

MEMORANDUM

To: Members of the Planning, Land Use & Zoning Committee
From: Aly Pennucci, Legislative Analyst
Date: September 15, 2016
Subject: Council Bill 118783: Living Building Pilot Program Update

On September 9th the Planning, Land Use and Zoning Committee (PLUZ) had an initial discussion on Council Bill 118783, which would make changes to the Living Building Pilot Program and create a new Chapter 23.58D to consolidate green building requirements from various sections of the Land Use Code and give the Seattle Department of Construction and Inspections (SDCI) the authority to develop a Director's rule that establishes requirements for the minimum green building standards required for participation in the incentive zoning program in all zones

A public hearing and possible vote is scheduled at the September 20th PLUZ meeting. This memo describes potential amendments for discussion and possible vote at that meeting.

Potential Amendments

- 1. Amend the bill to request that SDCI develop recommendations on potential updates to the Living Building Pilot Program, or to establish a new pilot program, for existing buildings and for projects located in the Urban Harborfront Shoreline Environment.**

Sponsors: CM Johnson and CM Herbold

The proposed bill would allow existing buildings to participate if the project voluntarily goes through design review and meets the same requirements that a new building would be required to meet. Achieving Living Building Challenge (LBC) certification is difficult for any building and to a certain degree may be more difficult for an existing building, but there are examples of existing buildings achieving one of the LBC certifications. The 2030 District has proposed that rather than achieving LBC Petal Certification, existing buildings should be able to obtain the same height and floor area incentives by meeting a different set of standards designed for an existing building. In addition, the existing and proposed pilot program prohibits projects located in the shoreline district from participating. This amendment would give SDCI and Office of Sustainability and the Environment time to work with stakeholders to develop recommendations related to existing buildings and projects located in the shoreline district.

Section 21. The Council requests that the Seattle Department of Construction and Inspections (SDCI), in coordination with the Office of Sustainability and the Environment, work with stakeholders, including the Seattle 2030 District and the International Living Future Institute, develop recommendations for: (1) a green building pilot program for existing buildings; and (2) allowing a project located on an upland lot in the Urban Harborfront Shoreline Environment to participate in a green building pilot program for new or existing buildings. The Council requests that SDCI presents those recommendations for

any proposed legislative updates to the Living Building Pilot Program or legislation establishing a separate green building pilot program for existing buildings. Proposed recommendations should be submitted to Council no later than April 1, 2017.

Section ~~21~~ 22.

2. **Amend the definition of “green building standard” to clarify that the standards adopted by rule must meet or exceed the industry standards and adds a second example of what green building programs, as of today, are considered to represent those standards.**

Sponsor: CM Herbold

The proposed bill reorganizes and consolidates green building requirements in a new Land Use Code chapter and updates the green building standards required to participate in the Incentive Zoning program to be consistent in all zones. Currently, projects gaining additional height or floor area through an incentive program have to achieve a green building certification that varies depending on the zone (the range includes LEED Silver, LEED Gold, Built Green 4-Star, Passive House and Evergreen Sustainable Development Standard). The proposal eliminates reference to a specific green building certification program and instead gives the Director of SDCI the authority to determine, by rule, what green building certification programs will be accepted. This amendment would modify the proposed definition of “green building standard” to clarify what the minimum requirement would be.

“Green building standard” means a performance-based standard adopted by the Director by rule that is equivalent **or superior** to standards accepted in the building industry for high-level development strategies and practices that apply to a range of structure types, save resources, and promote renewable, clean energy. As of the effective date of the ordinance introduced as Council Bill 118783, the green building standard could consist of requirements, **at a minimum**, sufficient to attain: the credits needed to achieve a Gold level in the Building Design and Construction rating system in the U.S. Green Building Council LEED v4 green building certification program; **or passive house certification from either the Passive House Institute (version 9f) or Passive House Institute US (version 1.03).**

cc: Kirstan Arestad, Central Staff Executive Director
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