

# SDCI

# Director's Rule 4-2021

<b>Applicant:</b>  City of Seattle Department of Construction & Inspections	<b>Page</b>  1 of 9	<b>Supersedes:</b>  20-2017
	<b>Publication:</b>	<b>Effective:</b>  March 15, 2021
<b>Subject:</b>  Green Building Standard	<b>Code and Section Reference:</b>  SMC 23.58D and 23.84A.014 "G"	
	<b>Type of Rule:</b>  Code Interpretation and Procedural Rule	
	<b>Ordinance Authority:</b>  SMC 3.06.040	
<b>Index:</b>  Land Use Code/Technical Standards and Procedural Requirements	<b>Approved</b>	<b>Date</b>
	_____ Nathan Torgelson, Director, Seattle DCI	

## PURPOSE

The purpose of this Rule is to describe the requirements and procedures to meet the Green Building Standard.

- A. Green Building Standard Requirements
- B. The procedures to show demonstration of compliance during permit review and construction.
- C. The procedure to use a substantially equivalent or superior standard to those in this Rule.

## BACKGROUND

The Land Use Code requires compliance with the Green Building Standard, as described in this Rule, when a development exceeds a minimum floor area, includes building a second accessory dwelling unit, and other voluntary incentives for new buildings that provide

additional development capacity, such as extra floor area or height. To determine whether your project triggers the Green Building Standard and which zones are included please reference the [Green Building Standard summary](#).

“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).

## **RULE**

### **A. Green Building Standard Requirements.**

1. Requirements related to site development to mitigate exposure to lead dust during demolition.
  - a. If any existing structures built prior to 1978 are proposed to be demolished to permit new structures, all exterior non-load bearing lead painted materials (typically siding) must be removed and properly disposed or the applicant must demonstrate that all exterior lead has been abated or that no exterior lead painted material exists on the structure. Requirements in this Rule are not intended to diminish or conflict with local, state or federal law related to lead painted material.
  - b. Or applicants may choose to mitigate by other methods.
    - i) Deconstruct existing structure(s), minimize the use of heavy equipment (e.g., excavators, bulldozers) and remove a minimum 1,000 board feet of wood material for reuse. Material may be reused on site, donated or sold for reuse.
    - ii) Retain an existing principal structure on the proposed development site.
    - iii) Relocate an existing principal structure to another site whether within the City limits or outside the City limits.
  - c. Alternatively, if the requirements in A1a or b cannot be accomplished use at least 500 board feet of salvaged material in the proposed new structure.
  - d. Green Building Standard site development requirements do not apply for
    - i) Vacant sites that have never been developed with a principal structure.
    - ii) Where principal structures were demolished at least three years prior to a complete Master Use Permit or construction permit application or prior to the adoption of this Rule.
    - iii) The construction of a second accessory dwelling unit.

2. Do not provide fossil fuel-fired equipment or appliances, including but not limited to residential cooking appliances, clothes dryers, decorative or space heating fireplaces, indoor fire tables, outdoor radiant heaters, space heating appliances and service water heating appliances, except where specifically permitted by this section. Fossil fuels are permitted to be used for emergency and standby power generators, cooking appliances in commercial kitchens, outdoor barbecues, and outdoor fireplaces, fire tables or fire pits.
3. Obtain a green building certification through one of the approved green building certification programs listed in Appendix A.

**B. Procedures to document a commitment to meet the Green Building Standard (SMC 23.58D.004)**

1. Prior to issuance of a Master Use Permit (MUP), if one is required,
  - a. The property owner or financially responsible party shall complete Appendix B, Green Building Standard Commitment for Master Use Permits. The commitment shall be placed on the approved Master Use Permit plan set.
2. Prior to a complete demolition and building permit application
  - a. The property owner or financially responsible party shall complete Appendix C, Green Building Standard Development Site Form. The development site form shall be included as a required submittal document. This form indicates how the project will meet the site development requirements to mitigate lead dust required by this Rule.
3. Prior to issuance of the first building permit that includes structural frame
  - a. The owner or financially responsible party acting on behalf of the owner shall appoint a Green Building Inspector. Raters, verifiers or consultants are considered the Green Building Inspectors. Reports will be reviewed by the Green Building team prior to inspection.
  - b. After permit issuance but prior to the first SDCI framing inspection, the appointed Green Building Inspector shall upload a green building Field Report. Reports will be reviewed by the Green Building team prior to inspection. Field Reports must be on letterhead from a company and person approved by the certification organization from Appendix A or a substantially equivalent certification approved by SDCI and include
    - i) Certification rating system, version and certification level anticipated and registration or enrollment with such certification organization.
    - ii) Acknowledgement that the Green Building Inspector chosen is under contract, reviewed the design and construction documents, and determined a strategy for the development proposal.
    - iii) Provides other applicable information at the discretion of the Green Building Inspector.

- c. Prior to certificate of occupancy or prior to final inspection if no certificate of occupancy is required, the selected Green Building Inspector shall upload a green building Final Report. Reports will be reviewed by the Green Building team prior to inspection or issuance of certificate of occupancy. Final Reports must be on letterhead from a company and person approved by the certification organization from Appendix A or a substantially equivalent certification approved by SDCI and include
    - i) A summary of the site inspections performed during construction.
    - ii) Test results for infiltration and commissioning results for ventilation systems.
    - iii) Evidence to demonstrate compliance with the site development requirements to mitigate exposure to lead dust during demolition.
    - iv) Acknowledge that a majority of documentation, testing results and other information has been collected to meet the certification level required.
    - v) Other applicable information at the discretion of the Green Building Inspector.
4. The following note must be included on the approved plans that include the energy code analysis:

*This development is subject to the Green Building Standard per Director's Rule 4-2021. Do not provide fossil fuel-fired equipment or appliances, including but not limited to residential cooking appliances, clothes dryers, decorative or space heating fireplaces, indoor fire tables, outdoor radiant heaters, space heating appliances and service water heating appliances, except where specifically permitted by this section. Fossil fuels are permitted to be used for emergency and standby power generators, cooking appliances in commercial kitchens, outdoor barbecues, and outdoor fireplaces, fire tables or fire pits.*

**C. Demonstrating a substantially equivalent or superior standard.**

1. 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 Leadership in Energy and Environmental Design (LEED) target a range of categories including energy, water, waste, materials, and indoor air quality. Programs such as Passive House US 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 a comparative analysis between an approved Green Building Standard as described in Appendix A and the proposed equivalent standard including certification by an independent third-party organization.

# Appendix A- Approved Green Building Certification Programs

- If there is more than one structure on the development site, each structure that is subject to the Green Building Standard must be certified.
- Versions listed for each program are the earliest versions that will be accepted. Newer versions and checklists will be accepted when made available by the certification program.

Certification Organization	Rating System	Certification Level	Certification Agency if different	Version	Building Type
Built Green	Single Family/Townhouse New Construction checklist	4-Star or better	Master Builders Association of King and Snohomish Counties	2021 Checklist (2018 WSEC)	Residential (single family, townhouse, rowhouse, duplex, detached accessory dwelling units)
Built Green	Multifamily Checklist	4-Star or better	Master Builders Association of King and Snohomish Counties	2021 Checklist (2018 WSEC)	Residential (apartments, condominiums) and ground level nonresidential floor area
Leadership in Energy and Environmental Design (LEED)	New Construction	Gold or better	Green Building Certification Institute (GBCI)	V4.1	Nonresidential
LEED	Core and Shell	Gold or better	GBCI	V4.1	Nonresidential
LEED	Residential Single-Family Homes	Gold or better	GBCI	V4.1	Attached or detached residential up to 4 units
LEED	Residential Multifamily Homes	Gold or better	GBCI	V4.0, must substitute V4.1 prerequisite & credit for energy performance at a minimum	Two or more residential units any number of stories
LEED	Residential Multifamily Homes Core and Shell	Gold or better	GBCI	V4.0, must substitute V4.1 prerequisite & credit for energy	Two or more residential units any number of stories- interior fit out not completed

				performance at a minimum	
Living Building Challenge (LBC)	LBC Living Certification	LBC Living Certification	International Living Future Institute (ILFI)	V4.0	Nonresidential or residential
LBC	LBC Petal Certification	LBC Petal Certification	ILFI	V4.0	Nonresidential or residential
LBC	Zero Energy Standard	Zero Energy Standard	ILFI	V1.0	Nonresidential or residential
Core Green Building Certification	Core Green Building Certification		ILFI	V1.0	Nonresidential or residential
Passive House Institute US (PHIUS)			PHIUS	+2018/+2021	Nonresidential and residential
PHIUS	2018		PHIUS	+2018	Nonresidential and residential
PHIUS	Core		PHIUS	+2018/+2021	Nonresidential and residential
PHIUS	Prescriptive		PHIUS	+2021	Residential (single-family, townhouse, rowhouse, duplex)
<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>					
WA State Department of Commerce, Housing Trust Fund	Evergreen Sustainable Development Standard		Housing Trust Fund Contract Manager for the State of Washington	4.0	Residential financed by the Seattle Office of Housing and/or State Housing Trust Fund

**APPENDIX B**  
**Green Building Standard Commitment Form for Master Use Permit**

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	

I agree to meet the Green Building Standard pursuant to SMC 23.58D and Director's Rule 4-2021.

1. Select one.

- For existing structures built prior to 1978, remove and properly dispose of any exterior non-load bearing lead painted materials (typically siding).
- Deconstruct existing structure(s), minimize the use of heavy equipment (e.g., excavators, bulldozers) and remove a minimum 1,000 board feet of wood material for reuse. Material may be reused on site, donated or sold for reuse.
- Retain an existing principal structure on the proposed development site.
- Relocate an existing principal structure to another site whether within the City limits or outside the City limits.
- Use at least 500 board feet of salvaged material on the proposed new structure.
- Development sites with no principal structure.
- Development sites where demolition was completed at least three (3) years prior to a complete Master Use Permit or construction permit application.
- Development proposals for the sole purpose of building a second accessory dwelling unit.

2. Green Building Certification per Appendix A, DR 4-2012., Select one.

- Leadership in Energy and Environmental Design (LEED)
- Built Green
- Passive House Institute US (PHIUS)
- Living Building Challenge (LBC)
- Evergreen Sustainable Development Standard (ESDS)

3. Do not provide fossil fuel-fired equipment or appliances, including but not limited to residential cooking appliances, clothes dryers, decorative or space heating fireplaces, indoor fire tables, outdoor radiant heaters, space heating appliances and service water heating appliances, except where specifically permitted by this section. Fossil fuels are permitted to be used for emergency and standby power generators, cooking appliances in commercial kitchens, outdoor barbecues, and outdoor fireplaces, fire tables or fire pits.

I acknowledge process requirements described in Director's Rule 4-2021 to submit field and final green building reports during construction and to provide certification 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. Documentation must be sent electronically to [SCIprioritygreen@seattle.gov](mailto:SCIprioritygreen@seattle.gov)

\_\_\_\_\_  
Property Owner or Financially Responsible Party Signature

\_\_\_\_\_  
Date



### APPENDIX C

#### Green Building Standard Development Site Form

This form is a required document at demolition and construction permit intake if the project is subject to the Green Building Standard.

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	

I intend to use the Green Building Standard pursuant to SMC 23.58D and Director's Rule 4-2021, and I will meet one of the following requirements related to site development to mitigate exposure to lead dust during demolition.

- For existing structures built prior to 1978, remove and properly dispose of any exterior non-load bearing lead painted materials (typically siding).
- Deconstruct existing structure(s), minimize the use of heavy equipment (e.g., excavators, bulldozers) and remove a minimum 1,000 board feet of wood material for reuse. Material may be reused on site, donated or sold for reuse.
- Retain an existing principal structure on the proposed development site.
- Relocate an existing principal structure to another site whether within the City limits or outside the City limits.
- Use at least 500 board feet of salvaged material on the proposed new structure.

Or the development meets one of the below conditions and does not need to meet the Green Building Standard site development requirement.

- Demolition of structures will be completed at least three (3) years prior to a complete Master Use Permit or construction permit application.
- Development proposal is for the sole purpose of building a second accessory dwelling unit.
- Development site has never been developed with any principal structures.

Signed by owner or financially responsible party \_\_\_\_\_ date \_\_\_\_\_