

Amendment 5 Version 2 to CB 121011 – Roots to Roofs

Sponsor: Councilmember Rivera

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Allow floor area in an equitable development use to convert to another allowed use after fifty years

Effect: Council Bill 121011 would establishing incentives, such as Floor Area Ratio (FAR) exemptions, for development that includes floor area in an equitable development use, which would be defined as, “activities, as determined by rule, where all components and subcomponents of the use provide mitigation against displacement pressure for individuals, households, businesses, or institutions, that comprise a cultural population at risk of displacement.”

This amendment would clarify that eligible floor area in an equitable development use would need to remain in that category of uses for fifty years, after which it could be converted to another use allowed by development regulations. The equitable use requirement would be secured by a covenant or other legal instrument and be enforceable by the City.

Amend Section 2 of Council Bill 121011, as follows:

Section 2. New Sections 23.40.090 through 23.40.097 are added to the Seattle Municipal

Code as follows:

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23.40.091 Definitions for Sections 23.40.090 through 23.40.097

For the purposes of Sections 23.40.090 through 23.40.097:

“Equitable development use” means activities, as determined by rule, where all components and subcomponents of the use provide mitigation against displacement pressure for individuals, households, businesses, or institutions, that comprise a cultural population at risk of displacement. Equitable development uses may include but are not limited to activities such as

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gathering space, arts and cultural space, educational programming or classes, childcare centers, direct services, job training, or space for other social or civic purposes. Equitable development uses may also include commercial uses, such as commercial kitchens and food processing, craft work and maker spaces, cafes, galleries, co-working spaces, health clinics, office spaces, and retail sales of food and goods. Space occupied by an equitable development use must remain in that use or another equitable development use for a period of at least 50 consecutive years. The requirement that space be occupied by an equitable development use shall be subject to a covenant, regulatory agreement, or other legal instrument recorded on the title of the property and enforceable by The City of Seattle.

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