



1. Minimum standards. While the intent of the Living Building Pilot

Program is to encourage development of buildings that meet or exceed the goals of the Living Building Challenge, qualifying projects that are granted departures (~~shall~~)must meet either all of the prerequisites of the Living Building Challenge or at a minimum 60 percent of the prerequisites of the Living Building Challenge and all of the following alternative standards:

a. total building energy usage, subtracting energy generated on site, is 25 percent or less of the average energy usage for a comparable building not in the Living Building Program, based on the Energy Information Administration's 2003 Commercial Buildings Energy Use Survey, Energy Information Administration's 2005 Residential Energy Consumption Survey, or other baseline approved by the Director that would provide a comparable estimate;

b. total building water usage, subtracting harvested rainwater, is 25 percent or less of the average water usage for a comparable building not in the Living Building Program, based on Seattle Public Utility estimates or other baseline approved by the Director that would provide a comparable estimate; and

c. at least 50 percent of stormwater is captured and used on site.

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Section 23.41.012 of the Seattle Municipal Code, which section was last amended by Ordinance 123392, is amended as follows:

**23.41.012 Development standard departures**

\* \* \*

D. Departures for the Living Building Pilot Program.

1                   1. Criteria for Departures. Departures from Land Use Code requirements for  
2 projects participating in the Living Building Pilot Program pursuant to Section 23.40.060 may be  
3 allowed if an applicant demonstrates that the departure would result in a development that better  
4 meets the intent of adopted design guidelines or that the departure would result in a development  
5 that better meets the goals of the Living Building Challenge and would not conflict with adopted  
6 design guidelines. In making this recommendation, the Board shall consider the extent to which  
7 the anticipated environmental performance of the building would be substantially compromised  
8 without the departures.  
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10                   2. Scope of Departures. In addition to the departures allowed under Section  
11 23.41.012.B, departures for projects participating in the Living Building Pilot Program  
12 established under Section 23.40.060 may also be granted for the following:  
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14                   a. Permitted, prohibited or conditional use provisions, but only for  
15 accessory uses that would directly address a prerequisite of the Living Building Challenge,  
16 including but not limited to uses that could re-use existing waste streams or reduce the  
17 transportation impacts of people or goods.

18                   b. Residential density limits;

19                   c. Downtown view corridor requirements;

20                   d. Floor Area Ratio((s)) limits, as follows:

21                   1) U((#))p to 15 percent above the otherwise applicable limit;

22                   2) In addition, up to all gross floor area for street level general  
23 sales and services, eating and drinking establishments, or entertainment uses, when located in:  
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25                   i.) An IC zone with a height limit of 45 feet or less; and  
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ii.) An urban village or urban center.

e. Maximum size of use;

f. Structure height, subject to the following:

1) Structure height up to 10 feet; or

2) Structure height up to 20 feet for development on sites in IC

zones with height limits of 45 feet or less, if the sites are located in an Urban Village or Urban Center and if the project would not conflict with adopted Design Guidelines;((, except only r))

3) Rooftop features may be allowed to extend ((more than 10 feet above the otherwise applicable limit))above the structure height approved pursuant to this subsection 23.41.012.D.2.f;

g. Quantity of parking required, minimum and maximum parking limits, and minimum and maximum number of drive-in lanes;

h. Standards for storage of solid-waste containers;

i. The quantity of open space required for major office projects in Downtown zones in subsection 23.49.016.B;

j. Standards for the location of access to parking in Downtown zones;

k. Provisions of Chapter 23.53, Requirements for Streets, Alleys and Easements.

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Section 2. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

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Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2011, and  
signed by me in open session in authentication of its passage this  
\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Michael McGinn, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)