pursuant to SMC 25.05.675 G.

Transportation

The proposed rezones will increase development capacity on various parcels in the affected area; projects developed pursuant to proposed rezones may generate higher volumes of traffic and have greater transportation impacts than projects proposed under the current zoning.

The affected area is approximately 2 acres and it is not possible to determine the location and/or intensity of individual projects that may use the proposed Land Use Code provisions. As described previously, the proposed rezones could increase the amount of growth over the next 20 years by about 107 housing units, 45,822 commercial square footage, and 139 new jobs compared with what it would see with the current zoning. This potential increase to the 20-year growth estimate provides the basis for analyzing the level of impacts the neighborhood could experience due to the proposed rezones.

In general, the 23rd Ave. @ S Jackson-Union Urban Village is part of the City's urban center and urban village strategy that seeks to focus Seattle's share of the region's growth in areas that can be efficiently served by urban infrastructure. Much of the area is already served by needed infrastructure – roads, sidewalks, water and sewer, schools and parks. Where there are deficiencies, they are localized and can generally be addressed by individual developments.

In total, a potential increase of 139 more jobs (of the type we would expect to find in a mixed-use are) would generate about 2,250-2,571 new daily trips, with 161-184 of these trips occurring in the AM peak hour and 185-209 occurring the PM peak hour. Assuming development over 2 acres, this works out to about 1,125-1,286 new daily trips/acre, with 81-92 AM peak hour trips/acre, and 93-105 PM peak hour trips. The additional residential units would generate roughly 427-499 new daily trips, 33-39 AM peak hour trips, and 40-46 PM peak hour trips.

The affected areas are located along 23rd Avenue, and East Cherry Street. 23rd Avenue is a north-south principal arterial that connects a variety of users to businesses, institutions and residences. Seattle Department of Transportation is working on the 23rd Avenue Corridor Improvement Project to improve transit speed and reliability and enhance the pedestrian environment. In addition to 23rd Ave improvements, a neighborhood greenway will be built generally parallel to 23rd Ave that will prioritize bicycle and pedestrian travel by providing a more comfortable environment for people to walk and bike. ML King Jr Way is a north-south principal arterial and is recommended to include protected bicycle lanes as indicated in the Seattle Bicycle Master Plan. E Cherry St is a minor arterial and has existing and recommended in-street bike lane as indicated in the Seattle Bicycle Master Plan. Overall, all improvements mentioned above will serve increased volumes of pedestrians, bike riders, and transit users and support alternatives to driving. Additionally, the proximity of residential and commercial uses within the Cherry core may mean more people complete tips by foot, bike or bus.

It is expected that increased heights and densities within the proposal area is not likely to result in a significant impact on traffic and transportation, pursuant to SMC 25.05.675 R. The transportation impacts of individual projects developing pursuant to these proposed text changes will be evaluated through SEPA review at the time of permit applications; if appropriate, mitigation will be required at that time.

Public Services and Utilities

Based on the 2011 Gap Report Update of An Assessment of Gaps in Seattle's Open Space Network, the 23rd Ave. @ S Jackson-Union Urban Village has met the Population-based Goals. There are 33.48 acres of existing parks and open space within and abutting the Urban Village, which exceed the anticipated 5.78 acres needed to meet 2035 growth projections.

A review by Seattle Public Utilities staff indicates that the overall water, sewer and drainage utility systems are likely to be adequate to serve future demand levels. While some specific improvements may be needed, these improvements will be identified at the time of the future development. New development projects in this area could be required to perform analysis of development-related impacts on utility system infrastructure and, where necessary, to construct improvements that increase capacity and avoid service degradation. New development will also be required to provide storm water control as required under the Stormwater Code.

There are no known capacity constraints within the area's substation and electrical system that could be exacerbated by this rezone. Minor site-specific feeder line improvements may be needed to accommodate future development, but would be coordinated at the time of future development.

The amount of growth introduced by the proposed rezone is within the range covered by the City of Seattle's Comprehensive Plan for Fire Protection and Police Services.

It is unlikely that this proposal will result in significant indirect or cumulative impacts related to transportation or public services/utilities, other public services, including fire and police services, parks, and schools relative to already existing needs served by existing facilities and opportunities

Conclusion

The proposed rezones in the 23rd Avenue and E Cherry Street node within the 23rd @ S Jackson-Union Urban Village are not expected to have significant adverse impacts. The allowed height, bulk, and scale of development on the affected parcels are not expected to substantially increase over what is allowed by current zoning. Design review will be required of projects over the size threshold, reducing potential height, bulk, and scale impacts. Increased trips will be accommodated by the existing arterial capacity and existing and future transit service and the mixed-use nature of the area are likely to reduce levels of auto traffic from development projects in the rezoned areas

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

RECOMMENDED CONDITIONS – SEPA

None.

Signature: Katy Haima Date: 6/23/2015

Katy Haima, Land Use Planner
Department of Planning and Development, Land Use Services