Seattle Department of Construction and Inspections

sdci

Tip 257

Seattle Permits

— part of a multi-departmental City of Seattle series on getting a permit

Developer Contributions — Mandatory Housing Affordability

Updated February 27, 2026

What is a Developer Contribution?

A developer contribution is payment or provision of a benefit in consideration of a proposed project. The City of Seattle requires developer contributions in certain instances to achieve extra floor area and/or mitigate the impacts of new development. Developer contributions may address local needs for affordable housing, childcare, open space, historic preservation, and preservation of regional farms and forests. Developer contributions are generally required through incentive zoning (IZ), Mandatory Housing Affordability (MHA) requirements, or both.

Where required, we expect you to document your developer contributions on the plans before we issue a Master Use Permit (MUP) or building permit. Before we issue a building permit, you may also need to provide recorded agreements and declarations to document the ongoing terms of your contribution(s), as well as make any payments.

This Tip outlines the provisions of the MHA requirements.

Why Require Affordable Housing?

The high cost of housing in Seattle makes it difficult for many residents to live here. In response, Seattle's land use code now requires developers to provide affordable housing or pay into a fund that supports housing affordability.

In 2014 the City convened the Housing Affordability and Livability Advisory Committee to develop an agenda to increase the quantity of affordable housing in Seattle. The advisory committee included renters, homeowners, for-profit and not-for-profit developers, and other local housing experts. The Committee published the Housing Affordability & Livability Agenda (HALA) with 65 recommendations to address the housing affordability and livability crisis in Seattle. One of the HALA recommendations included ensuring growth and development brings more affordability to the City.

To achieve the goal of providing affordable housing in Seattle, development subject to the MHA requirements must contribute to affordable housing as part of most commercial, residential, or live-work projects. This contribution can be provided by including affordable housing units within new development (performance option) or paying into a fund that will support the development of affordable housing (payment option).

What are the MHA Requirements?

A property is subject to the MHA requirements after the City Council approves a city-initiated rezone (legislative) or an applicant-initiated rezone (quasi-judicial) that increases the maximum height or floor area ratio (FAR) or establishes a different zoning designation. The MHA requirements are found in the standards of the zone for legislative rezones, and as part of the Property Use and Development Agreements (PUDA) associated with quasi-judicial rezones (i.e. contract rezones). Most rezoned areas will have an MHA suffix, (M), (M1), (M2) to determine the appropriate MHA payment or performance amount; however, there are some zones where MHA is effective without an MHA suffix.

You can find the MHA requirements in the land use code:

- Chapter 23.58B—Affordable Housing Impact Mitigation Program for Commercial Development (MHA-C)
- Chapter 23.58C—MHA for Residential Development (MHA-R; this chapter also applies to development that includes live-work units).

You can choose to comply with the MHA requirements through the payment option or the performance option.

- The payment option allows you to make a payment to the City as part of the permitting process. Payments are used for low-income housing development.

Seattle Department of Construction & Inspections

700 5th Avenue, Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019
(206) 684-8600

- The performance option allows you to incorporate affordable units into the proposed development. When you choose the performance option, you must follow the design and locational standards in the code and document compliance in the plans and housing agreement. Affordable units provided through the performance option must comply with the standards of SMC 23.58B.050 and 23.58C.050. If you have questions about these standards, please contact the Office of Housing **(OFH_Housing_Review@seattle.gov** or (206) 684-0721).

The code outlines the calculation you should use to determine the exact payment or performance amount. The calculations must be shown in the permit plans at both the MUP stage and the building permit stage. Your final contribution is always based on the final building permit plans.

How is MHA Related to Affordable Housing Provided Through Incentive Zoning?

The primary difference between the incentive zoning (IZ) program and the MHA requirements is that IZ only applies to extra floor area proposed above a base height limit or a base FAR, and the MHA requirements apply to the entire development.

When your project is using IZ and is subject to MHA, the MHA requirements satisfy the affordable housing requirements from the IZ program (Chapters 23.49 and 23.58A). There are no changes to the standards for other public amenities provided through IZ, such as child care, open space amenities, transferable development rights and potential, and regional development credits.

How do I Know if MHA Applies to my Project?

For your project to be subject to MHA, the standards of the zone or the project-associated PUDA must reference Chapter 23.58B and/or Chapter 23.58C. As noted above, there may or may not be an MHA suffix attached to the zoning designation. It is possible for MHA-C and MHA-R to both apply to a project when you are proposing a mix of commercial and residential uses on your site.

Once you determine that your project is subject to the MHA program, the applicability sections of Chapters 23.58B and 23.58C respectively outline the applicable development.

- For the commercial requirements, MHA-C (Chapter 23.58B), MHA generally applies to a project proposed with more than 4,000 square feet of gross floor area in commercial use.
- For the residential and live-work requirements, MHA-R (Chapter 23.58C), MHA applies to a project that has new units or increases the number of units in an existing building. For the purposes of applying MHA, a "unit" means a principal dwelling unit, a congregate residence sleeping room, or a live-work unit.

For example, in a commercial zone with an (M) suffix, such as NC2-55 (M), Section 23.47A.517 requires that you comply with Chapters 23.58B and 23.58C. If you are proposing more than 4,000 square feet of gross floor area in commercial use, then the standards of Chapter 23.58B are applicable to the project. If the project contains any units, the standards of Chapter 23.58C also apply. When MHA is applicable to your project, you must provide the MHA calculations in the plans.

How is Floor Area Related to the MHA Calculations?

Except for the performance option for MHA-R, which uses the number of units applicable to the MHA requirements, the floor area in a development determines the total payment or total number of units you provide for your affordable housing contribution. When there is a common area in a development dedicated to both residential and commercial uses, you pro-rate the floor area and apply the prorated square footage to the respective MHA calculation.

- **MHA-C**
  The commercial requirements (Chapter 23.58B) use the *chargeable floor area in commercial use* as the basis for both the payment and performance options of the MHA calculation.The Floor Area Ratio (FAR) calculation determines the chargeable floor area. FAR is the relationship or ratio of the gross floor area in structures to the lot area. Only gross floor area that is not exempted from the FAR calculation is chargeable floor area. The floor area that may be exempted from FAR calculations varies by zone. There are additional MHA floor area exclusions that you subtract from the total chargeable floor area in commercial use which results in the square footage used in the MHA calculation. (See Exhibit E sheet attached to this Tip.)
- **MHA-R**
  For the payment option, the residential MHA requirements (Chapter 23.58C) use the *total gross floor area in residential and live-work use* as the starting point for applying any areas excluded from

LEGAL DISCLAIMER: *This Tip should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this Tip.*

the MHA calculation. Since this calculation is based on total gross floor area and not chargeable floor area, the FAR floor area exemptions do not apply to this calculation. In addition, MHA-R applies to any alterations to existing structures when adding units. See calculation example below.

The performance amount is based on the total number of units proposed. (See Exhibit E attached to this Tip.)

How do you Calculate the MHA Contribution?

You can provide your MHA affordable housing contribution through either the "payment option" or the "performance option." Use the following formulas to calculate the amount of MHA payment or number of performance units. For these calculations, please round all area decimal dimensions to the nearest hundredth. The code requires all payment calculation amounts to be adjusted annually based on the annual percentage change in the consumer price index. The adjusted payment calculation amounts can be found at the end of this Tip.

- **MHA-C, payment option, 23.58B.040**

  Formula
  (X - Y) x Z = MHA-C payment

  Where X is the total chargeable floor area in commercial use; Y is the chargeable floor area excluded from the MHA calculation; and Z is the MHA-C payment calculation amount per square foot.

  EXAMPLE of a zone without an MHA suffix - DMC 95 zone
  [(15,200.25 square feet of chargeable floor area in commercial use) – (4,000 square feet exclusion for street-level commercial uses) x ($8.00[1]) = $89,602.00

- **MHA-C, performance option, 23.58B.050**

  Formula
  (X - Y) x Z = net unit area of MHA-C performance housing
  Where X is the total chargeable floor area in commercial use; Y is the chargeable floor area excluded from the MHA calculation; and Z is the MHA-C performance calculation amount per square foot.

  EXAMPLE of a zone without an MHA suffix - DMC 95 zone
  [15,200.25 square feet of chargeable floor area in commercial use) – (4,000.00 square feet excluded for street-level commercial uses)] x (5.0%[1]) =560 square feet, net unit area of MHA-C performance housing.

  Per 23.58B.050.A.2, if the net unit area of MHA-C performance housing, as calculated above, yields fewer than 3 units of housing, the payment option is required for the project. To determine whether a project yields fewer than 3 units of housing, follow these steps.

  If the project includes residential and/or live-work units:
  Determine the average net unit area for all of the project's dwelling units, and multiply the average by 3. If the product is greater than the net unit area of MHA-C performance housing, as calculated above, then the payment option is required for the project.

  If the project does not include residential or live-work units:
  The presumed average net unit area for a project that does not include dwelling units is 650 square feet. Therefore, if the net unit area of MHA-C performance housing is less than 1,950 (650 x 3) square feet, then the payment option is required for the project.

LEGAL DISCLAIMER: *This Tip should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this Tip.*

- **MHA-R, payment option for alterations adding units, 23.58C.040**

  Formula
  ((X1/X2) x Y) x Z= MHA-R Payment
  Where X1 is the gross floor area in residential use and live work units; X2 is the total number of units in proposed development; Y is the net increase of units; and Z is the MHA-R payment calculation amount per square foot

  EXAMPLE: LR3 (M2) high MHA payment and performance area
  ((10,000 square feet gross square feet in residential use/15 units) x 2 units net increase) x ($37.961)= $50,613.33

- **MHA-R, payment option, 23.58C.040**

  Formula
  [(X 1+ X2) - Y] x Z = MHA-R payment
  Where X1 is the total gross floor area in residential use; X2 is the total gross floor area of live work units; Y is the floor area of residential/live-work parking located underground excluded from MHA calculation; and Z is the MHA-R payment calculation amount per square foot.

  EXAMPLE of a zone with an MHA suffix- NC3-55 (M1), medium MHA payment and performance area
  [[(50,000.00 gross square feet in residential use) + (zero square feet of live-work units)] – (10,000.00 gross square feet of underground parking excluded from calculation)] x ($20.00[1]) = $800,000.00

- **MHA-R, performance option, 23.58C.050**

  Formula
  Y x Z = MHA-R performance units
  Where Y is the total number of units in the structure; and Z is the MHA-R performance calculation amount

  EXAMPLE - NC3-55 (M1), medium MHA payment and performance area
  (36 units) x (9%[1]) = 3.24 units

  Since the number of required MHA-R performance units is over 2 and includes a fraction of a unit, you can either round up and provide 4 affordable units, or round down and provide 3 affordable units and a payment for the fraction of a unit not provided as described below. If the performance requirement is less than 2 units, then the applicant may either provide 2 units or 1 three-bedroom unit.

- **MHA-R, payment for fraction of a unit, 23.58C.050.A.3.b:** The payment is calculated as follows if you choose to provide a payment for a fraction of the unit.

  First determine the total payment amount for the project:
  [(X 1+ X2) - Y] x Z = MHA-R payment
  Where X1 is the total gross floor area in residential use; X2 is the total gross floor area of live work units; Y is the floor area of residential/live-work parking located underground excluded from MHA calculation; and Z is the MHA-R payment calculation amount per square foot.

  [[(50,000.00 gross square feet in residential use) – (zero square feet of live-work units)] – (10,000.00 gross square feet of underground parking excluded from calculation)] x ($20.001) = $800,000.00

  Second, multiply the total payment amount by the fraction of MHA-R performance unit not provided:
  ($800,000.00) x (3.24-3.00 =0.24 units) = $192,000.00

  Finally, divide the resulting dollar amount by the total number of MHA-R performance units required:
  ($192,000.00) / (3.24 units) = $59,259.26

LEGAL DISCLAIMER: *This Tip should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this Tip.*

Section Footnote:
[1] Payment and performance amounts vary by zone, MHA suffix, and MHA payment and performance area. Please refer to the code for the correct payment or performance amount for your project. In accordance with the code, the payment amounts adjust annually. See the attached tables for the adjusted payment calculation amounts.

What Needs to be in the Plans to Demonstrate Compliance With the MHA Program?

You must show compliance with the MHA requirements in the plan set for any MUP and building permit with development subject to either Chapter 23.58B or Chapter 23.58C. The floor area diagrams, FAR calculations, and MHA calculations must be in sequential pages at the beginning of your plan set. Having this information together in the plans will increase transparency to the public and make locating the information easier during project review. Sample plan set pages are attached to this Tip for reference (see Exhibits E and F). You will receive corrections from your reviewer if information is not displayed properly in the plan set.

Your application for a project located within one of the zones where compliance with 23.58B and/or 23.58C is required by the land use code, or a project associated with a contract rezone, must include the following information.

- Detailed floor area diagrams with dimensions and calculations showing the floor area used in the MHA calculations.
- Summary table(s) showing the MHA contributions, (see Exhibits A through D attached to this Tip).
- Detailed calculations for the MHA payment or performance contributions.
- The number and location of units on the floor plans (not a separate diagram) showing the configuration and area of the unit(s), if you select the performance option for MHA-C and MHA-R (construction plans only).
- A housing agreement, if you select the performance option for MHA-C and MHA-R. The agreement will be reviewed, finalized, and recorded at the building permit stage based on your final plans. In addition to the recorded housing agreement, you must include the housing requirements for MHA-R performance units in the plans. Your reviewer will identify the information needed when reviewing your project.

If you have any questions, please review our information on our MHA webpage, or submit a request to consult a Land Use Planner.

LEGAL DISCLAIMER: *This Tip should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this Tip.*

Exhibit A
Summary Table for MHA-C, Payment Option

Complete and include this table in the plan set for any project using the payment option to satisfy the MHA-C requirements in 23.58B.040.

MHA-C Payment Option Summary Table*		
1	Zone	*Enter the zoning designation for the project*
2	MHA area designation per Map A for 23.58B.050 outside of downtown, SM-SLU, and SM-U zones	*Enter Low, Medium, High, or specific area*
3	Associated PUDA with MHA-C requirements?	*Enter Yes or No*
4	Total gross floor area in commercial use	*Enter the total GROSS floor area in commercial use*
5	Total chargeable floor area in commercial use	*Enter the total CHARGEABLE floor area in commercial use (must match FAR calculation)*
6	Chargeable floor area in commercial use excluded from MHA-C payment calculation	*Enter the square feet excluded from the MHA calculation (See SMC 23.58B.040)*
7	Floor area for MHA-C payment calculation	*Enter the result of (Line 5 – Line 6)*
8	Payment calculation amount per code (adjusted for change in CPI) or PUDA	*Enter the adjusted payment calculation amount or amount noted in the PUDA*
9	MHA-C Payment Provided	*Enter the result of (Line 7 x Line 8)*

* SDCI may require additional information in the plans or table as needed.

LEGAL DISCLAIMER: *This Tip should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this Tip.*

Exhibit B

Summary Table for MHA-C, Performance Option

Complete and include this table in the plan set for any project using the performance option to satisfy the MHA-C requirements in 23.58B.050.

MHA-C Performance Option Summary Table*		
1	Zone	*Enter the zoning designation for the project*
2	MHA area designation per Map A for 23.58B.050 outside of downtown, SM-SLU, and SM-U zones	*Enter Low, Medium, High, or specific area*
3	Associated PUDA with MHA-C requirements?	*Enter Yes or No*
4	Total gross floor area in commercial use	*Enter the total GROSS floor area in commercial use*
5	Total chargeable floor area in commercial use	*Enter the total CHARGEABLE floor area in commercial use (must match FAR calculation)*
6	Chargeable floor area in commercial use excluded from MHA-C payment	*Enter the square feet excluded from the MHA calculation (See SMC 23.58B.050)*
7	Floor area for MHA-C calculation	*Enter the result of (Line 5 – Line 6)*
8	Performance calculation amount per code or PUDA	*Enter the percentage per square foot amount that must be affordable from the code or percentage noted in the PUDA*
9	Net unit area of MHA-C performance housing	*Enter the result of (Line 7 x Line 8)*
10	MHA-C units to be provided	*Enter the number of units that result from the net unit area from Line 9; if this results in fewer than 3 units, the payment option is required.*
11	MHA-C performance unit(s) location	*Enter the location of the MHA-C performance units – either "in the structure" or "on the same site but in a separate building" or "off-site" (provide addresses and project numbers if applicable)*

* SDCI may require additional information in the plans or table as needed.

LEGAL DISCLAIMER: *This Tip should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this Tip.*

Exhibit C
Summary Table for MHA-R, Payment Option

Complete and include this table in the plan set for any project using the payment option to satisfy the MHA-R requirements in 23.58C.040

MHA-R Payment Option Summary Table*		
1	Zone	*Enter the zoning designation for the project*
2	MHA area designation per Map A for 23.58C.050 outside of downtown, SM-SLU, and SM-U 85 zones	*Enter Low, Medium, High, or specific area*
3	Associated PUDA with MHA-R requirements?	*Enter Yes or No*
4	Total number of residential and live-work units in the structure	*Enter the total number of units in each structure broken out by type (i.e. dwelling units, sleeping rooms, live-work units)*
5	Gross floor area – residential use	*Enter the total GROSS floor area in residential use*
6	Gross floor area – live-work units	*Enter the total GROSS floor area of live-work units*
7	Gross floor area in residential or live-work use excluded from MHA-R payment	*Enter the square feet excluded from the MHA calculation (See SMC 23.58C.040)*
8	Floor area for MHA-R calculation	*Enter the result of [(Line 5 + Line 6) - Line 7]*
9	Payment calculation amount per code (adjusted for change in CPI) or PUDA	*Enter the adjusted payment calculation amount or amount noted in the PUDA*
10	MHA-R payment provided	*Enter the result of (Line 8 x Line 9)*

* SDCI may require additional information in the plans or table as needed.

LEGAL DISCLAIMER: *This Tip should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this Tip.*

Exhibit D

Summary Table for MHA-R, Performance Option

Complete and include this table in the plan set for any project using the performance option to satisfy the MHA-R requirements in 23.58C.050.

MHA-R Performance Option Summary Table*		
1	Zone	*Enter the zoning designation for the project*
2	MHA area designation per Map A for 23.58C.050 outside of downtown, SM-SLU, and SM-U 85 zones	*Enter Low, Medium, High, or specific area*
3	Associated PUDA with MHA-R requirements?	*Enter Yes or No*
4	Total number of residential and live-work units in the structure	*Enter the total number of units in each structure broken out by type (i.e. dwelling units, sleeping rooms, live-work units)*
5	Performance calculation amount per code or PUDA	*Enter the percentage of total units that must be affordable from the code or percentage noted in the PUDA*
6	Total MHA-R performance units required	*Enter the result of (Line 4 x Line 5)*
7	MHA-R performance units to be provided	*Enter the rounded number of units* (Either round up, or round down and provide payment for the fraction of the unit not provided)
8	MHA-R fraction of a unit to be addressed through payment	*Enter the fraction of a unit not provided through performance*
9	MHA-R payment provided for fraction of a unit	*Enter the result of [(total MHA-R payment contribution for structure x Line 8) = $ contribution amount (then $ contribution amount / Line 6)]*

* SDCI may require additional information in the plans or table as needed.

LEGAL DISCLAIMER: *This Tip should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this Tip.*

Exhibit E

Example Plan Sheet - MHA-C Payment and MHA-R Performance Option

EXAMPLE MHA CALCULATIONS

Provide dimensioned* floor area diagrams showing total gross floor area, chargeable floor area, and exempt floor area for MHA and FAR calculations. Diagrams must be broken down by use and match the floor plans.

**Dimensions not shown in example for simplicity but must be shown in plans*

	MHA-C PAYMENT OPTION SUMMARY TABLE	
1	Zone	SM-SLU 240/125-440
2	MHA area designation per Map A for 23.58B.050	Downtown/South Lake Union
3	Associated PUDA with MHA-C requirements?	No
4	Total gross floor area in commercial use	22,000 sq ft
5	Total chargeable floor area in commercial use	20,400 sq ft
6	Chargeable floor area in commercial use excluded from MHA-C payment calculation	4,000 sq ft
7	Floor area for MHA-C payment calculation	16,400 sq ft
8	Payment calculation Amount per code (adjusted for change in CPI) or PUDA	Adjusted per CPI change to $10.48
9	MHA-C Payment Provided	$171,872.00

Total gross floor area in commercial use 22,000 sq ft
(see floor area diagrams)
More than 4,000 gross square feet, therefore MHA-C applies

MHA-C Floor Area Calculation (see FAR calculation)
Level 1 chargeable floor area in commercial use 17,100 sq ft
(see floor area diagram: E + F + G + H + I + J + L)
Level 1 Prorated common areas in commercial use 900 sq ft
(see floor area diagram: K)
Level 2 chargeable floor area in commercial use 2,400 sq ft
(see floor area diagram: P)

MHA exemptions – 23.58B.040.A.1.b
First 4,000 sq ft of street level uses -4,000 sq ft

Total chargeable floor area for MHA calc **16,400 sq ft**

Payment Amount Calculation

Total chargeable floor area for MHA calc **16,400 sq ft**
Payment amount per 23.58B.040 $10.00
Adjusted for CPI x **$10.48**
Total MHA-C payment **$171,872.00**

	MHA-R PERFORMANCE OPTION SUMMARY TABLE	
1	Zone	SM-SLU 240/125-440
2	MHA area designation per Map A for 23.58C.050	Downtown/South Lake Union
3	Associated PUDA with MHA-R requirements?	No
4	Total number of residential and live-work units in the structure	Principal dwelling units: 134 Live-work units: 0 Sleeping rooms: 0 Total: 134 units
5	Performance calculation amount per code or PUDA	3.9%
6	Total MHA-R performance units required	5.23
7	MHA-R performance units to be provided	5
8	MHA-R fraction of a unit to be addressed through payment	0.23
9	MHA-R payment provided for fraction of a unit	$72,869.93

Total number of "units" in structure 134 units
At least 1 unit, therefore MHA-R applies

Performance Amount Calculation
Total number of units 134 units
Performance Calc amount per 23.58C.050 3.9%
Total MHA-R Units Required 5.23 units
Rounded units to be provided **5 units**
(see floor plans for location of units)

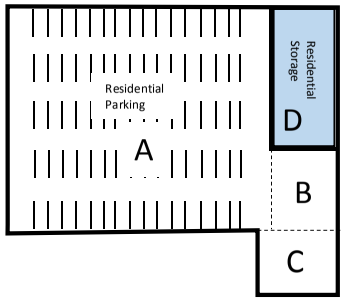
Fraction of a Unit Payment Amount Calculation
Total gross floor area for MHA calc 158,100 sq ft
Payment Calc amount per 23.58C.040 *$10.00*
Adjusted for CPI $10.48
100% MHA payment $1,656,888.00
Fraction to be provided (0.23/5.23) 4.398%
Payment to be provided **$72,869.93**

MHA-R Floor Area Calculation (see floor area diagrams)
P1 gross floor area in residential use 22,500 sq ft
P2 gross floor area in residential use 22,500 sq ft
L1 gross floor area in residential use 3,600 sq ft
Prorated common areas in residential use 3,400 sq ft
L2 gross floor area in residential use 22,600 sq ft
L3-L9 gross floor area in residential use 122,500 sq ft
Total gross floor area in residential use **197,100 sq ft**

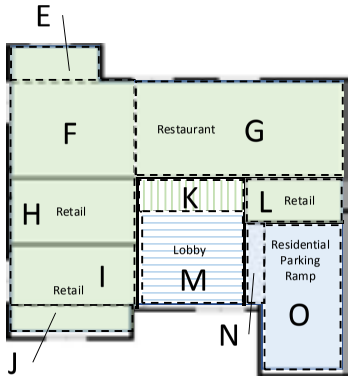
MHA exemptions – 23.58C.040.A.1.
P1 Underground residential parking -19,500 sq ft
P2 Underground residential parking -19,500 sq ft

Total floor area for MHA-R calculation **158,100sq ft**

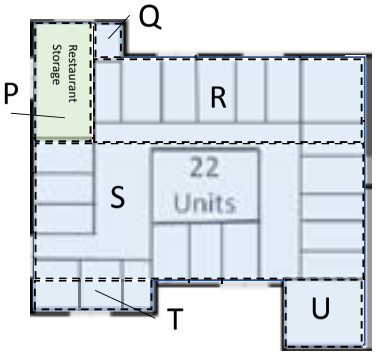
Floor Area Diagrams



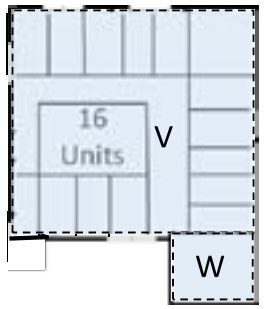
Levels P1-P2 plan



Level 1 (street level)



Level 2 plan



Levels 3-9 plan

PLAN SET TITLE BLOCK

SHEET MHA

LEGAL DISCLAIMER: This sample plan sheet should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this Tip.

LEGAL DISCLAIMER: *This Tip should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this Tip.*