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BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE

In the Matter of the Appeal of:

Hearing Examiner File

**WALLINGFORD COMMUNITY  
COUNCIL, ET AL.,**

W-17-006 through W-17-014

of adequacy of the FEIS issued by the  
Director, Office of Planning and  
Community Development.

DECLARATION OF GEOFFREY  
WENTLANDT IN SUPPORT OF THE  
CITY OF SEATTLE'S RESPONSE TO  
WEST SEATTLE JUNCTION  
NEIGHBORHOOD ORGANIZATION'S  
MOTION FOR SUMMARY JUDGMENT,  
AND CITY'S CROSS-MOTION FOR  
SUMMARY JUDGMENT, REGARDING  
NOTICE

I, Geoffrey Wentlandt, declare and state as follows:

1. I am over eighteen years of age, have personal knowledge of the matters herein, and am competent to testify regarding all matters set forth herein. I am a senior planning manager with the City of Seattle's (the "City") Office of Planning and Community Development ("OPCD") and am familiar with the City's environmental review pursuant to the State Environmental Policy Act of the proposal that is the subject of the Citywide Implementation of Mandatory Housing Affordability ("MHA") Final Environmental Impact Statement. I am specifically familiar with and participated in the City's outreach and notice actions with respect to MHA, and I helped prepare the Final

1 Environmental Impact Statement that is the culmination of the City's environmental  
2 review and is the subject of this appeal.

3         2.       The City took several steps to comply with the requirements of the Seattle  
4 Municipal Code ("SMC") regarding notice of environmental review. Per SMC 25.05.360,  
5 OPCD's SEPA responsible official, Sam Assefa, prepared and issued a determination of  
6 significance for the subject proposal on July 28, 2016. As set forth under SMC 25.05.510,  
7 OPCD issued a notice titled "Determination of Significance and Request for Comments  
8 on Scope of EIS" in the City's designated official newspaper, the Daily Journal of  
9 Commerce. The notice stated the comment period and provided information regarding  
10 public scoping meetings to be held on August 13, and August 27, 2016, as required under  
11 SMC 25.05.409. A true and correct copy of the notice is available online at  
12 <https://cosaccela.seattle.gov/portal/welcome.aspx> under Record No. 001330-16PN.  
13  
14

15         3.       It is OPCD's practice to publish legal public notices in the Daily Journal of  
16 Commerce and the City's Land Use Information Bulletin. The Office of the City Clerk  
17 designates the Daily Journal of Commerce as the City's official publication source for  
18 legal notices, as stated in [https://www.seattle.gov/  
19 cityclerk/agendas-and-legislative-resources/public-notices](https://www.seattle.gov/cityclerk/agendas-and-legislative-resources/public-notices).  
20

21         4.       During the scoping period, OPCD invited comments through the project  
22 website; via mail and email; and at two public scoping meetings held at the Seattle  
23 Summer Parkways Events in Rainier Valley on August 13, 2016, and in Ballard on  
24  
25

1 August 27, 2016. In total, the OPCD received 59 scoping comments. A summary of the  
2 scoping comments and the OPCD's responses are provided in Appendix D to the FEIS.

3 5. I attended the entirety of the two public scoping meetings, along with the  
4 lead EIS consultant and staff from the Office of Housing. I was available to answer  
5 questions, engage in discussions about the proposal, and receive comments, and I  
6 personally spoke with many individuals and small groups about the proposal.  
7

8 6. At the meetings, we provided comment forms and materials regarding the  
9 proposal. Attached hereto as **Exhibit 1** is a copy of the materials provided at the meetings.

10 7. The decision to hold two scoping meetings at the Seattle Summer  
11 Parkways Events was a deliberate decision by OPCD and the Seattle Department of  
12 Neighborhoods ("DON") designed to make the meetings more accessible and to reach a  
13 broader audience. The Seattle Summer Parkways Events were held on Saturdays and were  
14 widely attended by a broad range of citizens. By holding the scoping meetings at these  
15 events, OPCD intended to engage members of the public who may not have been aware of  
16 the scoping notice or the proposal.  
17

18 8. Additionally, at the time of scoping, the City was holding a number of  
19 community engagement events regarding MHA and HALA, including four HALA  
20 Community Focus Groups held in August that were open to the public. Though these  
21 events were not formally identified as part of the scoping process, these events included  
22 discussion of scoping as part of the events' agendas, and the City considered comments  
23  
24  
25

1 received from these events as part of the scoping process and integrated the comments to  
2 inform the scope of the EIS.

3           9. Attached hereto as **Exhibit 2** is a true and correct copy of a board display  
4 used at a large public event on January 26, 2016, showing a map of the area for proposed  
5 MHA implementation and a map of the proposed urban village expansions. Staff were on  
6 hand to discuss what those changes could mean to participants. These maps, or ones  
7 similar to them, were used in multiple presentations and events.  
8

9           10. Attached hereto as **Exhibit 3** is a true and correct copy of a set of display  
10 boards that were used during a major April 19, 2016 community open house at the  
11 Museum of History and Industry about HALA and MHA. Sheet 4 is a map of where  
12 MHA zoning changes would take place, and has a clear statement that single family areas  
13 would be changed to RSL or a Lowrise Multifamily zone. These materials were also  
14 posted on the City's website and were published before the scoping process.  
15


16           11. Attached hereto as **Exhibit 4** is a true and correct copy of a document titled  
17 "Principles to guide implementation of Mandatory Housing Affordability (MHA)." As the  
18 document summarizes, these principles emerged from extensive community engagement  
19 that occurred between April of 2016 and August of 2016. The principles and their  
20 development were discussed during multiple community meetings, focus group meetings  
21 open to the public, and in an online dialogue platform called Consider.it that received  
22 hundreds of comments. Item number six on the first page states that the principles of  
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MHA include “Allow[ing] more variety of housing types in existing single-family zones within urban villages.”

I declare under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

EXECUTED in Seattle, Washington, this 11<sup>th</sup> day of May, 2018.

  
\_\_\_\_\_  
Geoffrey Wentlandt, Declarant

# EXHIBIT 1

# MHA

MANDATORY HOUSING AFFORDABILITY EIS

---



# ENVIRONMENTAL IMPACT STATEMENT

The City of Seattle is proposing Mandatory Housing Affordability (MHA) to require all new multifamily and commercial developments to build affordable homes, either constructing them on-site or paying the City to build them elsewhere in the city. MHA is expected to create a total of 6,000 new affordable homes over the next 10 years for low-income and moderate-income families and individuals.

In order to implement MHA, the City would allow developers to build slightly higher or larger buildings where these kinds of developments are already allowed.

The City is proposing to prepare an Environmental Impact Statement (EIS) that will analyze three alternatives and identify the impacts of each alternative. As we consider additional density, we want your feedback on what issues need to be considered and evaluated.



# MH A

## MANDATORY HOUSING AFFORDABILITY EIS



# ALTERNATIVES

Three alternatives all include same 20 year growth estimate:

**+70,000 Total Households;**  
**+8,400 Affordable Units\***

The alternatives differ in whether the MHA program is implemented and how the affordable units are distributed amongst urban villages and centers.

NO ACTION	ALTERNATIVE 2	ALTERNATIVE 3
<b>MHA is not implemented</b>	<b>Implement MHA</b>	<b>Implement MHA with integrated program measures intended to reduce displacement in high risk areas</b>
<b>MHA Affordable Units:</b> None	<b>MHA Affordable Units:</b> 8,400*	<b>MHA Affordable Units:</b> 8,400*
<b>Building Height/Mass:</b> No change to existing requirements	<b>Building Height/Mass:</b> Revised standards to allow additional height and floor area in existing urban village/center multi family and commercial zones, existing single family zones in new/expanded urban villages, and existing multi family/commercial zones outside of urban villages	
<b>Urban Village/Center Boundaries:</b> Based on Comprehensive Plan	<b>Urban Village/Center Boundaries:</b> All Comprehensive Plan boundary expansions included	<b>Urban Village/Center Boundaries:</b> Limit expansions in high risk displacement areas
<b>Rezones:</b> Based on Comprehensive Plan	<b>Rezones:</b> Single-family rezones to allow greater variety of housing in all urban villages uniformly; capacity increases to commercial and multifamily zones uniformly  No changes to single-family zoned areas outside of urban villages	<b>Rezones:</b> Variations in rezones in urban villages depending on displacement risk, with areas at high risk of displacement proposed for lower intensity rezones  No changes to single-family zoned areas outside of urban villages
<b>Program Options:</b> None	<b>Program Options:</b> Distribution of units developed through the payment option according to current criteria	<b>Program Options:</b> Focused investment of units developed through the payment option in areas at risk of displacement

\* MHA is expected to yield approximately 6,000 new affordable housing units over the next 10 years. For purposes of this EIS analysis, this number has been extrapolated to maintain consistency with the Seattle 2035 Comprehensive Plan's 20 year planning horizon. For this reason, the City estimates approximately 8,400 affordable units will be added within 20 years.





# PROPOSED SCOPE

The EIS analysis will incorporate and leverage information and analyses contained in the recent Seattle 2035 Comprehensive Plan EIS (2016), Growth and Equity Analysis (2016), and other recent city studies and plans.

## HOUSING AND SOCIOECONOMICS

- Review of future housing development and supply
- Housing affordability, including a qualitative assessment of the MHA performance and fee options on the overall supply and distribution of affordable housing and MHA requirements on market-rate housing production
- Assessment of socio-economic characteristics, current housing affordability, and relative potential for displacement under each alternative

## LAND USE

- Impacts to land use patterns, compatibility with existing and planned land use patterns, consistency with applicable plans and policies

## AESTHETICS, HEIGHT/BULK/SCALE

- Impacts to visual character, including scale compatibility, street-level conditions, public spaces
- Qualitative review of potential shadow impacts

## TRANSPORTATION

- Assessment of potential impacts on mobility, circulation, transit, parking, bicycle and walking patterns

## HISTORIC RESOURCES

- Potential impacts to historic character and patterns of development and potential impacts on national register historic districts

## OPEN SPACE AND RECREATION

- Assessment of potential changes to development patterns with respect to existing open space needs, potential impacts of increased density and development on open space needs

## PUBLIC SERVICES AND UTILITIES

- Police, fire and emergency medical services, public schools, water, sewer, stormwater
- Potential impacts related to demand for services overall and in different geographic areas of the City



# PROCESS

we  
are  
here

ISSUE DETERMINATION  
OF SIGNIFICANCE AND  
SCOPING NOTICE

Determination of Significance and Scoping Notice for Mandatory Housing Affordability was issued on **July 28, 2016**

CONDUCT SEPA SCOPING

Scoping comment period will close **September 9, 2016**

PREPARE DRAFT EIS

Draft EIS will be prepared

ISSUE DRAFT EIS

Tentative issuance **December 2016**

DRAFT EIS PUBLIC  
COMMENT PERIOD

45-day period following issuance of the Draft EIS, will include a public hearing

PREPARE FINAL EIS

Responds to public comments after close of public comment period

ISSUE FINAL EIS

Tentative issuance **March 2017**

CITY ACTION

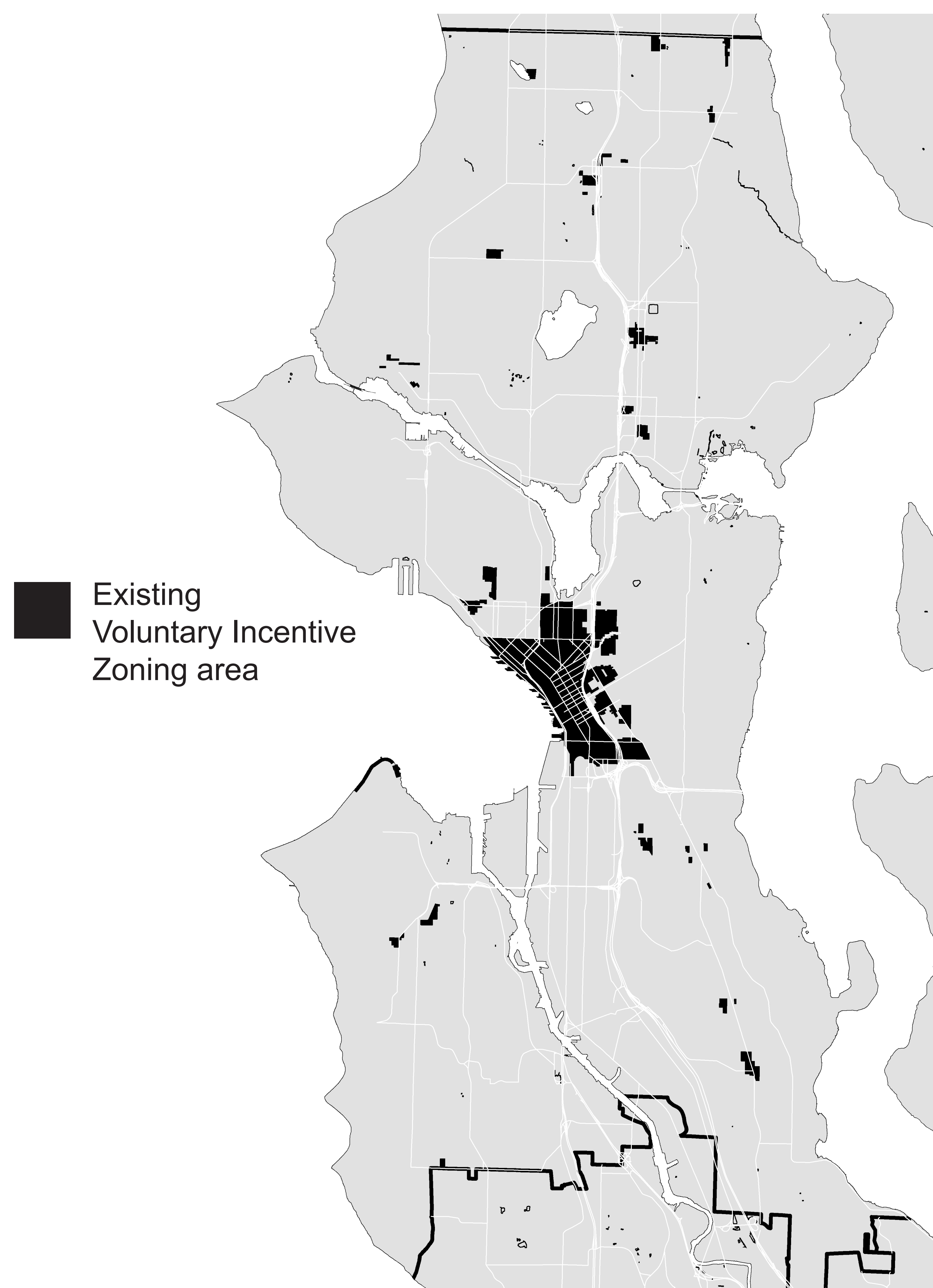
Implement Mandatory Housing Affordability

# EXHIBIT 2

# Mandatory Housing Affordability (MHA)

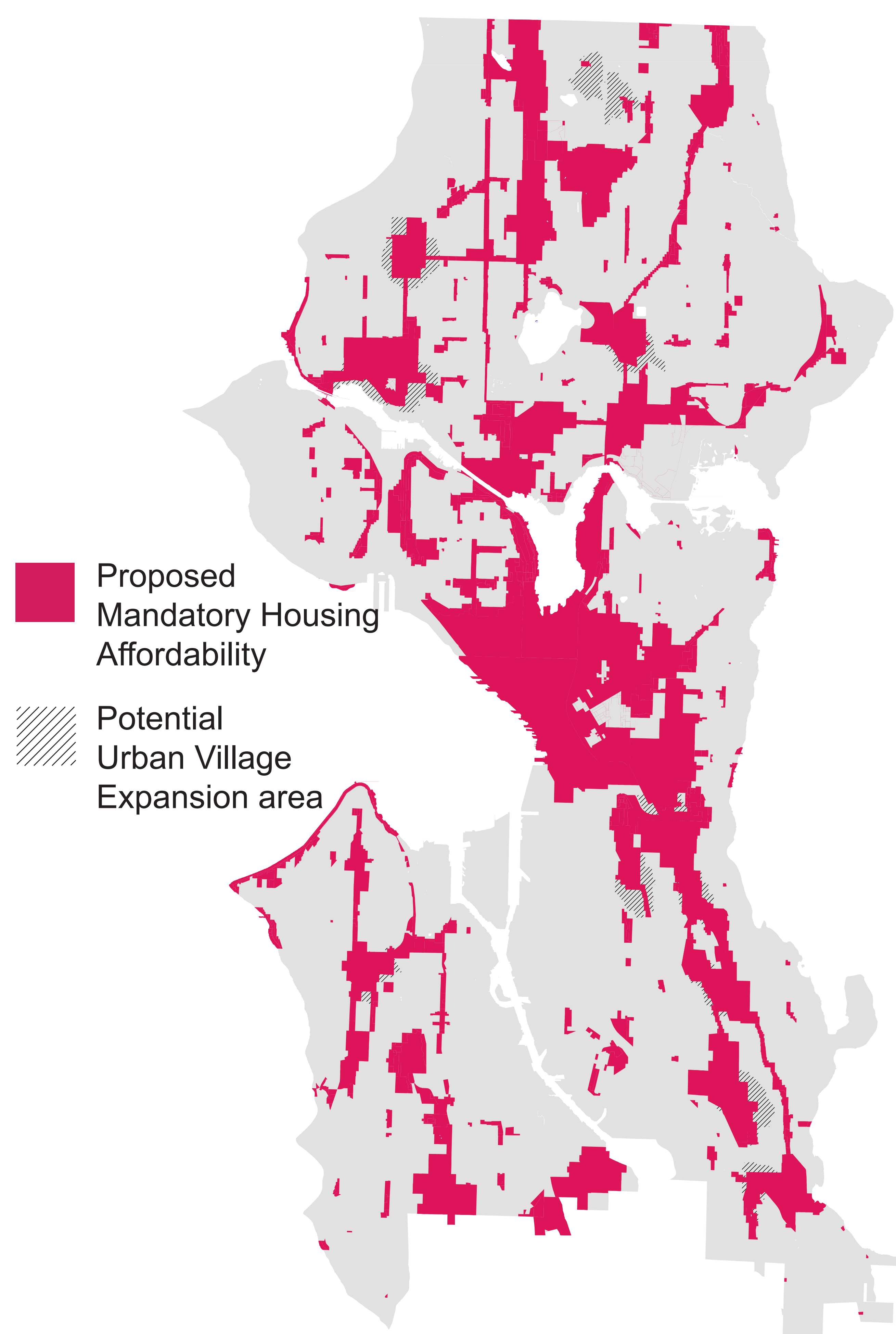
## EXISTING Voluntary Incentive Zoning Program Areas

Applies **only in Downtown, South Lake Union, and a few other neighborhood areas** in other parts of the city.



## PROPOSED Mandatory Housing Affordability (MHA) Program Areas

Applies to all areas of the city **where commercial development and multifamily housing are allowed.**



**We want your input!**

**How important to you is it that the City pass laws requiring more affordable housing with new development?**

**Should some areas not be included in the proposed Mandatory Housing Affordability (MHA) program?**

# EXHIBIT 3

# Community Input Process

## Mandatory Housing Affordability (MHA)

### Overview

MHA would require all new commercial and multifamily development either to include affordable housing on site or make an in-lieu payment for affordable housing using a State-approved approach.

In exchange for the new affordable housing requirement, additional development capacity will be granted in the form of zoning changes. A community input process will help inform details and locations of the zoning changes to implement MHA.

The MHA program is a cornerstone of the Grand Bargain and is essential to achieving affordable housing goals of 6,000 new affordable units over ten years.



### Community Input and Focus Groups

- Orientation
- Ground rules & expectations
- Race & Social Justice training
- HALA background
- MHA background

**A Principles / values** for how to apply MHA

- Policies for MHA exception areas

**B Review details of MHA zoning standard changes** (i.e., height limits, setbacks, floor area ratio)

- Refine MHA zoning standard changes (i.e., height limits, setbacks, floor area ratio)
- City provides baseline MHA zoning change maps.

**C Review / modify zoning change maps**

- Refine / adjust how MHA zones are applied in neighborhoods
- Community charrettes
- Consider local community input
- City provides second draft MHA zoning change maps
- Review / comment on second draft MHA zoning change maps

**Public comment**

All interested community members and groups invited to provide formal comment on draft MHA zoning proposals



## Principle and value statements

These are a few examples of community-based statements that could be made into policies for how we implement the MHA program. Principle and value statements like these can influence how the new MHA zoning standards and MHA zoning maps are drafted. Focus Groups and other community input will help create a core set of principles and values for MHA.

- **Include a focus on family-sized housing so there are more than just studio and one-bedroom apartments.**
- **Prioritize more housing and more density adjacent to parks, schools, and open spaces.**
- **Consider neighborhood plan goals and policies when implementing MHA.**
- **Create gradual transitions between higher density areas and lower density areas.**
- **Focus the biggest development capacity increases along arterial roads and transit corridors.**
- **Exempt designated historic districts from MHA.**

## Other statements that do not help establish principles and values

These are a few examples of opinions that don't help create principle and value statements for how MHA could be implemented.

- **Don't make any zoning changes near my house.**
- **Upzone everywhere because we need more housing supply.**
- **People still need cars. The transit just isn't there yet to support more housing.**
- **This program is a handout to developers. We should require affordable housing without providing any incentives.**

# B Example: MHA Zoning Change Details

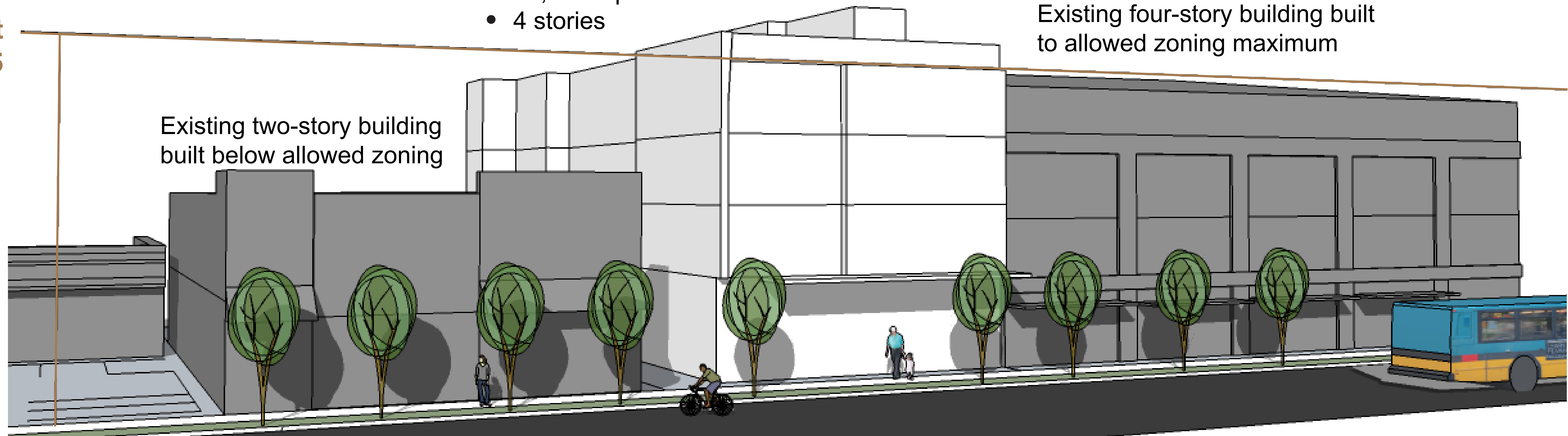
*DRAFT FOR DISCUSSION*  
*All quantities are estimates based on one modeled example.*

## Today (no MHA)...

### New Development

- 30 housing units
- **No affordable housing**
- 17,100 sq. ft.
- 4 stories

40' height limit  
FAR limit 3.25



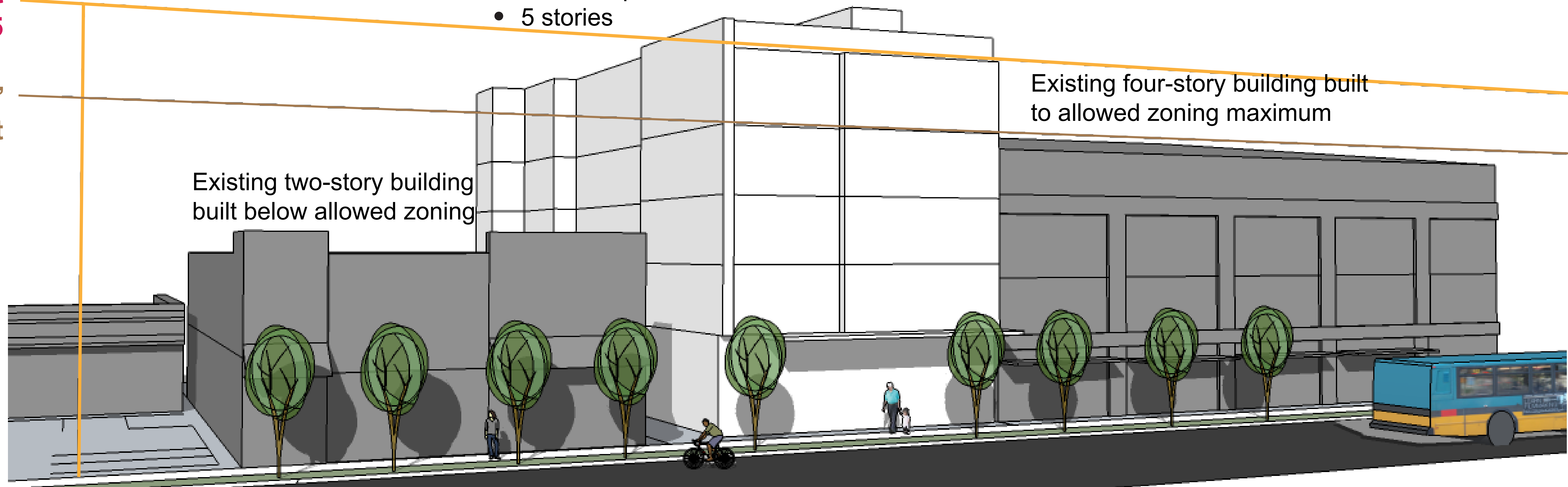
## with MHA...

### New Development

- 39 housing units
- **3 dedicated affordable housing units or in-lieu payment of \$300,000-400,000**
- 21,400 sq. ft.
- 5 stories

50' height limit  
FAR limit 3.75

existing 40'  
height limit

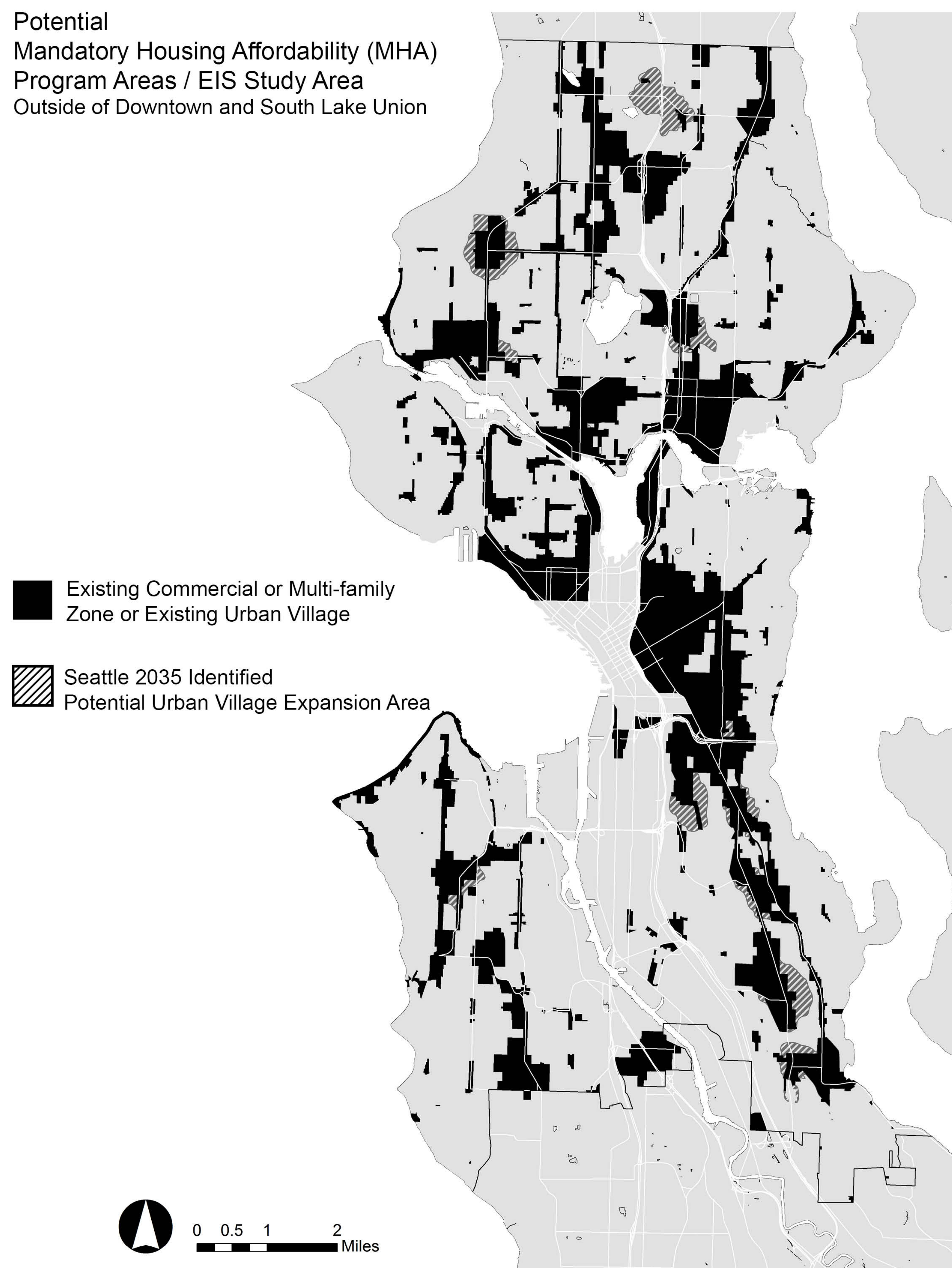




# C Example: MHA Zoning Map Changes

## Draft baseline MHA zoning change map (starting point for discussion)

Potential  
Mandatory Housing Affordability (MHA)  
Program Areas / EIS Study Area  
Outside of Downtown and South Lake Union



## Draft maps will be provided for each urban village area where MHA is applied.

- Apply new MHA zone designations based on principles and values.
- New MHA zones include new height limits and other standards.
- New MHA zones include new urban design standards.
- Single family areas within urban villages will be shown as Residential Small Lot (RSL) or a Lowrise (LR) Multi-family zone.
- Urban village expansion boundaries will be shown.
  
- Communities comment on and improve draft maps based on local ideas.
- Communities conduct charrettes to incorporate local conditions.
- Map modifications must be consistent with MHA principles and values.
- Environmental Impact Statement (EIS) evaluates draft MHA implementation proposal.
  
- City prepares second draft maps based on community input.

# Mandatory Housing Affordability (MHA)

## What will we discuss as a community?

### The City will seek input from communities on all of the following topics in 2016:

#### Urban villages and multifamily areas outside of Downtown and South Lake Union

A year-long engagement process will significantly shape how MHA is implemented in these neighborhood areas.

##### Create Principles for how zoning changes for MHA should apply to neighborhoods

###### Examples of principles to guide the MHA program:

- Focus on family-sized housing.
- Prioritize more housing near parks, open space and schools.
- Create transitions: higher zoning on major roads, and lower zoning near single-family areas.
- Encourage 'gentle density': housing that blends with existing neighborhoods in urban villages.

##### Influence the details of any new zoning

###### Examples of zoning details to consider:

- Specific height increases in a zone.
- Amounts of floor area that can be built on a site.
- Other design standards such as:
  - setbacks
  - lot coverage limits
  - required amenity areas

##### Identify MHA exception areas policies

It may be good policy not to apply MHA in some areas and instead leave existing zoning in place in limited areas.

###### Examples of Possible Exception Areas:

- National Register Historic Districts
- Blockage of SEPA protected view corridor
- Shadow impact on a public plaza

##### Review and comment on zonewide change maps in every neighborhood

- After considering all of the above, the City will prepare draft zonewide change maps.
- Communities will review the maps and make suggestions for refinements and improvements for local preferences.

#### MHA in Downtown & South Lake Union

##### Comment on the details of new zoning to implement MHA

###### Examples of zoning details to consider:

- Increases to allowed tower size
- Amount of height increases
- Consider areas that could be exempted from MHA (i.e., National Register Historic Districts).

### These items are the cornerstone of the Grand Bargain and essential to achieving housing goals:

- The program must achieve 6,000 housing units affordable to households earning 60% of Area Median Income (AMI) or below.
- All commercial and multifamily areas are expected to participate in zonewide changes for MHA, with very limited exceptions based on set criteria.
- Existing single family areas within designated urban villages are expected to see some change to allow small forms of multifamily housing.
- The City will not be making new City resource commitments for non-housing items like parks as a negotiation for applying MHA.
- The general level of the MHA affordable housing per-square-foot fees and set-aside percentages were negotiated in the grand bargain.

# EXHIBIT 4

# Principles to guide implementation of Mandatory Housing Affordability (MHA)\*



## **A Principles that form the foundation of MHA**

**Comments on these foundational principles are welcome, but it is unlikely we will make major changes.**

### **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.



These principles emerged from extensive engagement with Seattle community members. They reflect input we have heard through months of conversation across the city in our neighborhoods and online.

#### **How will my feedback be used?**

Mandatory Housing Affordability (MHA) for multifamily residential development is currently being crafted through citywide engagement. Your feedback will contribute to conversations within HALA Community Focus Groups, as well as a citywide mapping activity to design how MHA is implemented in neighborhoods.

*Join the Conversation – May 2016*

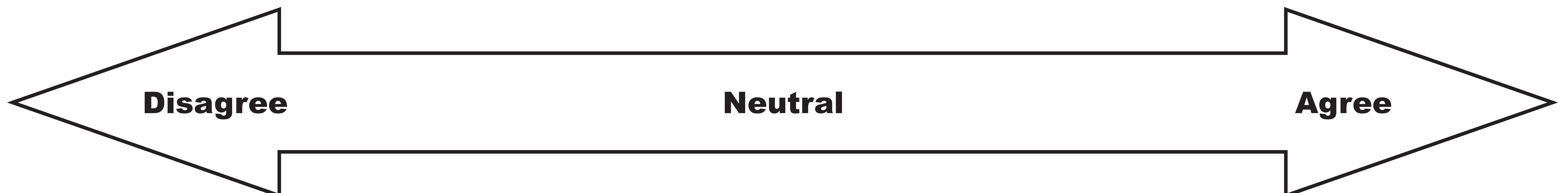


# Principles to guide implementation of Mandatory Housing Affordability (MHA)\*

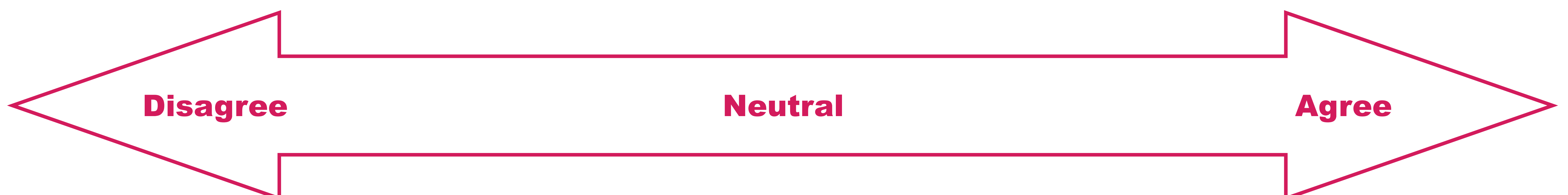


## URBAN DESIGN QUALITY

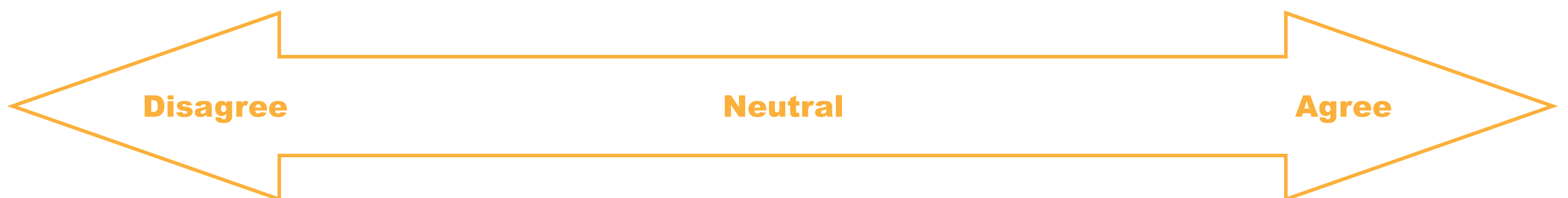
Address urban design quality, including high-quality design of new buildings and landscaping.



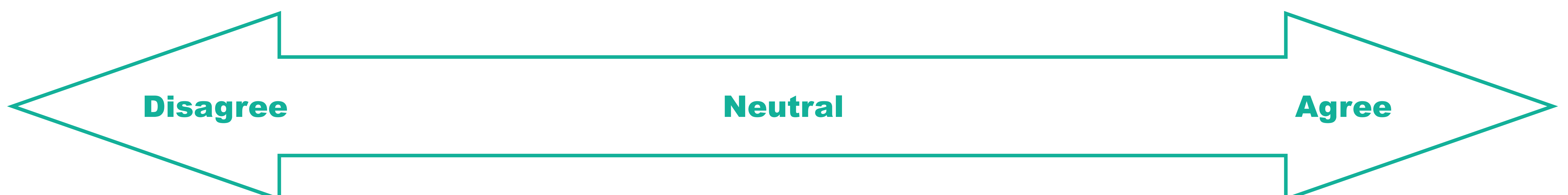
a. Encourage publicly visible green space and landscaping at street level.



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.



What would you add to Urban Design Quality principles for guiding MHA?



These principles emerged from extensive engagement with Seattle community members. They reflect input we have heard through months of conversation across the city in our neighborhoods and online.

### How will my feedback be used?

Mandatory Housing Affordability (MHA) for multifamily residential development is currently being crafted through citywide engagement. Your feedback will contribute to conversations within HALA Community Focus Groups, as well as a citywide mapping activity to design how MHA is implemented in neighborhoods.

Join the Conversation – May 2016

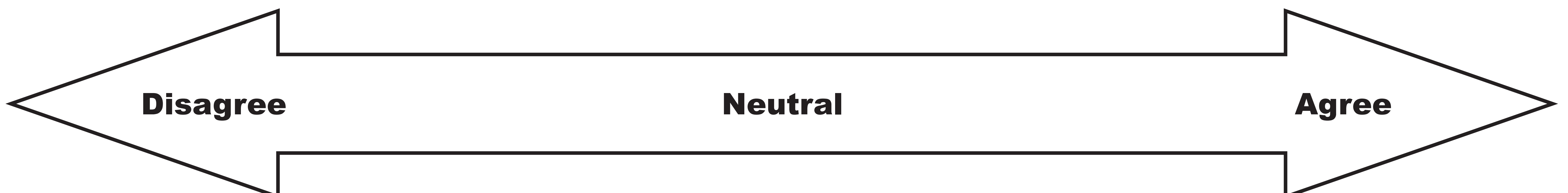


# Principles to guide implementation of Mandatory Housing Affordability (MHA)\*

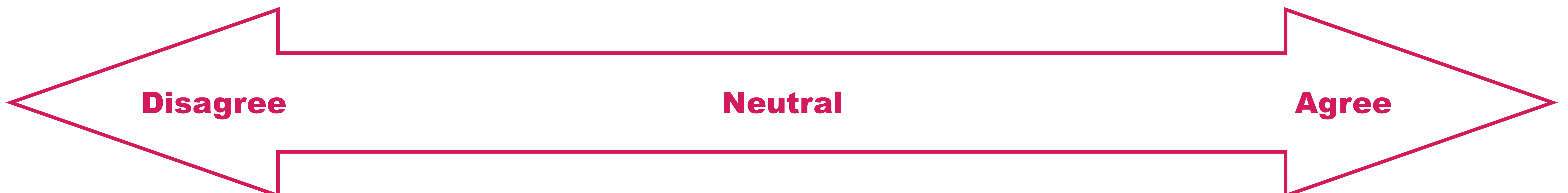


## TRANSITIONS

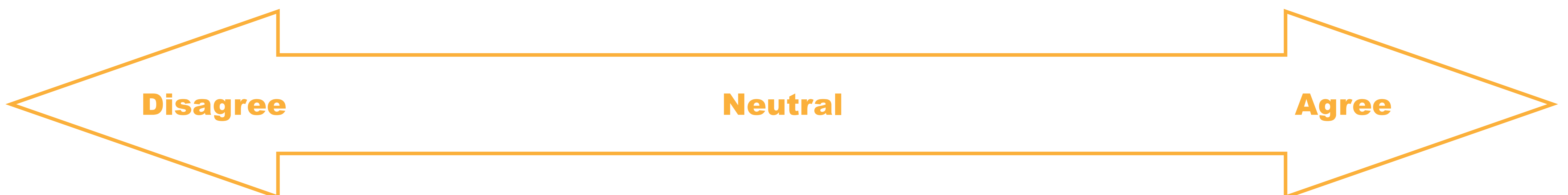
Plan for transitions between higher- and lower-scale zones as additional development capacity is accommodated.



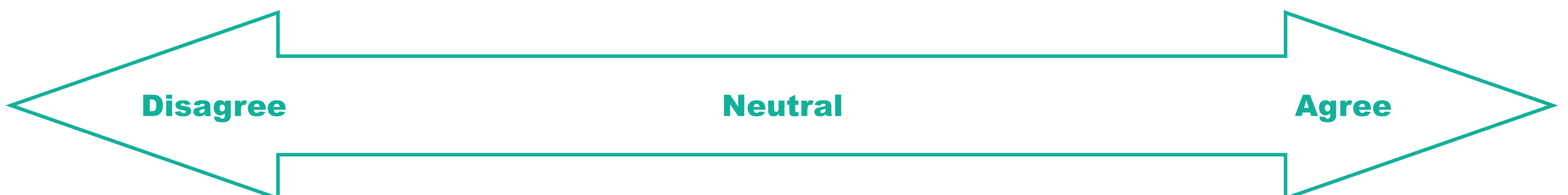
**a. Zone full blocks instead of partial blocks in order to soften transitions.**



**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.**



**What would you add to Transitions principles for guiding MHA?**



These principles emerged from extensive engagement with Seattle community members. They reflect input we have heard through months of conversation across the city in our neighborhoods and online.

### How will my feedback be used?

Mandatory Housing Affordability (MHA) for multifamily residential development is currently being crafted through citywide engagement. Your feedback will contribute to conversations within HALA Community Focus Groups, as well as a citywide mapping activity to design how MHA is implemented in neighborhoods.

Join the Conversation – May 2016

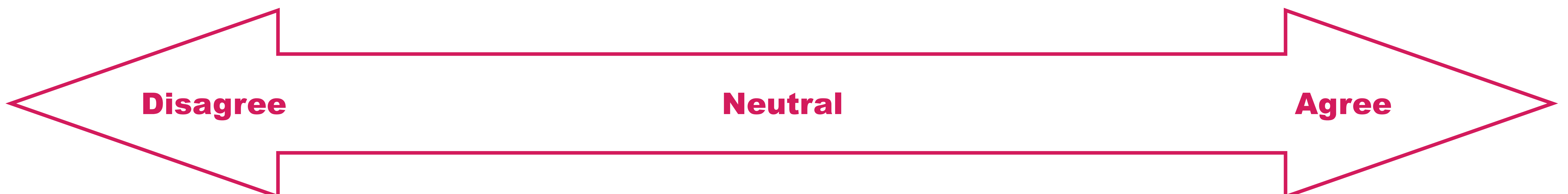


# Principles to guide implementation of Mandatory Housing Affordability (MHA)\*

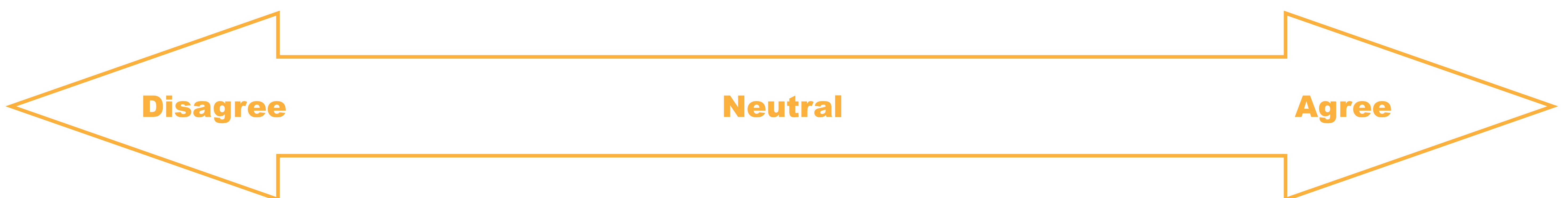


## HISTORIC AREAS

a. Do not increase development capacity in designated National Register historic districts, even if it means these areas do not contribute to affordability.



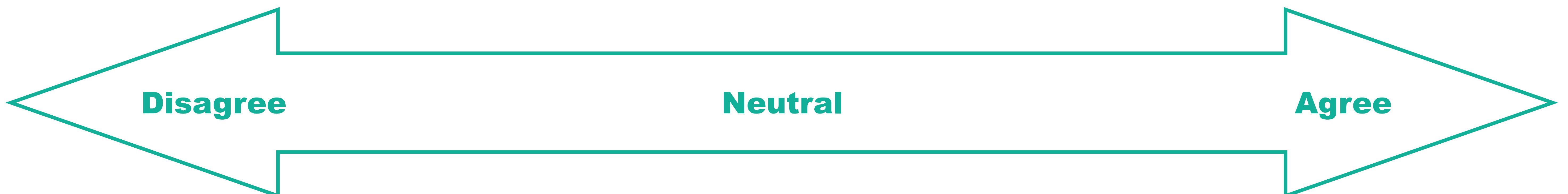
b. Consider not providing development capacity increases in other documented areas of historic or cultural significance that are not National Register historic districts, even if it means these areas do not contribute to affordability.



What would you add to Historic Areas principles for guiding MHA?

## AMENITIES

a. Consider locating more housing near amenities such as parks and schools.



What would you add to Amenities principles for guiding MHA?



These principles emerged from extensive engagement with Seattle community members. They reflect input we have heard through months of conversation across the city in our neighborhoods and online.

### How will my feedback be used?

Mandatory Housing Affordability (MHA) for multifamily residential development is currently being crafted through citywide engagement. Your feedback will contribute to conversations within HALA Community Focus Groups, as well as a citywide mapping activity to design how MHA is implemented in neighborhoods.

Join the Conversation – May 2016

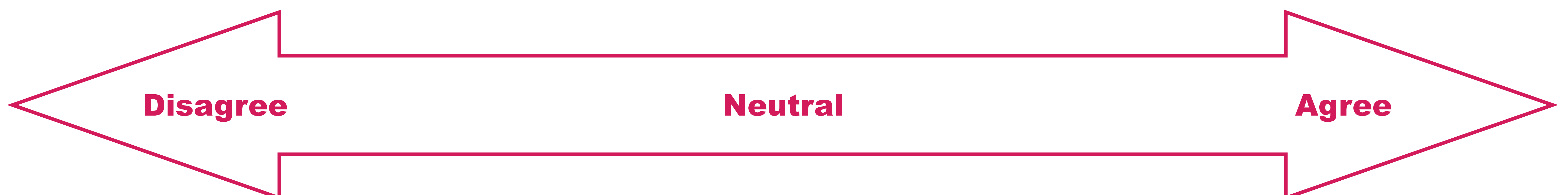


# Principles to guide implementation of Mandatory Housing Affordability (MHA)\*

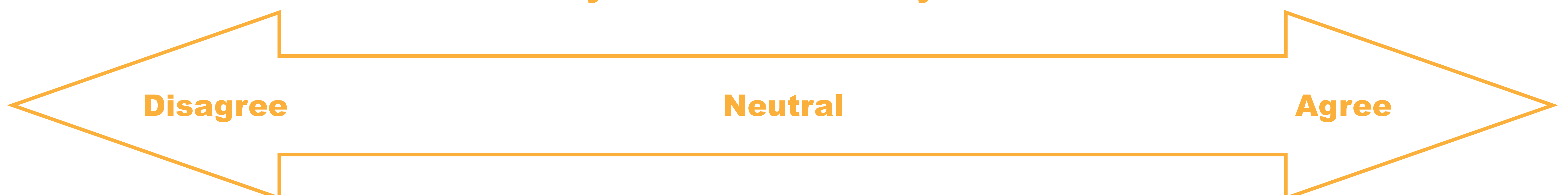


## URBAN VILLAGE EXPANSION AREAS

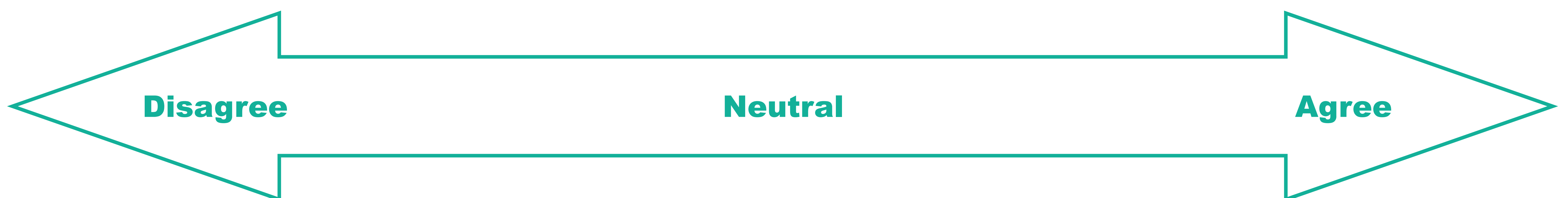
a. Implement the urban village expansions using 10-minute walksheds similar to what was shown in the draft Seattle 2035 Comprehensive Plan update.



b. Implement urban village expansions recommended in Seattle 2035 but with modifications informed by local community members.



c. In general, any development capacity increases in urban village expansion areas should ensure new development is gradual in scale relative to the existing neighborhood context.



**What would you add to Urban Village Expansion Area principles for guiding MHA?**



These principles emerged from extensive engagement with Seattle community members. They reflect input we have heard through months of conversation across the city in our neighborhoods and online.

#### How will my feedback be used?

Mandatory Housing Affordability (MHA) for multifamily residential development is currently being crafted through citywide engagement. Your feedback will contribute to conversations within HALA Community Focus Groups, as well as a citywide mapping activity to design how MHA is implemented in neighborhoods.

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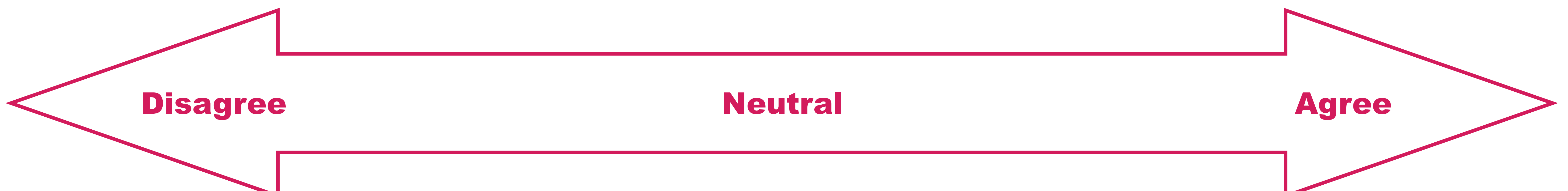


# Principles to guide implementation of Mandatory Housing Affordability (MHA)\*



## UNIQUE CONDITIONS

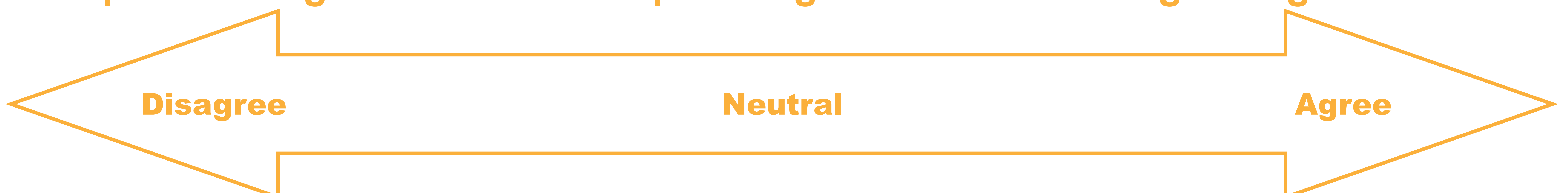
- a. Consider location-specific factors such as documented view corridors from a public space or right-of-way when zoning changes are made.



What would you add to Unique Conditions principles for guiding MHA?

## NEIGHBORHOOD URBAN DESIGN

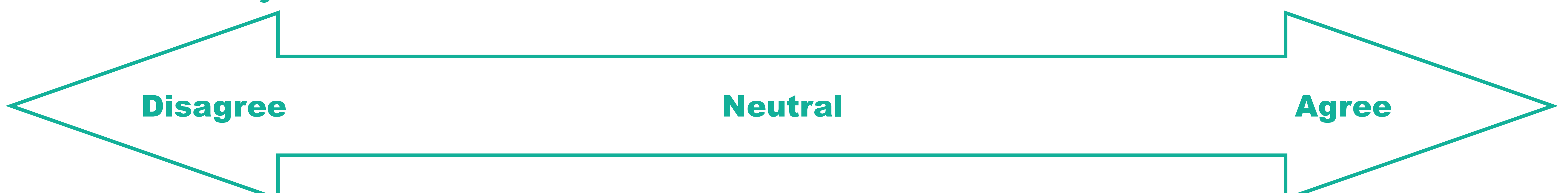
- a. Consider urban design priorities expressed in an adopted neighborhood plan or neighborhood-based planning effort when zoning changes are made.



What would you add to Neighborhood Urban Design principles for guiding MHA?

## HOUSING OPTIONS

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



What would you add to Housing Options principles for guiding MHA?



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## What other principles about MHA would you add?



These principles emerged from extensive engagement with Seattle community members. They reflect input we have heard through months of conversation across the city in our neighborhoods and online.

### How will my feedback be used?

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