

CITY OF SEATTLE
ORDINANCE 127299
COUNCIL BILL 121047

AN ORDINANCE relating to Seattle’s construction codes; limiting the areas for which substantial alterations are required to spaces or buildings greater than 7,000 square feet in gross area; amending existing substantial alteration requirements; and amending Section 311 of the Seattle Existing Building Code, adopted by Ordinance 127108.

WHEREAS, small businesses in Seattle have faced significant economic disruption due to the COVID-19 public health emergency and its aftermath, including prolonged closures, rising costs, and difficulty reactivating vacant commercial storefronts; and

WHEREAS, since February 2020, Seattle’s commercial districts have experienced high vacancy rates, especially in small retail and food service spaces, as regulatory, physical, and financial hurdles have made it difficult for new tenants to occupy formerly active storefronts; and

WHEREAS, Downtown retail has been particularly impacted by vacancies and existing permitting requirements prevent rapid activation of vacant storefronts; and

WHEREAS, Section 311.1.1 of the Seattle Existing Building Code requires significant cost and time-consuming building upgrades when a building is reoccupied after 24 months of vacancy, even in situations where there is no change in use, size, or safety risk, creating a substantial barrier to small business reactivation downtown and in the city’s neighborhood business districts; and

WHEREAS, the Governance Accountability and Economic Development Committee held a Roundtable Discussion on Improving the Building Permitting Process on February 13, 2025, where substantial alterations were discussed as a risk factor for projects; and

WHEREAS, this proposed amendment to Section 311 of the Seattle Existing Building Code will clarify that businesses reoccupying certain small commercial spaces after pandemic-era vacancy will not automatically trigger substantial alteration requirements, while maintaining life safety considerations, enabling them to return to operation more affordably and quickly; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 311 of the Seattle Existing Building Code, enacted by Ordinance 127108, is amended as follows:

* * *

[S] 311.1.1 Definition. For the purpose of this section, spaces or buildings greater than 7,000 square feet gross area, *substantial alteration* or repair means any one of the following, as determined by the *code official*:

1. *Repair* of a building with a *damage ratio* of 60 percent or more.
2. Remodeling or an *addition* that substantially extends the useful physical or economic life of the building or a significant portion of the building, other than typical tenant remodeling.
3. A change of a significant portion of a building to an occupancy that is more hazardous than the existing occupancy, based on the combined life and fire risk as determined by the *code official*. The *code official* is permitted to use Table 311.1 as a guideline.

Exception: Where the area of change of occupancy is less than 20 percent of the building *gross floor area*.

~~((4. Reoccupancy of a building that has been substantially vacant for more than 24 months in occupancies other than Group R-3.))~~

- 1 **SDCI Informative Note. 311.1.1 item #2 does not apply where alterations convert**
- 2 **HVAC heating systems, water heating systems, or both from fossil fuel or electric resistance to**
- 3 **heat pump systems, and where the only additional alterations provide necessary electrical power,**
- 4 **structural support, or air circulation for the heat pump system.**

Section 2. This ordinance shall take effect as provided by Seattle Municipal Code
Sections 1.04.020 and 1.04.070.

Passed by the City Council the 16th day of September, 2025,
and signed by me in open session in authentication of its passage this 16th day of
September, 2025.



President _____ of the City Council

☒ Approved / ☐ returned unsigned / ☐ vetoed this 24th day of September, 2025.



Bruce A. Harrell, Mayor

Filed by me this 24th day of September, 2025.



Scheereen Dedman, City Clerk

(Seal)