



Planning & Community
Development

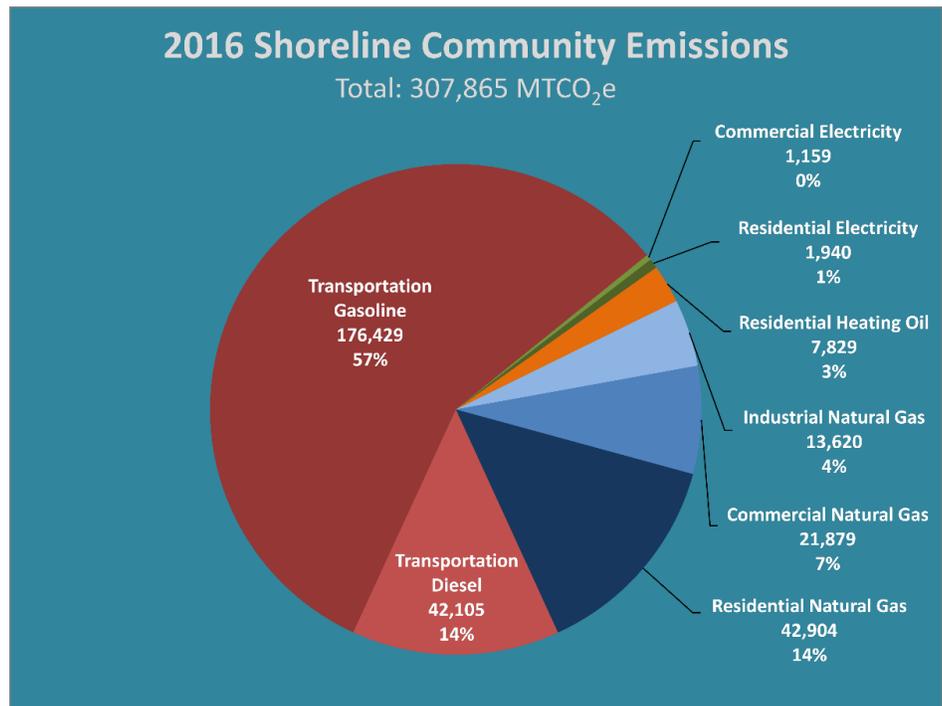
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Deep Green Incentive Program (DGIP)

Why create an incentive program for deep green building in Shoreline?

When Council adopted the City's Climate Action Plan in 2013, they joined King County and other cities in the region by committing to reduce community greenhouse gas emissions 80% by 2050, with interim targets of 50% reduction by 2030 and 25% by 2020.

According to Shoreline's Greenhouse Gas Inventories, the major source of local emissions is transportation, followed by buildings. The City has undertaken a number of initiatives to reduce emissions from the transportation sector, but green building mandates and incentives for new construction are effective strategies to reduce emissions in the building sector.



What is "deep green" building?

Shoreline defines "deep green" as the most stringent standards for green building certification available through the International Living Future Institute (ILFI), Built Green, US Green Building Council (USGBC), Passive House Institute US (PHIUS), and Salmon-Safe. The incentive program articulates a hierarchy, with the most ambitious certifications comprising Tier 1.

Hours of Operation:

Monday 8:00 am-5:00 pm
Tuesday 8:00 am-5:00 pm
Wednesday 1:00 pm-5:00 pm
Thursday 8:00 am-5:00 pm
Friday 8:00 am-5:00 pm

Permit Processing Ends at 4:00 pm Daily

Stringency of the certification program is also reflected in the level of potential reductions to building permit application fees and parking requirements.

- Tier 1- ILFI's Living Building Challenge™ or Living Community Challenge™;
- Tier 2- ILFI's Petal Recognition™ or Built Green's Emerald Star™;
- Tier 3- USGBC's Leadership in Energy and Environmental Design™ (LEED) Platinum; Built Green's 5-Star™; or ILFI's Zero Energy™ (ZE) or PHIUS's Shift Zero™, in combination with Salmon-Safe where applicable;
- Tier 4- Built Green's 4-Star™ or PHIUS+™

What are the incentives?

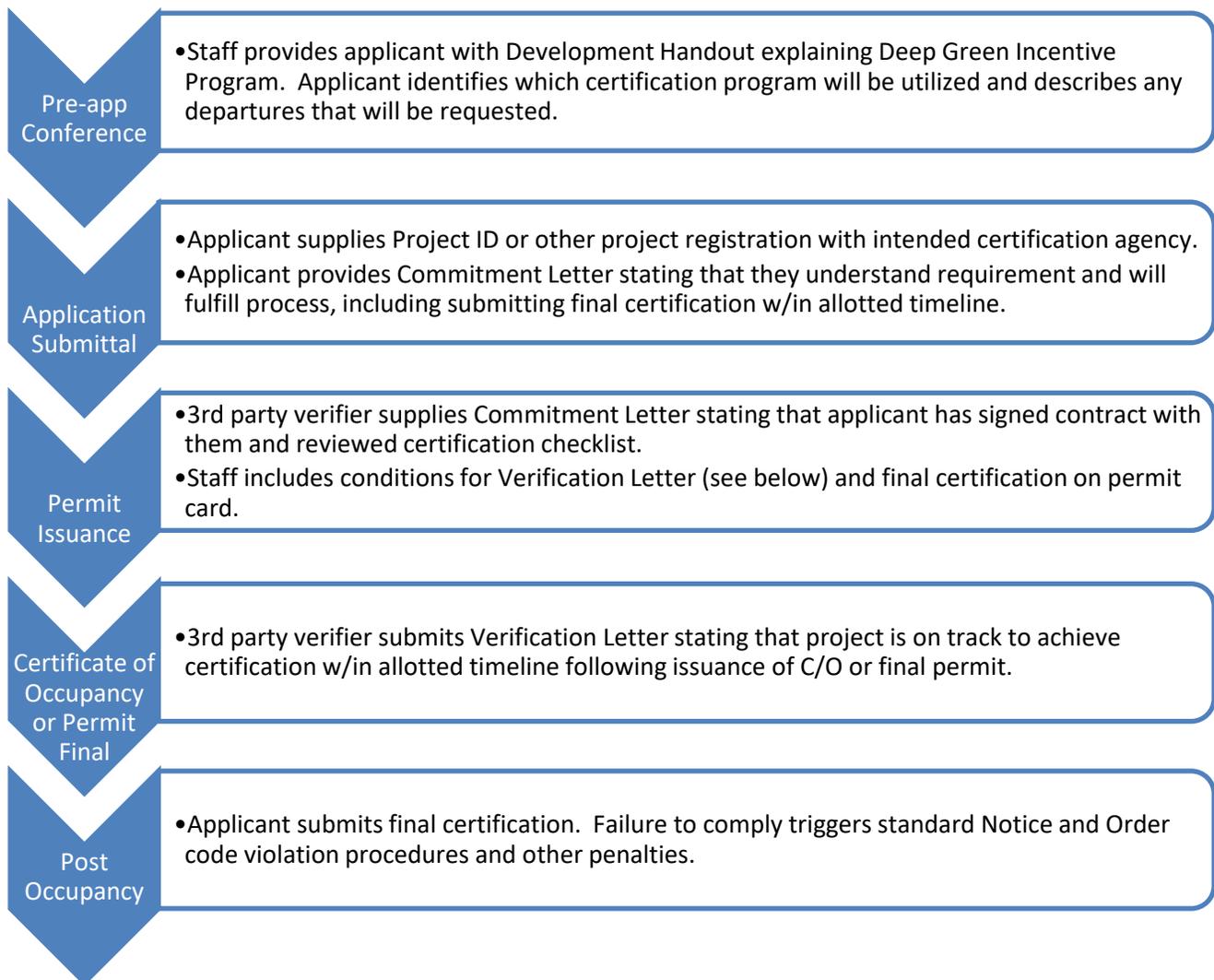
The DGIP contains two types of incentives. The first is a potential fee waiver or reduction, which could include waiving pre-application and a certain percentage of application fees, based on tier, and possibly reducing transportation impact fees, based on project-specific analysis. Expedited review at no additional charge is another incentive that may be offered, based on the ability of staff to perform expedited reviews at the time of application submittal.

The second type of incentive could grant certain departures from Development Code standards, with the primary intent to remove barriers to meeting certification requirements for a specific program (e.g. to allow solar panels to extend above the sidewalk right-of-way). Other potential departures are intended to off-set costs for the design and certification process for deep green buildings and include greater flexibility with regard to density and height, lot coverage, use provisions, and standards for storage of solid-waste containers.

It is important to note that there are limitations and conditions on most of these departures. Density bonuses may be available in Residential zoning designations with density maximums but require a 10,000 sq. ft. minimum lot size. Parking reductions and density bonuses are not allowed in single family zoning; height bonuses are not allowed in R-4, R-6, R-8, or MUR-35' zones; and reductions to open space or setback requirements are not allowed in any zoning designations. Otherwise, the incentive program is not limited to a particular building type or zoning designation.

What is the process for permitting of a deep green building?

The flow chart below outlines requirements for each phase of the permitting process.



What are the penalties for not meeting the certification requirements?

Shoreline Municipal Code (SMC) [20.30.770](#)(D) outlines Civil Penalties for failure to comply with conditions of the DGIP.

8. Deep Green Incentive Program.

- a. Failure to submit the supplemental reports required by SMC [20.50.630](#)(F) by the date required – within six months and two years of issuance of the certificate of occupancy – is subject to civil penalties as specified in subsections (D)(1) and (D)(4) of this section.
- b. If the project does not meet the requirements after two years of occupancy as detailed under SMC [20.50.630](#)(F)(6)(a) through (c), the applicant or owner will be required to pay the following:
 - i. Failure to demonstrate compliance with the provisions contained in SMC [20.50.630](#)(F)(6)(a) through (c) is subject to a maximum penalty of five percent of

the construction value set forth in the building permit for the structure. This fee may be reduced at the discretion of the Director based on the extent of noncompliance.

ii. In addition, the applicant or owner shall pay any permit or other fees that were waived by the City.

Where is the code language detailing the full incentive program?

The DGIP is codified under SMC 20.50.630, which is included in its entirety below. Other code sections that were amended to support the DGIP include:

- [20.20.016 D definitions](#);
- [20.20.032 L definitions](#);
- [20.30.045 Neighborhood meeting for certain Type A proposals](#);
- [20.30.080 Preapplication meeting](#);
- [20.30.297 Administrative Design Review \(Type A\)](#); and
- [20.50.400 Reductions to minimum parking requirements](#).
 - Note that the 2019 update allowed for parking reductions for the DGIP to be combined with those for proximity to light rail (SMC 20.50.400[F]).

20.50.630 Deep Green Incentive Program (DGIP).

A. **Purpose.** The purpose of this section is to establish an incentive program for Living and Deep Green Buildings in the City of Shoreline. The goal of the DGIP is to encourage development that meets the International Living Future Institute's (ILFI) Living Building Challenge™, Living Community Challenge™, Petal Recognition™, or Zero Energy™ (ZE) programs; Built Green's Emerald Star™ 5-Star™, or 4-Star™ programs; the US Green Building Council's (USGBC) Leadership in Energy and Environmental Design™ (LEED) Platinum program; Passive House Institute US™'s PHIUS+ or PHIUS+ Source Zero programs; and/or the Salmon Safe™ program by:

1. Encouraging development that will serve as a model for other projects throughout the city and region resulting in the construction of more Living and Deep Green Buildings; and
2. Allowing for departures from Code requirements to remove regulatory barriers.

B. Project Qualification.

1. Application Requirements. In order to request exemptions, waivers, or other incentives through the Deep Green Incentive Program, the applicant or owner shall submit a summary demonstrating how their project will meet each of the requirements of the relevant certification program, such as including an overall design concept, proposed energy balance, proposed water balance, and descriptions of innovative systems.
2. Qualification Process. An eligible project shall qualify for the DGIP upon determination by the Director that it has submitted a complete application pursuant to SMC [20.30.297](#), Administrative Design Review (Type A), and has complied with the application requirements of this subsection.
3. The project must be registered with the appropriate third-party certification entity such as the International Living Future Institute, Built Green, US Green Building Council, Passive House Institute US, or Salmon Safe.
4. Projects requesting departures under the DGIP shall meet the current version of the appropriate certification program, which will qualify them for one of the following tiered packages of incentives:
 - a. Tier 1 – Living Building Challenge or Living Community Challenge Certification: achieve all of the Imperatives of the ILFI programs;

- b. Tier 2 – Emerald Star or Petal Certification: satisfy requirements of Built Green program or three or more ILFI Petals, including at least one of the following: water, energy, or materials;
- c. Tier 3 – LEED Platinum, 5-Star, PHIUS+ Source Zero plus Salmon Safe, or ZE plus Salmon Safe: satisfy requirements of the respective USGBC, Built Green, PHIUS, ILFI, and/or Salmon Safe programs. The addition of Salmon Safe certification to PHIUS+ Source Zero or ZE projects is not required for detached single-family projects; or
- d. Tier 4 – PHIUS+ or 4-Star: achieve all requirements of the PHIUS or Built Green programs.

C. Director’s Determination. All Shoreline Deep Green Incentive Program projects are subject to review by the Director under SMC [20.30.297](#). Any departures from the Shoreline Development Code (SMC Title [20](#)) must be approved by the Director prior to submittal of building permit application.

D. Incentives. A project qualifying for the Shoreline Deep Green Incentive Program will be granted the following tiered incentive packages, based on the certification program for which they are applying:

- 1. A project qualifying for Tier 1 – Living Building Challenge or Living Community Challenge may be granted a waiver of up to 100 percent City-imposed preapplication and permit application fees. A project qualifying for Tier 2 – Emerald Star or Petal Recognition may be granted a waiver of up to 75 percent of City-imposed application fees. A project qualifying for Tier 3 – LEED Platinum, 5-Star, PHIUS+ Source Zero/Salmon Safe, or ZE/Salmon Safe may be granted a waiver of up to 50 percent of City-imposed application fees. A project qualifying for Tier 4 – PHIUS+ or 4-Star may be granted a waiver of up to 25 percent of City-imposed application fees.
- 2. Projects qualifying for the DGIP may be granted a reduced Transportation Impact Fee based on a project-level Transportation Impact Analysis.
- 3. Departures from Development Code requirements when in compliance with subsection E of this section.
- 4. Expedited permit review without additional fees provided in Chapter [3.01](#) SMC.

E. Departures from Development Code Requirements. The following requirements must be met in order to approve departures from Development Code requirements:

- 1. The departure would result in a development that meets the goals of the Shoreline Deep Green Incentive Program and would not conflict with the health and safety of the community. In making this recommendation, the Director shall consider the extent to which the anticipated environmental performance of the building would be substantially compromised without the departures.
- 2. A Neighborhood Meeting is required for projects departing from standards in the R-4 or R-6 zones.
- 3. Departures from the following regulations may be granted for projects qualifying for the Shoreline Deep Green Incentive Program:
 - a. SMC [20.50.020](#), Residential density limits.
 - i. Tier 1 – Living Building Challenge or Living Community Challenge Certification: up to 100 percent bonus for the base density allowed under zoning designation for projects meeting the full Challenge criteria;
 - ii. Tier 2 – Emerald Star or Living Building Petal Certification: up to 75 percent bonus for the base density allowed under zoning designation for projects meeting the program criteria;

- iii. Tier 3 – LEED Platinum, 5-Star, or PHIUS+ Source Zero/Salmon Safe or ZE/Salmon Safe Certification: up to 50 percent bonus for the base density allowed under zoning designation for projects meeting the program criteria;
- iv. Tier 4 – PHIUS+ or 4-Star: up to 25 percent bonus for the base density allowed under zoning designation for projects meeting the program criteria.

Minimum lot size of 10,000 square feet is required in all zones with a density maximum in order to request a density bonus. Density bonus is not available in R-4 and R-6 zones. Any additional units granted would be required to be built to the same green building standard as the first.

- b. SMC [20.50.390](#), Parking requirements (not applicable in R-4 and R-6 zones):
 - i. Tier 1 – Living Building Challenge or Living Community Challenge Certification: up to 50 percent reduction in parking required under SMC [20.50.390](#) for projects meeting the full Challenge criteria;
 - ii. Tier 2 – Emerald Star or Living Building Petal Certification: up to 35 percent reduction in parking required under SMC [20.50.390](#) for projects meeting the program criteria;
 - iii. Tier 3 – LEED Platinum, 5-Star, PHIUS+ Source Zero/Salmon Safe, or ZE/Salmon Safe Certification: up to 20 percent reduction in parking required under SMC [20.50.390](#) for projects meeting the program criteria;
 - iv. Tier 4 – PHIUS+ or 4-Star Certification: up to five percent reduction in parking required under SMC [20.50.390](#) for projects meeting the program criteria.
- c. Lot coverage standards, as determined necessary by the Director;
- d. Use provisions, as determined necessary by the Director;
- e. Standards for storage of solid-waste containers;
- f. Standards for structural building overhangs and minor architectural encroachments into the right-of-way;
- g. Structure height bonus up to 10 feet for development in a zone with height limit of 35 feet. Height bonus is not available in R-4, R-6, R-8, and MUR-35' zones. Structure height bonus up to 20 feet for development in a zone with a height limit of 45 feet or greater; and
- h. A rooftop feature may extend above the structure height bonus provided in SMC [20.50.020](#) or [20.50.050](#) if the extension is consistent with the applicable standards established for that rooftop feature within the zone.

F. Compliance with Minimum Standards.

1. For projects requesting departures, fee waivers, or other incentives under the Deep Green Incentive Program, the building permit application shall include a report from the design team demonstrating how the project is likely to achieve the elements of the program through which it intends to be certified.
2. For projects applying for an ILFI certification (Tiers 1, 2, or 3), after construction and within six months of issuance of the Certificate of Occupancy, the applicant or owner must show proof that an LBC Preliminary Audit has been scheduled; such as a paid invoice and date of scheduled audit. After construction and within 12 months of issuance of Certificate of Occupancy, the applicant or owner must show a preliminary audit report from ILFI demonstrating project compliance with the Place, Materials, Indoor Air Quality, and Beauty/Inspiration Imperatives that do not require a performance period.
3. For projects aiming for Built Green Emerald Star (Tier 2), 5-Star (Tier 3), or 4-Star (Tier 4) certification, after construction and within six months of issuance of the Certificate of Occupancy,

the applicant or owner must show proof that the project successfully met Built Green certification by way of the Certificate of Merit from the program.

4. For projects pursuing LEED certification (Tier 3), the applicant or owner must show, after construction and within six months of issuance of the Certificate of Occupancy, that the project has successfully completed the LEED Design Review phase by way of the final certification report.

5. For projects pursuing PHIUS+ (Tier 4) or PHIUS+ Source Zero certification (Tier 3), the applicant or owner must show, after construction and within six months of issuance of the Certificate of Occupancy, that the project has successfully obtained the PHIUS+ or PHIUS+ Source Zero certification.

6. For projects pursuing Salmon Safe certification (Tier 3 in conjunction with ZE or PHIUS+ Source Zero when applicable), the applicant or owner must show, after construction and within six months of issuance of the Certificate of Occupancy, that the project has successfully obtained the Salmon Safe Certificate.

7. No later than two years after issuance of a final Certificate of Occupancy for the project, or such later date as requested in writing by the owner and approved by the Director for compelling circumstances, the owner shall submit to the Director the project's certification demonstrating how the project complies with the standards contained in this subsection. Compliance must be demonstrated through an independent certification from ILFI or USGBC/Green Building Cascadia Institute (GBCI). A request for an extension to this requirement must be in writing and must contain detailed information about the need for the extension.

a. For projects pursuing ILFI certification (Living Building Challenge, Living Community Challenge, Petal Recognition, or Zero Energy), performance-based requirements such as energy and water must demonstrate compliance through certification from ILFI within the two-year time frame noted above.

b. For projects pursuing LEED certification, the applicant or owner must show proof of certification by way of the final LEED Construction Review report and LEED Certificate issued by USGBC/GBCI.

8. If the Director determines that the report submitted provides satisfactory evidence that the project has complied with the standards contained in this subsection, the Director shall send the owner a written statement that the project has complied with the standards of the Shoreline Deep Green Incentive Program. If the Director determines that the project does not comply with the standards in this subsection, the Director shall notify the owner of the aspects in which the project does not comply. Components of the project that are included in order to comply with the minimum standards of the Shoreline Deep Green Incentive Program shall remain for the life of the project.

9. Within 90 days after the Director notifies the owner of the ways in which the project does not comply, or such longer period as the Director may allow for justifiable cause, the owner may submit a supplemental report demonstrating that alterations or improvements have been made such that the project now meets the standards in this subsection.

10. If the owner fails to submit a supplemental report within the time allowed pursuant to this subsection, the Director shall determine that the project has failed to demonstrate full compliance with the standards contained in this subsection, and the owner shall be subject to penalties as set forth in SMC [20.30.770](#). (Ord. 839 § 1 (Exh. A), 2019; Ord. 760 § 1 (Exh. A), 2017).