

Applicant: City of Seattle Department of Construction & Inspections	Page 1 of 7	Supersedes: 12-2016
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Subject: Green Building Standard	Code and Section Reference: SMC 23.58D and 23.84A.014 "G"	
	Type of Rule: Code Interpretation and Procedural Rule	
	Ordinance Authority: SMC 3.06.040	
Index: Land Use Code/Technical Standards and Procedural Requirements	Approved	Date
	(signature on file) Nathan Torgelson, Director, Seattle DCI	11/14/17

PURPOSE

The purpose of this Rule is to describe the requirements to:

- A. Meet the green building standard; or
- B. Use a substantially equivalent or superior standard to those in this Rule;
- C. Document an owner's commitment to meet a green building standard; and
- D. Demonstrate compliance with an owner's commitment to meet a green building standard.

AUTHORITY

Seattle Municipal Code (SMC) subchapter 23.58D.

BACKGROUND

The Land Use Code includes a voluntary incentive for buildings that provides additional development capacity, such as extra floor area or height in exchange for meeting a green building standard. When the incentive is used, buildings must meet the green building standard. "Green building standard" is defined as 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.

Seattle is a national leader in sustainable development and energy conservation and has set ambitious targets for reducing building energy use to become a carbon neutral city by 2050. The green building standard is meant to improve energy and water conservation beyond the current code requirements, to use resources wisely and promote healthy environments in exchange for additional development capacity.

The American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE) publishes national standards for energy efficiency that are used as baselines by green rating organizations, such as Leadership in Energy and Environmental Design (LEED). However, these national standards are less ambitious than the Washington State Energy Code or the Seattle Energy Code.

The green building standard used in the Land Use Code must result in a building that performs better than the local energy code.

RULE

A. Requirements for the green building standard

1. When development must comply with the green building standard, the entire structure shall be evaluated and shown to adhere to one of the building industry certification programs listed in Table A. Each structure is to be evaluated separately.

TABLE A		
Green building standard by use		
Building Industry Certification Program (1)	Structures containing only residential uses	Structures containing only non-residential uses or a mix of residential and non-residential uses (2)
Leadership in Energy and Environmental Design (LEED) for Building Design and Construction Gold, version 4 and LEED for Homes, Gold, version 4	X	X
Built Green 4 Star, "single family new construction checklist WSEC 2015 (6/19/2017)" or "multifamily new construction checklist 2017"	X	

Passive House Institute (PHI), Passive House Planning Package (PHPP) version 8.5 or 9 (2015)	X	X
Passive House Institute US (PHIUS), version PHIUS + 2015	X	X
Living Building Challenge (LBC) - Zero Energy Certification	X	X
LBC Living Certification version 3.1	X	X
Substantially equivalent or superior standard	X	X
<i>The following standard is only available for projects applying for funding from the Washington State Housing Trust Fund and/or the Seattle Office of Housing</i>		
Evergreen Sustainable Development Standard (ESDS), version 3.0	X	X (3)
Footnotes: (1) Versions listed for each program are the earliest versions that will be accepted. Newer versions and checklists will be accepted when made available by a certification program. (2) The entire structure (residential and non-residential uses) must be evaluated for a certification program to qualify as a green building standard. Limitations may apply per the applicable certification program. (3) For projects using ESDS, only that portion of the structure in residential use is required to adhere to the certification program.		

2. Except for projects applying for funding from the Washington State Housing Trust Fund and/or the Seattle Office of Housing, in addition to achieving certification by one of the programs listed above, the building(s) must demonstrate annual energy use at least 15 percent lower than required by the 2015 Seattle Energy Code (SEC).
3. Demonstrating a standard that is substantially equivalent or superior to those listed in Table A. An applicant may request consideration of a substantially equivalent or superior standard, to be reviewed on a per project basis. Costs to prepare the analysis will be the responsibility of the applicant. SDCI will review such analysis at the applicable land use hourly rate.

- a. *Commitment letter.* The Director may approve a substantially equivalent standard if the applicant submits a written request, signed by the owner or financially responsible party. The request must include:
 - i. Documentation demonstrating to the Director how the proposed standard is equivalent or superior to the standards of one or more of the building industry certification programs listed in this Rule; and
 - ii. Identification of an independent third-party organization to evaluate compliance with the standard.
- b. *Documentation showing equivalence.* Broad-based programs, such as Built Green and LEED target a range of categories including energy, water, waste, materials, and indoor air quality. Programs such as PHIUS + 2015, PHI, and LBC Zero Energy, rely on meeting aggressive energy reduction targets that approach or exceed net zero energy. An application to meet a substantially equivalent or superior standard must include an analysis that either:
 - i. addresses how adherence to the standard will result in an impact reduction equivalent or better than those resulting from the broad-based programs. Such an analysis must include, at a minimum, an evaluation of the following:
 - a) Achievement of at least 15% less energy demand as compared to the 2015 SEC;
 - b) Water conservation strategies;
 - c) Waste reduction strategies;
 - d) Use of materials that are less harmful to the environment and humans; and
 - e) Improvement of indoor air quality; or
 - ii. demonstrates energy savings analogous to the PHIUS + 2015, PHI, or LBC zero energy standards.

B. Documenting the green building standard commitment

- 1. Prior to issuance of either a Master Use Permit (MUP), or a building permit;
 - a. The property owner or financially responsible party shall complete the green building standards commitment, Part A. The commitment shall be part of the approved permit plan set. See blank green building standard commitment form attached to this document.
- 2. Prior to issuance of a building permit;
 - a. The property owner or financially responsible party shall complete the green building standards commitment, Part B. The commitment shall be part of the approved permit plan set. See blank green building standard commitment form attached to this document.

C. Demonstrating compliance. To demonstrate compliance, the owner or financially responsible party on file with SDCI, shall submit the following information to the Director as specified in the Land Use Code, 23.58D.004:

1. A report, prepared by the applicable independent third-party organization(s) listed in Table B, affirming that the project adheres to the green building standard.

TABLE B Independent Third-Party Organization by Green Building Standard Certification Program	
Green Building Standard – Certification Program	Independent Third-Party Organization to Prepare Compliance Report
LEED	Green Building Certification Institute
Built Green	Master Builders Association of King and Snohomish Counties
PHI	Passive House Institute
PHIUS	Passive House Institute US
Net Zero Energy Building and the Living Building	International Living Future Institute
ESDS	Report produced per process managed by the Housing Trust Fund Contract Manager for the State of Washington
Substantially equivalent or superior standard	Other independent third-party organization approved by the Director

2. Energy Use Compliance

- a. For commercial buildings¹ as defined by the Seattle Energy Code, energy code compliance shall be demonstrated by using methods described for energy analysis in 2015 SEC C407 or C401.3 and meet one of the following to demonstrate 15% lower energy use than required by the 2015 SEC;

- i) Proposed building is permitted under SEC Section C407.3 number 1 for code compliance and energy model provided demonstrates an annual energy use less than or equal to 74% of standard reference design (Per code, C407.3 requires 87% of standard reference design)
 - ii) Proposed building is permitted under SEC Section C407.3 number 2 for code compliance and energy model provided demonstrates an annual energy use less than or equal to 76.5% of standard reference design (per code, C407.3, requires 90% of standard reference design),

¹ Commercial buildings. Per SEC, "all buildings that are not included in the definition of "Residential building"".

- iii) Proposed building is permitted under SEC Section C407.3 number 3 for code compliance and energy model provided demonstrates an annual energy use less than or equal to 79% of standard reference design (per code, C407.3 requires 93% of standard reference design),
 - iv) Proposed building permitted under SEC Section 401.3 for code compliance and energy model provided demonstrates the energy use target is at least 15% lower than SEC energy use targets.
- b. For residential buildings² defined by the SEC, document an annual energy use of at least 15 percent lower than required by 2015 SEC.
 - i) Certification under the Built Green Single-Family checklist WSEC 2015 satisfies this requirement.
- c. For residential or commercial buildings, other methods that demonstrates at least 15% lower than required by 2015 SEC as found to be acceptable by the Director, such as, but not limited to, LBC zero energy, PHI or PHIUS certifications.
- d. The approved plans shall clearly show systems and specifications corresponding to those approved by the energy analysis and construction shall be per plan.

² Residential Building. Per SEC, “includes detached one- and two-family dwellings and multiple single-family dwellings (townhouses) as well as Group R-2 and R-3 buildings three stories or less in height above grade plane.”

Green Building Standards Commitment Form

Instructions <ol style="list-style-type: none">1. If applying for a Master Use Permit, complete part A2. If applying for a Building Permit, complete both parts A and B3. Financially responsible party or owner shall sign and date4. This Commitment shall be embedded on permit plan set	
Please Print	
SDCI Project Number	
Project Address	
Property Owner or Financially Responsible Party - Name	
Property Owner or Financially Responsible Party - Business Name	
Address	
City/State/Zip	
Email	

Part A - Prior to issuance of Master Use Permit or Building Permit

I agree to meet the green building standards pursuant to SMC 23.58D and Director's Rule 20-2017 by certifying the project under the selected building industry certification programs and building the proposed project to achieve an annual energy use of at least 15 percent lower than the standard reference design calculated in the 2015 Seattle Energy Code.

Select one building industry certification program:

- Leadership in Energy and Environmental Design (LEED) for Building Design and Construction Gold, version 4
- LEED for Homes, Gold, version 4
- Built Green 4 Star, single family new construction checklist WSEC 2015 (6/19/2017)
- Built Green 4 Star, multifamily new construction checklist 2017
- Passive House Institute (PHI), Passive House Planning Package (PHPP) version 8.5 or 9 (2015)
- Passive House Institute US (PHIUS), version PHIUS + 2015
- Living Building Challenge (LBC) - Zero Energy Certification
- LBC Living Certification version 3.1
- Evergreen Sustainable Development Standard (ESDS), version 3.0

I acknowledge the compliance requirements in SMC 23.58D.004, and shall submit documentation from the selected certification program within 180 days from the issuance of the final certificate of occupancy (COO) or final inspection, if no COO is required. I acknowledge the requirements in SMC 23.58D.006, that failure to submit the certification report within 180 days, or by such later date as may be allowed by the director shall result in penalties of \$500 per day and up to a maximum penalty of 2 percent of construction value.

Part B - Prior to issuance of Building Permit

To ensure compliance with the selected building industry certification program, the referenced project has been registered or enrolled. The registration number or enrollment ID is _____

Property Owner or Financially Responsible Party Signature

Date