

WRITTEN COMMENTS TO PLANNING COMMISSION (DEEP GREEN)

My name is Pam Cross
I live in Shoreline.
01/02/2017

It is clear that climate change due to CO2 emissions is already a very serious issue in our area. Without even trying, we can recognize that there is more flooding and less snowpack and some of our ocean beaches are returning to the sea. The city of Shoreline has joined with King County and 10 other cities to coordinate and enhance the effectiveness of local government climate and sustainability action. K4C (King County/Cities Climate Collaboration).

I believe the DEEP GREEN INCENTIVE PROGRAM, as revised by the Planning Commission for the January 5, 2017 Public Meeting, could be a good approach to commercial buildings but it is being forced into residential areas.

The 02/01/2016 City Council meeting reviewed options and asked pointed questions. Unfortunately, every response was along the lines of "we'll look into this when we do our feasibility study." But a feasibility study does not provide hard numbers - it provides estimated results based on a best-case scenario. Kind of like the miles-per-gallon your new car will get (unless it's electric!).

There are three parts to the program:

1. District Energy
2. Solarize Campaign
3. A Living Building Challenge

District Energy weighs the benefit of the City taking over the utilities making them fully public, or using all private companies, a combination of public and private, or a Co-Op of landowners.

The Solarize Campaign is self-explanatory: encourage the use of solar power and enjoy the incentives. There are a couple of problems:
Solar panels need to be south facing and free of obstruction (goodbye trees).
Building codes may be amended to require new construction to be "solar ready." But solar ready today may not be solar ready in 10 years. Think of the Seattle Bus Tunnel project: it was pre-fitted with tracks so that when light rail was ready to begin, the tunnel would be "track ready". But no, the technology had changed and all the tracks had to be ripped out, the concrete removed and new tracks had to be installed.

The Living Building Challenge.

The Shoreline City Council decided to concentrate on CO2 reduction at this time.

Councilmember Hall commented that a majority of the new construction in Shoreline will be multi-family housing and pointed out that Shoreline already has a pretty good incentive program for energy and solar. He advised that rather than regulating the single-family market, the City should ensure **multi-family projects** are provided adequate incentives, and recommended the City invest resources into promoting them. (emphasis here and throughout is mine)

However, Ms. Redinger (Planner, Planning & Community Development) who is proposing this, closed the discussion by summarizing the Council would like staff to pursue single-family housing incentives.

By this one, simple sentence in the 02/01/2016 meeting minutes, multi-family housing disappears from the discussion, and single family homes take center stage.

DEEP GREEN incentive program (DGIP) is to apply the highest available level of green building certification using 3 tiers

1. Living Building Challenge is really designed for commercial application. In an 82 page document about their certification, residential homes are mentioned 3 times (one was “does not apply to residential”). This is the gold standard - the most stringent certification - and it should apply to commercial buildings. All seven Petals required. (Have any single family homes met this challenge? None that I could find).

Stated goals: the challenge promotes the transition of suburban zones to grow into New Urban Areas with **greater density**. This Urban Center Zone is comprised of medium to **high density** mixed use development in small to mid-sized cities or in the first “ring” of a larger city.

This is just one step down from Urban Core Zone comprised of **high to very high** density mixed use development found in large cities and metropolises. My goal for Shoreline does not align with theirs.

2. Petal Recognition; Built Green Emerald. This is where the single family homes will seek Certification. Built Green targets 4,000sf and under. Petal Recognition is three or more ILFI petals, including at least one of water, energy or materials.

As an aside, I believe the Development Code needs to be reworded
dev code subchapter 9: 20.50.630
section B project qualification
item 4b

Tier 2 - should be reworded to

“Tier 2- Living Building Challenge Petal Certification: three or more ILFI Petals, including at least one of the following - Water, Energy, or Materials; or Built Green Emerald Star Certification”

3. LEED Platinum or Net Zero NZEB

Seattle has required LEED silver certification for new construction projects since 2000, but only for projects over 5,000sf.

The idea is that the developer will design the project to meet certification requirements, then negotiate with the city of Shoreline for code departures. No limit is proposed for the number of code departures. Departures may mean cottage housing allowing 12 units instead of 6 per acre. A 10,000sf lot would be allowed two houses instead of just one. **If a duplex in R-6 zone requires greater than 10,890sf, then the square footage for two separate homes should be greater than that (not less at 10,000).**

There are three Tiers of Green Development, with one being the highest. Each tier has a separate bonus structure.

Tier 1 100% density bonus applies: **two** houses allowed on the 10,000 sf lot

Tier 2 75% density bonus applies: 1.75 houses allowed rounded up to **two**

Tier 3 50% density bonus applies: 1.50 houses allowed rounded down to **one**

What an odd way to express it.

20.40.030 Residential zones.

A. The purpose of low density residential, R-4 and R-6 zones, is to provide for a mix of predominantly single detached dwelling units and other development types, such as accessory dwelling units and community facilities that are compatible with existing development and neighborhood character.

My favorite thing:

A neighborhood meeting is required for any code departures associated with the program. **But there is no obligation for the City or the developer to address concerns that are raised at the meeting. Therefore the public is powerless to control the density and how the project will turn out.**

Why is density an incentive? Most home buyers that think Green are looking at Energy Star appliances, floors and cupboards made from bamboo, formaldehyde free carpeting, triple pane glass with UV protection, and solar panels. The number of buyers looking for 100% self sustaining construction is limited. Cost is the biggest threshold. Buyers may not “see” all the green benefits of a Certified home. The plan is to break the threshold by offering a green builder two lots to build on, while the conventional contractor gets one. The green contractor needs this advantage since cost of construction is more and a higher skill level is required. But this won't lower the cost to the green builder. Unless the green contractor puts up two virtually identical houses, with same code departures, their cost won't go down - so why would they charge significantly less to help the buyer over the threshold? If the buyer is that cost conscious, they will buy from a conventional contractor and include the Energy Star appliances and bamboo etc.

Due to the available incentives, the Planning Commission believes the program will likely be far greater utilized in a short amount of time by single-family home builders. **That is because the incentive of two houses on one lot is aimed directly at single-family home builders.** This is what was to be the determining factor in encouraging green building. This is the threshold holding everything back. There is no similar incentive for commercial builders!

And let's not forget about parking reduction as part of going Green. Parking needs will be determined on a project-by-project basis based on proximity to transit and walkability. If the City institutes a program that eliminates a good portion of the off-street parking, it is likely to be used more in the single family zones. No mention is made that transit may not be a viable option for someone working in an area that requires two or three transfers, or that young children cannot walk unattended to school or to after school sports, or take transit unaccompanied by an adult to an event at another location.

What are the penalties for non-compliance in the developing of Green Certified homes?

Currently the proposal calls for **up to** a 5% penalty in addition to paying waived fees. However it is entirely possible that the **homeowner** would end up paying the penalty. Certification requires a year of full-occupancy to ensure the performance standards have been met. The buyer may not be completely aware of all the components they would be responsible for a year later. This is new construction technology. We must assume the buyer cannot know everything.

A developer can get out of paying the penalties in one easy step: form a separate LLC for each and every project. When the project is complete and the building is occupied, dissolve the LLC. A year later when the full-occupancy requirement is met, there will be no developer to go after.

The developer could use the Deep Green incentives to build two houses on one lot, without ever intending to complete the certification requirements for both of them. **And there is no remedy to require a property owner to remove one of the homes and restore the property to its original state.**

The cost of constructing a green building is profoundly higher and takes more skill. The rationale that someone “may” be willing to pay more upfront, knowing that the long term operating costs are (probably) going to be less and they are doing something good for the environment. And they “may not” be interested in having a large lot either. That is a commercial developer, a more sophisticated buyer who recognizes that companies would like to advertise that they are in a green building. If you’re environmentally friendly, you must run a good business, right? The buyer has the option of passing on the increased cost of construction by charging higher rents

If there are few contractors building with this technology, how many contractors are available to repair problems when they occur? How many suppliers? We are talking about the entire structure and everything inside the walls: plumbing and use of storm water, electrical, waste treatment as well as the obvious solar panels.

Many contractors will do Green Remodeling. Has any thought been given to incentives for green remodeling? Seattle offers several.

Suggestions:

1. Limit the number of permits per year in R-6 or remove density bonus.
2. Remove Tier 1 from single family residences and have it apply to only commercial

If there are not enough builders and not enough material, why are they proposing to allow in in zones where it has to be MADE to fit.

When I was growing up in Seattle, my family didn't think "green." We thought "saving money." We had a compost pile, a vegetable garden, used old newspapers to wrap garbage, re-used brown paper bags for lunches for a week, wrapped the sandwiches in wax paper, and used dishcloths instead of paper towels. It's deja vu all over again!

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