

The development siting policy, as described in the City's Consolidated Plan, states that the Office of Housing will not fund a project if it would result in the total number of subsidized units serving extremely low-income households (below 30% area median income) exceeding 20% of the total housing units in the Census block group. The site of the DESC Delridge project is located in Census block group 107.01.1.

Excerpt from the 2009-2012 City of Seattle Consolidated Plan—Housing Element, 2011 Update

Development Siting Policy

Unless the Director waives the siting policy as stated below, OH will not fund, or certify as consistent with this Consolidated Plan, a project if the proposed number of subsidized rental housing units for extremely low-income households would exceed the capacity for additional subsidized rental housing units for extremely low-income households in the Census block group where the proposed project is located.

Capacity for additional subsidized rental housing units for extremely low-income households is defined as:

- The total number of housing units in the Census block group according to the latest information as updated annually by the Department of Planning and Development (DPD), multiplied by 20%;
- Less the number of existing subsidized rental housing units for extremely low-income households in the Census block group according to the latest report available from OH (OH's inventory of subsidized rental housing in Seattle includes projects with capital subsidies from public agencies; i.e. City-funded projects as well as non-City funded projects as reported periodically by county, state and federal agencies).

The siting policy does not apply to projects located within the Downtown Urban Center and within the South Lake Union and Uptown Urban Centers north to include the north side of Mercer Street because of their special nature as high priority areas for affordable housing investment.

The OH Director may grant a waiver of the siting policy if one or more of the following criteria are met:

- The proposed project is a neighborhood-supported project. To be considered a neighborhood-supported project, OH must determine that the proposed project is supported by a reasonable number of immediate neighbors and/or affected neighborhood organizations. Such determination will be based on review of results of the community notification process as described in the Neighborhood Notification and Community Relations Policy section (see below) including notification of immediate neighbors, consultation with established community groups, public meetings, and/or other means of community notification as OH deems appropriate. In accordance with national, state and local fair housing laws, OH disregards, in evaluating neighborhood support for the project, any opposition that appears to be based on characteristics of future residents of a project if discrimination based on such characteristics is prohibited.
- Additional market-rate housing development is planned in the Census block group, and OH determines that the proposed project would not result in more than 20% of total housing units in the block group being subsidized rental housing for extremely low-income households, based on an adjusted estimate of total housing units that includes units for which building permits have been issued (based on the Department of Planning & Development's latest annual report of building permit data) or other such documentation as deemed appropriate by OH.
- OH determines that natural or manmade barriers (e.g. a bluff, waterway, or freeway) physically separate the proposed project from existing concentrations of subsidized rental housing for extremely low-income households.

The Analysis of Impediments to Fair Housing prepared for the City of Seattle, which is available on OH's Consolidated Plan webpage, includes a thorough overview of federal, state and local fair housing law. OH's Siting Policy is a tool for addressing barriers to fair housing. One goal is to ensure that housing for Seattle's lowest-income and most vulnerable populations is available throughout the City, including in our most amenity-rich neighborhoods in terms of transit, schools, parks and retail.

In accordance with the Fair Housing Act, Title 42, Chapter 45, Subchapter I, Section 3604, the OH Director may make reasonable accommodations specific to the Siting Policy when such accommodations may be necessary to afford handicapped persons equal opportunity to use and enjoy a dwelling.