

ORDINANCE NO. 26-1013

An ORDINANCE of the City Council of the City of SeaTac, Washington, amending development regulations in the SeaTac Municipal Code to allow residential conversions and the addition of dwelling units within existing buildings in compliance with House Bill 1757 and RCW 35A.21.440; and establishing an effective date.

WHEREAS, the Washington State Legislature adopted Engrossed Substitute House Bill 1110 and subsequent housing legislation to increase housing supply and reduce barriers to residential development throughout the state; and

WHEREAS, in 2023, the Legislature adopted requirements codified in RCW 35A.21.440 directing cities to allow the conversion of existing commercial buildings to residential use in areas that permit multifamily housing; and

WHEREAS, during the 2025 legislative session, the Legislature adopted House Bill 1757, which expanded the applicability of residential conversion requirements and further limited local regulatory barriers to adaptive reuse projects; and

WHEREAS, HB 1757 requires cities to allow the addition of dwelling units within existing buildings in commercial, mixed-use, and residential zones that permit multifamily housing; and

WHEREAS, HB 1757 further prohibits cities from requiring change of use permits for qualifying residential conversion projects and limits the application of certain development standards, parking requirements, concurrency requirements, and State Environmental Policy Act review; and

WHEREAS, the City of SeaTac recognizes that adaptive reuse of existing buildings can increase housing supply, reduce construction waste, support reinvestment in underutilized properties, and provide additional housing opportunities within the urban environment; and

WHEREAS, the proposed amendments establish a new section of the SeaTac Municipal Code to provide a clear and predictable framework for residential conversions while maintaining applicable health, safety, fire, and building code requirements; and

WHEREAS, the proposed amendments allow additional dwelling units within existing buildings, establish standards for building envelope limitations, address parking and nonconformities, and preserve ground-floor commercial uses along designated pedestrian-oriented corridors; and

WHEREAS, the Planning Commission reviewed the proposed amendments at its March 3, 2026 meeting and held a duly noticed public hearing on March 17, 2026, after which the Commission recommended approval of the amendments; and

WHEREAS, a SEPA Determination of Nonsignificance (DNS) was issued for the proposed amendments on March 11, 2026, and the comment period closed on March 25, 2026, with no comments received; and

WHEREAS, the proposed amendments were submitted to the Washington State Department of Commerce for review on March 11, 2026 pursuant to RCW 36.70A.106; and

WHEREAS, the Planning and Economic Development Committee reviewed the proposal on April 16, 2026 and recommended approval to the City Council; and

WHEREAS, the City Council finds that the proposed amendments are consistent with the Growth Management Act, RCW 36.70A, and the Envision SeaTac Comprehensive Plan and are necessary to comply with state law and support additional housing opportunities within the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

Section 1. The SeaTac Municipal Code is hereby amended as set forth in Exhibit A.

Section 2. The City Clerk is directed to transmit a complete and accurate copy of this Ordinance, as adopted, to the Department of Commerce within ten days after final adoption, pursuant to RCW 36.70A.106 and WAC 365-196-630. The Clerk is further directed to transmit a copy of this Ordinance together with copies of other Ordinances amending development regulations adopted within the preceding twelve months to the King County Assessor pursuant to RCW 35A.63.260.

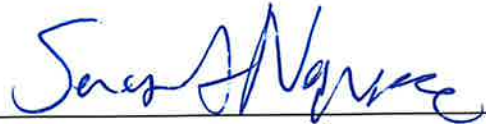
Section 3. Corrections. Upon approval of the City Attorney's Office, the City Clerk and the Code Reviser are authorized to make necessary corrections without altering intent, including the correction of clerical errors, references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 4. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

Section 5. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 9th day of June, 2026, and signed in authentication thereof on this 9th day of June, 2026.

CITY OF SEATAC


Senayet Negusse, Deputy Mayor

ATTEST:



Kristina Gregg, City Clerk

Approved as to Form:



Cindy Corsilles, City Attorney

[Effective date: June 20, 2026]
[HB 1757 Code Amendments]

Exhibit A

15.205.040 Use Chart

LAND USE	RL	RM	URM	MHP	RH	URH	URH-MU	CL	NVM (1)	NVH (1)	CB	CB-C	RBX	P	I	ADDITIONAL STANDARDS (1) See SMC 15.520.400 for ground floor active use requirements in NVM and NVH zones.
Multi-Family					P(2)	P(2)	P(2)	C(2)	P(1) (2)	P(1) (2)	P(1) (2)	P(1) (2)	C(1) (2)			(1) For projects fronting International Blvd or S 188th St, at least 50% of the building's ground floor shall be a retail, service, or commercial use as described in SMC 15.520.300 , Mixed Use in Residential Projects. (2) See SMC 15.465.700 for <u>Conversion.or.Addition.of.Dwelling.Units.in.Existing.Buildings, for provisions for reuse and conversion of existing commercial, mixed-use, and residential buildings.</u>

15.465.700 Conversion or Addition of Dwelling Units in Existing Buildings.

A. Purpose and Authority.

1. Purpose. The purpose of this section is to implement RCW 35A.21.440, as amended, which requires code cities to allow additional dwelling units to be created within existing buildings. These provisions are intended to increase the supply and variety of housing by supporting the reuse and conversion of existing commercial, mixed-use, and residential buildings for residential purposes while ensuring compliance with health, safety, and life safety standards.
2. Authority. This section is adopted pursuant to RCW 35A.21.440 and related provisions of state law.

B. Regulations.

The following regulations apply to the creation of additional dwelling units within existing buildings as required by RCW 35A.21.440. In commercial, mixed-use, or residential zones that permit multifamily housing, dwelling units may be added within existing buildings up to a density of 50 percent more than what is allowed in the underlying zone. For the purpose of this section, an existing building means a building that received a certificate of occupancy at least three years prior to the permit application to add dwelling units. The following provisions apply:

1. Health and Safety. All applicable health and safety standards, including but not limited to building code and fire and life safety standards, shall be met.
2. Building Envelope. Dwelling units must be constructed entirely within the existing building envelope. Modifications to the envelope that are required to bring the additional units into compliance with applicable energy, building, fire, or life safety code standards are permitted so long as the volume of the building and the location of exterior walls do not change.
3. Ground Floor Uses. Dwelling units may be located in any part of the existing building except for existing ground floor commercial or retail spaces abutting a major pedestrian corridor as defined by the city.
4. Egress Windows. Windows required for egress may be added so long as they are the minimum size necessary to satisfy fire and life safety code requirements.

5. Parking. No additional parking shall be required for dwelling units added under this section. Existing required residential parking, and parking for nonresidential uses that remain, must be retained.
6. Energy Code. Changed portions of new dwelling units must meet the requirements of the current energy code. Unchanged portions of an existing building are not required to comply with the current energy code solely because of the addition of dwelling units. Energy code compliance is not required if:
 - a. The square footage of new dwelling units does not exceed 2,500 square feet or 50 percent of the total building square footage, whichever is greater;
 - b. The building owner demonstrates that the projected energy use intensity of the building's residential units is less than or equal to the clean buildings performance standard in RCW 19.27A.210; or
 - c. An additional housing unit is created within an existing home located in a residential zone.
7. Design Standards. Additional dwelling units under this section are exempt from dimensional standards, design standards, and design guidelines except as necessary for health and safety, or where the building is a designated landmark or is located within a historic district established by ordinance.
8. Transportation and Environmental Review. No transportation concurrency study under RCW 36.70A.070 or environmental review under chapter 43.21C RCW shall be required for the addition of dwelling units within an existing building under this section.
9. Permitting Requirements. No additional land use permitting requirements, including a change of use permit, shall be required for dwelling units added under this section beyond those generally applicable to residential development in the zone. Building permits required to demonstrate compliance with building, fire, and life safety standards shall continue to apply.
10. Nonconformities. A building permit application under this section may not be denied due to existing nonconformities related to parking, height, setbacks, elevator size, or modulation, unless the reviewing official makes written findings that the nonconformity is causing a significant detriment to the surrounding area.