City of Bellevue

Development Services Department Director's Rule
Green Building Rule
DRAFT

A. Purpose:

The purpose of this rule is to implement and interpret the Green Building Certification and Additional Performance requirements for development projects seeking green building incentives under LUC 20.25R.050.D.2.g and LUC 20.20.420.

LUC 20.20.420 establishes that "The Director shall establish a tiered list of green building certification programs" that "may be used to achieve bonus points in the Amenity Incentive System for Mixed Use Land Use Districts as provided in LUC 20.25R.050." LUC 20.20.420 allows that "For any tier, the Director may establish additional requirements beyond meeting program certification that can further advance the City's sustainability goals."

B. Background:

LUC 20.20.420 describes two considerations for the Director, "when establishing tiers and selecting green building certification programs":

- "What percentage of applicants will be able to achieve the green building certification program at the specified tier."
- "The impact of the green building certification program on achieving the City's sustainability goals, including those specified in the City's Environmental Stewardship Plan and the City's Comprehensive Plan."

The city's Sustainable Bellevue Plan establishes adopted goals and targets that the city is committed to meeting. These include:

- 50% community-wide reduction in greenhouse gas emissions by 2030
- 50% per capita reduction in vehicle miles traveled by 2050
- 15% community-wide reduction in energy use by 2030
- 85% of all new jobs and 65% of all new housing located within ¼-mile of a frequent transit stop by 2050

The city's recently adopted 2044 Comprehensive Plan increased the 2050 target for community-wide greenhouse gas emissions (GHG) reduction from 80% to 95% (net zero), making adopted city policy more stringent than the 2020 Environmental Stewardship Plan.

The Wilburton Comprehensive Plan Amendment (CPA), adopted in June 2024, created the policy basis for establishing a sustainable district in Wilburton, with policy *S-WI-42. "Support the development of an environmentally resilient neighborhood through a sustainable district*

framework, code updates, and public-private partnerships." The Wilburton CPA also includes policies promoting and supporting net-zero and net-positive development, low-carbon building design, district energy systems, sustainable mobility, enhancing natural features, tree canopy, and green stormwater infrastructure.

C. Rule:

The amenity incentives provided through LUC 20.25R.050.D.2.g are divided into two tiers. The bonus Floor Area Ration (FAR) for each tier is as follows, as defined in LUC 20.25R.050.D.2.g:

Tier One = 0.3 points per gross square foot
Tier Two = 0.4 points per gross square foot

The requirements associated with each tier shall be as follows:

Tier One

To qualify for Tier One green building incentives, projects must meet the following requirements:

	Residential Projects	**Commercial Projects**
Certification Requirements: (choose one)	Built Green 4-star (2024 or latest version)	LEED v5 for New Construction Gold (or latest version)
	--OR--	*--OR--*
	LEED v5 for Residential Gold (or latest version)	Living Building Challenge Core v4.1 (or latest version)
	--OR--	*--OR--*
	The second-highest building certification award level from another 3rd-party rating system, approved at the Director's discretion	The second-highest building certification award level from another 3rd-party rating system, approved at the Director's discretion
	Residential Projects	**Commercial Projects**
Additional Performance Requirements: (achieve all)	Achieve an Energy Star rating of > 80	Achieve an Energy Star rating of > 80

	Modify Chapter 51-50-0429 WAC Table 429.2 for "All other Group R occupancies to provide capacity and infrastructure for electric vehicle charging, based on the following minimum thresholds: • 10% of all spaces to be EV Capable • 60% of all spaces to be EV Ready • 10% of all spaces to be EV Charging	Modify Chapter 51-50-0429 WAC Table 429.2 for Group A, B, E, F, H, I, M, and S occupancies to provide capacity and infrastructure for electric vehicle charging, based on the following minimum thresholds: • 15% of all spaces to be EV Capable • 15% of all spaces to be EV Ready • 10% of all spaces to be EV Charging
	All Projects	
Additional Performance Requirements: (achieve all)	For at least 3 major construction materials, as defined in the [GLOSSARY], provide: • Disclosure of total embodied carbon • Disclosure of global warming potential • For one or more of the above materials, achieve an aggregate reduction in embodied carbon and/or global warming potential of at least 10%	
	Achieve a minimum 75% diversion rate for all construction and demolition waste, by weight	

	All buildings must operate 100% on electric power, including lighting, HVAC, appliances, and all other permanent uses, with the following exceptions:
	• Commercial kitchens and other retail food service uses may install natural gas-powered appliances.
	• Emergency backup power systems may include natural gas for up to 100% of the expected emergency power demand.
	• Natural gas-powered backup systems for managing peak energy loads are allowed, under the following conditions:
	  ○ The project must demonstrate that a gas-powered system is necessary to manage projected peak energy loads (i.e., peak energy loads cannot be cost-effectively managed through other means).
	  ○ The project must demonstrate that the proposed gas-powered system is sized for peak load management only.
	• HVAC provided through a Low or Zero Carbon District Energy System is exempt from this requirement and shall follow the associated requirements in the WA State Energy Code for Low-Carbon District Energy systems.	

Tier Two

To qualify for Tier Two green building incentives, projects must meet the following requirements:

	Residential Projects	**Commercial Projects**
Certification Requirements: (choose one)	Built Green Emerald (2024 or latest version)	LEED v5 for New Construction Platinum (or latest version)
	--OR--	*--OR--*
	LEED v5 for Residential Platinum (or latest version)	Living Building Challenge Core + Petal v4.1 (or latest version)
	--OR--	*--OR--*
	The highest building certification award level from another 3rd-party rating system, approved at the Director's discretion	The highest building certification award level from another 3rd-party rating system, approved at the Director's discretion
	Residential Projects	**Commercial Projects**
Additional Performance Requirements: (achieve all)	Achieve an Energy Star rating of > 90	Achieve an Energy Star rating of > 90
	Modify Chapter 51-50-0429 WAC Table 429.2 for "All other Group R occupancies to provide capacity and infrastructure for electric vehicle charging, based on the following minimum thresholds: • 10% of all spaces to be EV Capable • 80% of all spaces to be EV Ready • 10% of all spaces to be EV Charging	Modify Chapter 51-50-0429 WAC Table 429.2 for Group A, B, E, F, H, I, M, and S occupancies to provide capacity and infrastructure for electric vehicle charging, based on the following minimum thresholds: • 20% of all spaces to be EV Capable • 20% of all spaces to be EV Ready • 10% of all spaces to be EV Charging
	All Projects	
Additional Performance Requirements: (achieve all)	For at least 3 major construction materials, as defined in the [GLOSSARY], provide: • Disclosure of total embodied carbon • Disclosure of global warming potential	

	• For one or more of the above materials, achieve an aggregate reduction in embodied carbon and/or global warming potential of at least 20%	
	Achieve a minimum 85% diversion rate for all construction and demolition waste, by weight	
	All buildings must operate 100% on electric power, including lighting, HVAC, appliances, and all other permanent uses, with the following exceptions: • Commercial kitchens and other retail food service uses may install natural gas-powered appliances. • Emergency backup power systems may include natural gas for up to 100% of the expected emergency power demand. • Natural gas-powered backup systems for managing peak energy loads are allowed, under the following conditions: o The project must demonstrate that a gas-powered system is necessary to manage projected peak energy loads (i.e., peak energy	

	loads cannot be cost-effectively managed through other means). ○ The project must demonstrate that the proposed gas-powered system is sized for peak load management only. • HVAC provided through a Low or Zero Carbon District Energy System is exempt from this requirement and shall follow the associated requirements in the WA State Energy Code for Low-Carbon District Energy systems.	

Verification

Rating System Certification
For all rating systems, the project owner or their assigned delegate is responsible for all costs associated with achieving project certification. The project owner or their assigned delegate must provide the city with official verification supplied by the certifying body for that rating system.

- Built Green certification is verified by Built Green, a program of the Master Builders Association of King & Snohomish Counties (MBAKS)
- LEED certification is verified by the Green Building Certification Institute (GBCI)
- Living Building certification is verified by the International Living Future Institute (ILFI)

Additional Performance Requirements

For all additional performance requirements, the project owner or their assigned delegate is responsible for all costs associated with demonstrating that all requirements have been met. The project owner or their assigned delegate must provide the city with official verification or documentation for the additional performance requirements, as outlined below.

Energy Star

Projects must enter building energy performance data into the US EPA's Energy Star Portfolio Manager (PM) system, and then either (a) share that data with the City of Bellevue within the PM system, or (b) submit documentation showing the Energy Star rating.

Electric Vehicles

Projects must submit a plan, stamped by a licensed electrical engineer, showing the minimum required infrastructure and electrical capacity to support full build-out of that infrastructure.

Projects pursuing an **Electric Vehicles** credit in the applicable rating system may instead submit the documentation required for that credit by that rating system. This does not change the amount of infrastructure the project is required to provide.

Materials Disclosure

Projects must submit output from an approved embodied carbon / global warming potential (GWP) measurement tool, listed below.

Projects pursuing LEED certification may instead demonstrate achievement by meeting the requirements of the LEED **Building Life-Cycle Impact Reduction** credit.
Projects pursuing Living Building Challenge certification may instead demonstrate achievement by meeting the requirements of the LBC **Materials** Petal.

The approved embodied carbon calculators are:

a. Builders for Climate Action Building Emissions Accounting for Materials (BEAM) estimator tool. BEAM was developed by the team at Builders for Climate Action to suit the needs of the low-rise building sector.
b. Carbon Leadership Forum offers a free and easy-to-use Embodied Carbon in Construction Calculator (EC3) tool that allows benchmarking, assessment, and reductions in embodied carbon, focused on the upfront supply chain emissions of construction materials.
c. A commonly accepted, industry-standard calculator with sufficient evidence to support industry acceptance, as determined by the reviewer

Construction and Demolition (C&D) Waste

Projects must submit a summary report, using a template provided by the city, showing the total C&D waste diversion rate for the project, in aggregate and by waste stream. Projects must also provide electronic access to the hauling reports.

Projects pursuing a **Construction and Demolition Waste Management** credit in the applicable rating system may instead submit the documentation required for that credit by

that rating system. This does not change the minimum percentage diversion rate the project is required to achieve.

All-Electric Building
As part of their submittal demonstrating compliance with the Washington State Energy Code (WSEC), projects must submit, plans, drawings, or other documentation demonstrating that buildings are 100% electric except where exemptions are allowed for each tier.

Determining Residential vs. Nonresidential for Mixed-Use Projects:
Where the applicable third-party rating system establishes criteria or guidance for determining whether a project is defined as residential vs. nonresidential, projects should use that criteria or guidance.

Where such criteria or guidance is not provided within the third-party rating system, projects should use the following instead:
Per LUC 20.20.010, chart footnote 2, mixed-use projects where residential uses comprise more than 50% of the gross square footage (GSF) must meet the residential Certification and Additional Performance requirements. (GSF is defined in Chapter 20.50 LUC)
Per LUC 20.20.010, chart footnote 2, mixed-use projects where nonresidential uses comprise more than 50% of the gross square footage (GSF) must meet the commercial Certification and Additional Performance requirements. (GSF is defined in Chapter 20.50 LUC.)

Rating System Versions:
Projects achieve certification within a given rating system using the version under which the project registered for certification. If enough time has passed between registration and certification that the rating system version under which the project registered is no longer supported by the verifying entity, the project must re-register under the most recent version of the applicable rating system.

Assurance

A performance bond equivalent to the value of the bonus shall be provided to the City by the developer. In the event the project does not achieve the planned rating and other requirements within 18 months of project completion, the bonded fund shall be used for environmental improvements identified by the City.

D. Definition of Terms (Glossary)

Third-party Rating Systems (LEED, LBC, Built Green)

A set of rating systems and tools that are used to assess a building or a construction project's performance from a sustainability and environmental perspective.

Building Certification
The process of engaging accredited certifiers to independently check and approve building works to ensure they comply with the safety, health, amenity and sustainability standards specified in legislation and building codes.

Major Construction Materials

- Concrete
- Structural steel
- Rebar
- Glass, including glazing and/or window assemblies
- Wood, including assemblies and carpentry
- Cross Laminated Timber / mass timber
- Gypsum

ENERGY STAR Rating
The ENERGY STAR score compares a building's energy performance to similar buildings nationwide, normalized for weather and operating characteristics. A score of 50 represents median performance. A higher score is better than average; lower is worse. ENERGY STAR uses EPA Portfolio Manager, an interactive resource management tool that enables buildings to benchmark the energy use of any type of building in a secure online environment.

Electric Vehicle (EV) Infrastructure

EV Capable refers to a vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways, both underground and/or surface mounted, to support EV charging.

EV Ready refers to a vehicle space which is provided with a branch circuit; any necessary raceways, both underground and/or surface mounted; to accommodate EV charging, terminating in a receptacle.

EV Installed refers to a vehicle space which is provided with a branch circuit; any necessary raceways, both underground and/or surface mounted; to accommodate EV charging, terminating in an operational and accessible charger.

Construction & Demolition (C&D) Waste
"Construction and demolition waste" or "C&D waste" means any nonputrescible recyclable materials or nonrecyclable waste that results from construction, remodeling, repair or demolition of buildings, roads, or other structures and requires removal from the site of construction or demolition.
Low or Zero-Carbon District Energy System

Qualifying systems must meet the definition of a Low-Carbon District Energy Exchange System or the Low Carbon District Heating and Cooling or Heating Only System, as defined by the WA State 2021 Commercial Energy Code.

Waste Diversion
The process of diverting and redirecting waste away from landfills.