

Resolution No. 31400

A Resolution declaring the City of Seattle will continue to promote and encourage the development of buildings that achieve the highest level of environmental sustainability by requesting updates and enhancements to its Living Building and Seattle Deep Green pilot programs; and requesting the formation of a Green Building Technical Advisory Group to advise the City on sustainable building practices.

The City of Seattle – Legislative Department

Resolution sponsored by: Licata; ^{Co-Sponsor} Richard Conlin

Committee Action:

Date	Recommendation	Vote
5/22/13	adopt as amended	3-0 RCT BNL

Related Legislation File: _____

Date Introduced and Referred: <u>July 30, 2012</u>	To: (committee): <u>Planning, Land Use, & Sustainability</u>
Date Re-referred: <u>4-15-13</u>	To: (committee): <u>Planning, Land Use, & Sustainability</u>
Date Re-referred:	To: (committee):
Date of Final Action: <u>6/3/13</u>	Date Presented to Mayor: <u>6/4/13</u>
Date Signed by Mayor: <u>06-07-13</u>	Date Returned to City Clerk: <u>06-10-13</u>
Published by Title Only <input checked="" type="checkbox"/>	Date Returned Without Concurrence:
Published in Full Text <input type="checkbox"/>	

This file is complete and ready for presentation to Full Council. [Signature]

Full Council Action:

Date	Decision	Vote
June 23, 2013	Adopted	8-0 (excused: Burgess)

CITY OF SEATTLE
RESOLUTION 31400

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4 A RESOLUTION declaring the City of Seattle will continue to promote and encourage the
5 development of buildings that achieve the highest level of environmental sustainability by
6 requesting updates and enhancements to its Living Building and Seattle Deep Green pilot
7 programs; and requesting the formation of a Green Building Technical Advisory Group to advise
8 the City on sustainable building practices.

9
10 WHEREAS, the City of Seattle (City) has established itself as a leader in sustainable building
11 since first adopting a Sustainable Building Policy in February 2000; and the City has
12 implemented new programs, regulations, and incentives to encourage the private market
13 to respond to the challenges of building a more sustainable city; and

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15 WHEREAS the City has adopted incentive programs to support developing buildings that meet
16 or exceed standards in a variety of programs that embrace sustainability in building and
17 design; including the Leadership in Energy and Environmental Design (LEED), Built
18 Green, and Washington Evergreen Sustainable Development programs; and

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20 WHEREAS, the City has demonstrated its support for sustainable buildings by adopting
21 incentive programs that support advanced green-building standards like the *Living*
22 *Building Challenge*[™] that establishes goals for building owners, architects, design
23 professionals, engineers, and contractors to design and build new well-designed
24 structures that: achieve a high level of environmental performance, are responsive to
25 their eco-region's characteristics, and incorporate efficient operation of building systems
26 by, for example, generating their own energy with renewable resources while capturing,
27 treating, and reusing their wastewater; and

WHEREAS, achieving a high level of environmental performance requires a fundamentally
different approach to building design, construction, and operation that may necessitate
changes to current development codes; and

WHEREAS, the City Council adopted Ordinance 123206 in December 2009 and adopted
Ordinance 123942 in July, 2012 to establish and expand the Living Building Pilot
Program and add a new category of building typology called Seattle Deep Green that also
seeks significant reductions in the use of water and energy and the reuse of collected
stormwater; and



1 WHEREAS, the City Council requests that the Department of Planning and Development further
2 improve the Living Building and Seattle Deep Green Pilot Programs to ensure an
3 enhanced level of review and consultation for these buildings; and receive ongoing input
4 into these programs by professionals trained in the highest levels of sustainable building
design, operation and maintenance;

5 NOW, THEREFORE,

6 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE**
7 **MAYOR CONCURRING, THAT:**

8 Section 1. The City Council adopted Ordinance 123942 that implements land use
9 regulations intended to spur property owners, developers, and others to participate in the City's
10 Living Building, and Seattle Deep Green Pilot Programs. The City Council now declares its
11 intent to further promote and enhance development of new buildings authorized under these
12 programs and achieve long term-compliance with program requirements. This will occur through
13 requesting legislative updates to the City's Living Building, Seattle Deep Green Pilot Programs,
14 or establishing a replacement pilot program that would carry out key initiatives that include, but
15 are not limited to:
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- 18 A. Developing a clear statement of intent for each pilot program;
- 19 B. Updating development standards by offering a variety of incentive levels for
20 buildings developed under these programs in exchange for lasting qualitative and quantitative
21 environmental performance that is consistent with City objectives and neighborhood planning
22 goals;
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1 C. Recognizing and incorporating into a new pilot program multiple approaches that
2 could include Seattle-specific criteria for high levels of energy performance;

3 D. Creating a Green Buildings Technical Advisory Group to participate in the current
4 *Living Building Challenge*TM, Seattle Deep Green Pilot Programs, and the existing Design
5 Review Program early in the entitlement process in order to screen proposals for eligibility and
6 assist in developing new or updated programs;

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8 E. Considering interdepartmental coordination and commitment to test alternate
9 approaches to a revised or new pilot program that builds on the success of the current pilot and is
10 guided by the experience gained in observing pilot projects and administering current programs;
11 and

12 F. Examining revisions to project review, building performance monitoring, and
13 enforcement mechanisms imposing penalties that are sufficient to compel compliance with long-
14 term building performance goals other program requirements.
15

16 Section 2. The Council requests that the Department of Planning and Development work
17 with the City Council and stakeholders to form a standing Green Buildings Technical Advisory
18 Group consisting of a minimum of 10 members. Five members shall be standing members and
19 five shall be as alternate members. All members should have: (1) LEED accreditation; (2)
20 building energy systems engineering expertise; or (3) other sustainable building expertise and
21 experience. In addition, at least one member shall be a current member to a neighborhood
22 community council. An alternate member shall be available when a standing member cannot
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1 attend a meeting. All advisory group members shall be appointed by the Mayor and confirmed
2 by the Council.

3 Section 3. Legislation establishing the Advisory Group should be submitted to the
4 Council no later than August 31, 2013.

5 Section 4. The Council also requests the Department of Planning and Development work
6 with other City departments, stakeholders, and the new Advisory Group to develop
7 recommendations for improving the accessibility and use of the Living Building and Deep Green
8 Pilot Program or replacing the program with an improved pilot program. Legislation
9 implementing the revised Living Building pilot program should be submitted to Council no later
10 than December 31, 2013. Legislation implementing the new Seattle Deep Green pilot program
11 should be submitted to Council no later than December 31, 2014.

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13 Section 5. While Council intends that the Advisory Group would meet on an as-needed
14 basis to review proposed code amendments or pending projects, it is intended to be a standing
15 body. The Council intends that the Advisory Group be formed by August 31, 2013 and meet on
16 an as-needed basis to review proposed code amendments or pending projects until the frequency
17 of its meetings and composition are addressed in legislation implementing the Seattle Deep
18 Green pilot program.
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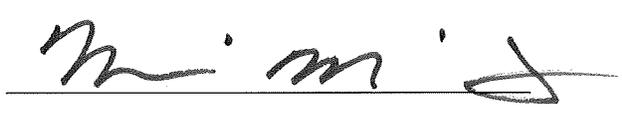


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Adopted by the City Council the 6th day of June, 2013,
and signed by me in open session in authentication of its adoption this 6th day
of June, 2013.


President _____ of the City Council

THE MAYOR CONCURRING:



Michael McGinn, Mayor

Filed by me this 16th day of June, 2013.


Monica Martinez Simmons, City Clerk

(Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Michael Jenkins, 5-1674	NA

Legislation Title:

A RESOLUTION declaring the City of Seattle's intent to promote and encourage the development of buildings that achieve the highest level of environmental sustainability by directing the Department of Planning and Development to recommend improvements to the City's Living Building and Seattle Deep Green Pilot Programs, and requesting the Executive submit legislation implementing improvements to or replacing the existing programs.

Summary of the Legislation:

This resolution requests that the Department of Planning and Development (DPD) submit legislation that recommends improvements to the City's Living Building pilot program (program). The resolution calls for DPD to study and then recommend amendments to the existing program, including the creation of a Technical Advisory Group that would advise applicants on potential projects during the permitting process and the City on overall program design.

This resolution was developed to support amendments to the Living Building pilot program adopted by Council under a bill introduced in Council Bill 117516, which bill was adopted by Council on July 30, 2012.

Background:

This is the second piece of legislation to support the development of Living Buildings. Ordinance 123206, adopted in December 2009, established the original program.

- *Please check one of the following:*

This legislation does not have any financial implications.



CITY OF SEATTLE
RESOLUTION 31400

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4 A RESOLUTION declaring the City of Seattle will continue to promote and encourage the
5 development of buildings that achieve the highest level of environmental sustainability by
6 requesting updates and enhancements to its Living Building and Seattle Deep Green pilot
7 programs; and requesting the formation of a Green Building Advisory Board to advise the City
8 on sustainable building practices.

9
10 WHEREAS, the City of Seattle (City) has established itself as a leader in sustainable building
11 since first adopting a Sustainable Building Policy in February 2000; and the City has
12 implemented new programs, regulations, and incentives to encourage the private market
13 to respond to the challenges of building a more sustainable city; and

14
15 WHEREAS the City has adopted incentive programs to support developing buildings that meet
16 or exceed standards in a variety of programs that embrace sustainability in building and
17 design; including the Leadership in Energy and Environmental Design (LEED), Built
18 Green, and Washington Evergreen Sustainable Development programs; and

19
20 WHEREAS, the City has demonstrated its support for sustainable buildings by adopting
21 incentive programs that support advanced green-building standards like the *Living*
22 *Building Challenge*[™] that establishes goals for building owners, architects, design
23 professionals, engineers, and contractors to design and build new well-designed
24 structures that: achieve a high level of environmental performance, are responsive to
25 their eco-region's characteristics, and incorporate efficient operation of building systems
26 by, for example, generating their own energy with renewable resources while capturing,
27 treating, and reusing their wastewater; and

WHEREAS, achieving a high level of environmental performance requires a fundamentally
different approach to building design, construction, and operation that may necessitate
changes to current development codes; and

WHEREAS, the City Council adopted Ordinance 123206 in December 2009 and adopted
Ordinance 123942 in July, 2012 to establish and expand the Living Building Pilot
Program and add a new category of building typology called Seattle Deep Green that also
seeks significant reductions in the use of water and energy and the reuse of collected
stormwater; and

THIS VERSION IS NOT ADOPTED

1 WHEREAS, the City Council requests that the Department of Planning and Development further
2 improve the Living Building and Seattle Deep Green Pilot Programs to ensure an
3 enhanced level of review and consultation for these buildings; and receive ongoing input
4 into these programs by professionals trained in the highest levels of sustainable building
5 design, operation and maintenance;

6 NOW, THEREFORE,

7 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE**
8 **MAYOR CONCURRING, THAT:**

9 Section 1. The City Council adopted Ordinance 123942 that implements land use
10 regulations intended to spur property owners, developers, and others to participate in the City's
11 Living Building, and Seattle Deep Green Pilot Programs. The City Council now declares its
12 intent to further promote and enhance development of new buildings authorized under these
13 programs and achieve long term-compliance with program requirements by: requesting
14 legislative updates to the City's Living Building, Seattle Deep Green Pilot Programs, or
15 establishing a replacement pilot program that would carry out key initiatives that include, but not
16 limited to:

17 A. Developing a clear statement of intent for each pilot program;

18 B. Updating development standards by offering a variety of incentive levels for
19 buildings developed under these programs in exchange for lasting qualitative and quantitative
20 environmental performance that is consistent with City objectives and neighborhood planning
21 goals;
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1 C. Recognizing and incorporating into a new pilot program multiple approaches that
2 could include Seattle-specific criteria for high levels of energy performance;

3 D. Creating a Green Buildings Advisory Board to participate in the current *Living*
4 *Building Challenge*TM, Seattle Deep Green Pilot Programs, and the existing Design Review
5 Program early in the entitlement process in order to screen proposals for eligibility and assist in
6 developing new or updated programs;

7 E. Considering interdepartmental coordination and commitment to test alternate
8 approaches to a revised or new pilot program that builds on the success of the current pilot and is
9 guided by the experience gained in observing pilot projects and administering current programs;
10 and
11

12 F. Examining revisions to project review, building performance monitoring, and
13 enforcement mechanisms imposing penalties that are sufficient to compel compliance with long-
14 term building performance goals other program requirements.
15

16 Section 2. The Council requests that the Department of Planning and Development work
17 with the City Council and stakeholders to form a standing Green Buildings Advisory Board
18 composed of a minimum of 7 members. Membership shall include individuals who collectively
19 meet all of the following qualifications: certified in LEED architecture; certified in sustainable
20 building practices; certified in building energy systems engineering; and membership in a
21 neighborhood community council. The advisory group shall be nominated by the Mayor and
22 appointed by the Council. Legislation establishing the Green Buildings Advisory Board should
23 be submitted to the Council no later than August 31, 2013. The Council also requests the
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1 Department of Planning and Development work with other City departments, stakeholders, and
2 the new Green Buildings Advisory Board to develop recommendations for improving the
3 accessibility and use of the Living Building and Deep Green Pilot Program or replacing the
4 program with an improved pilot program. Legislation implementing the new pilot program
5 should be submitted to Council no later than December 31, 2013.
6

7 Adopted by the City Council the ____ day of _____, 2013,
8 and signed by me in open session in authentication of its adoption this ____ day
9 of _____, 2013.

10 _____
11 President _____ of the City Council

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13 THE MAYOR CONCURRING:

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15 _____
16 Michael McGinn, Mayor

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18 Filed by me this ____ day of _____, 2013.

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20 _____
21 Monica Martinez Simmons, City Clerk

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23 (Seal)

CITY OF SEATTLE
RESOLUTION 31400

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4 A RESOLUTION declaring the City of Seattle will promote and encourage the development of
5 buildings that achieve the highest level of environmental sustainability by creating a Sustainable
6 Building Advisory Board to guide the City Council and the Department of Planning and
7 Development in determining the qualification standards and design that projects must meet that
8 would participate in the City's Living Building and Seattle Deep Green Pilot Programs, or any
9 programs that replace them; the City Council also directs the Department of Planning and
10 Development to make improvements to the City's Living Building and Seattle Deep Green Pilot
11 Programs, and requests the Executive submit legislation implementing improvements to or
12 replacing the existing programs.

13 WHEREAS, the City of Seattle (City) has established itself as a leader in sustainable building
14 since first adopting a Sustainable Building Policy in February 2000; and the City has
15 implemented new programs, regulations, and incentives to encourage the private market
16 to respond to the challenges of building a more sustainable city; and

17 WHEREAS the City has adopted incentive programs to support developing buildings that meet
18 or exceed standards in a variety of programs that embrace sustainability in building and
19 design; including the Leadership in Energy and Environmental Design (LEED), Built
20 Green, and Washington Evergreen Sustainable Development programs; and

21 WHEREAS, the City has raised the bar in its support for sustainable buildings by adopting the
22 *Living Building Challenge*TM that establishes goals for building owners, architects, design
23 professionals, engineers, and contractors to build new structures that are well-designed
24 and achieve a high level of environmental performance. These buildings are responsive to
25 their eco-region's characteristics and incorporate efficient operation of building systems
26 by, for example, generating their own energy with renewable resources; and capturing,
27 treating, and reusing their wastewater; and

WHEREAS, achieving a high level of environmental performance requires a fundamentally
different approach to building design, construction, and operation that may necessitate
changes to current development codes; and

WHEREAS, the City Council adopted Ordinance 123206 in December 2009 and a bill
introduced as Council Bill 117516 to establish and expand the Living Building Pilot
Program in the Land Use Code; and to include an emerging type of building typology
called Seattle Deep Green, a hybrid of the Living Building Pilot that also seeks

THIS VERSION IS NOT ADOPTED



1 significant reductions in the use of water and electricity and reuse of collected
2 stormwater; and

3 WHEREAS, the City Council is requesting that the Department of Planning and Development
4 further expand the Living Building and Seattle Deep Green Pilot Programs to ensure an
5 enhanced level of review and consultation for these buildings and ongoing input into
6 these programs by professionals trained in the highest levels of sustainable architecture
7 and building design;

8 NOW, THEREFORE,

9 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE
10 MAYOR CONCURRING, THAT:**

11 Section 1. The City Council has passed an ordinance introduced as Council Bill 117516
12 that revises land use regulations intended to spur property owners, developers, and others to
13 participate in the Living Building and Seattle Deep Green Pilot Program or a successor program.
14 Therefore, the City Council declares its intent to further promote and enhance the development
15 of deep-green buildings by consideration of alternate regulatory and entitlement approaches
16 through improvements to the current Living Building and Seattle Deep Green Pilot Program, or a
17 replacement pilot program that would carry out key initiatives including, but not limited to:

18 A. Develop a clear statement of intent for the pilot program and possible scaling of
19 development incentives offered that is consistent with the level of environmental performance
20 desirable or achievable under one or more performance rating systems included in the pilot
21 program.
22

THIS RESOLUTION IS NOT ADOPTED



1 B. Recognize and incorporate multiple deep-green-rating systems into a new pilot
2 program including consideration of a Seattle-specific rating system that does not rely on a third-
3 party certification.

4 C. Recognize the value and participation of a technical advisory group and the
5 appropriate role of the advisory group in the current Living Building and Seattle Deep Green
6 Pilot Program, by identifying how the advisory group could participate in the entitlement process
7 as appropriate, and how the group could participate in developing any new or updated programs..
8

9 D. Consider interdepartmental coordination and commitment to test alternate approaches
10 to a revised or new pilot program that builds on the success of the current pilot and is guided by
11 the experience gained in its administration.

12 E. Examine revisions to enforcement mechanisms, including imposing fines or other
13 penalties for non-performance.
14

15 Section 2. The Council requests that the Department of Planning and Development work
16 with stakeholders to develop recommendations for improving the Living Building and Deep
17 Green Pilot Program or replacing the program with a new and improved pilot, with
18 implementing legislation, to be submitted to Council no later than March 30, 2013.
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STATE OF WASHINGTON -- KING COUNTY

--SS.

299016

No.

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:31400 RES TITLE ONLY

was published on

06/17/13

The amount of the fee charged for the foregoing publication is the sum of \$39.60 which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on

06/17/2013

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on June 3, 2013, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8344.

RESOLUTION NO. 31400

A RESOLUTION declaring the City of Seattle will continue to promote and encourage the development of buildings that achieve the highest level of environmental sustainability by requesting updates and enhancements to its Living Building and Seattle Deep Green pilot programs; and requesting the formation of a Green Building Technical Advisory Group to advise the City on sustainable building practices.

Date of publication in the Seattle Daily Journal of Commerce, June 17, 2013.

6/17(299016)