



MEMORANDUM

To: Houghton Community Council

From: David Barnes, Senior Planner
Jeremy McMahan, Planning and Building Deputy Director

Date: May 11, 2022

Subject: HOUGHTON COMMUNITY COUNCIL FINAL ACTION – KIRKLAND ZONING CODE AMENDMENTS FOR HIGH PERFORMANCE BUILDING STANDARDS; O-4788, FILE NUMBER CAM22-00046

RECOMMENDATION:

Consider Resolution R-2022-5 (Attachment 2) to approve the adopted Kirkland Zoning Code amendments relating to High Performance Building Standards (HPBS) within the jurisdiction of the Houghton Municipal Corporation.

COUNCIL ACTION

The City Council adopted High Performance Building Standards with Ordinance 4788 (Attachment 1) on April 19, 2022, which codified the standards in KZC Chapter 115, and updated the standards in KZC Chapters 25, 30, 35, 50, 56, 115 and 125. New definitions pertaining to this code amendment were also provided in KZC 5.

BACKGROUND INFORMATION:

The Houghton Community Council received a briefing on High Performance Building Standards on January 24, 2022. The HCC participated in a joint public hearing on the HPBS code amendments with the Kirkland Planning Commission on February 23, 2022 voted to recommend adoption to the Planning Commission. The Planning Commission recommended approval of the amendments to the City Council. Based on comments made at the public hearing, staff revised Kirkland Zoning Code Section 115.62.2.d.3 to reduce electric vehicle ready parking stalls from 100% to 20%, which is in consistent with the City's Sustainability Master Plan. Staff also added a definition of High Performance Buildings (see Attachment 1).

Attachments

1. Ordinance O-4788
2. HCC Resolution R-2022-5

cc: File Number CAM22-00046
Planning Commission

ORDINANCE NO. O-4788

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE (ORDINANCE 3719 AS AMENDED) INCLUDING CHAPTERS 5, 25, 30, 35, 50, 56, 115 AND 125 AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM22-00046.

1 WHEREAS, the City Council has received recommendations from
2 the Kirkland Planning Commission and the Houghton Community Council
3 to amend certain sections of the Kirkland Zoning Code, as set forth in
4 the report dated March 16, 2022 bearing Kirkland Planning and Building
5 Department File No. CAM22-00046; and
6

7 WHEREAS, prior to making the recommendation, the Kirkland
8 Planning Commission and the Houghton Community Council, following
9 notice as required by RCW 36.70A.035, on February 24, 2022, held a
10 joint public hearing on the amendment proposals and considered the
11 comments received at the hearing; and
12

13 WHEREAS, pursuant to the State Environmental Policy Act
14 (SEPA), there has accompanied the legislative proposal and
15 recommendation through the entire consideration process, a SEPA
16 Addendum to Existing Environmental Documents issued on February 15,
17 2022, by the responsible official pursuant to WAC 197-11-625; and
18

19 WHEREAS, in regular public meeting the City Council considered
20 the environmental documents received from the responsible official,
21 together with the recommendations of the Planning Commission and
22 Houghton Community Council; and
23

24 NOW, THEREFORE, the City Council of the City of Kirkland do
25 ordain as follows:
26

27 Section 1. The following specified sections of the Kirkland
28 Zoning Code are amended to read as follows:
29

30 KZC Chapter 5
31 KZC Chapter 25
32 KZC Chapter 30
33 KZC Chapter 35
34 KZC Chapter 50
35 KZC Chapter 56
36 KZC Chapter 115
37 KZC Chapter 125
38

39 "As set forth in Attachment A attached to this ordinance and
40 incorporated by reference."
41

42 Section 2. If any section, subsection, sentence, clause, phrase,
43 part or portion of this ordinance, including those parts adopted by
44 reference, is for any reason held to be invalid or unconstitutional by any

HIGH PERFORMANCE BUILDING STANDARDS – ZONING CODE AMENDMENTS

115.62 High Performing Buildings

1. Purpose and Intent – The purpose of this section is to establish high performing building standards (HPBS) for developments in residential, commercial and mixed use zones to further reduce energy use in buildings and move towards decarbonizing the built environment. The benefits to occupants of these buildings are healthy indoor air quality, lower energy and water bills, and in some cases where solar and water collection is utilized, no energy or water bills. The benefits the community can expect are a reduction in pollution generation and water consumption, which in turn can promote public health and reduce natural resource use.
2. Requirements
 - a. To be considered a High Performing Building, a development shall be certified to meet the current versions of one or more of the following programs: International Living Future Institute's (ILFI) Living Building Challenge™, Living Community Challenge™, Petal Recognition (energy, water and materials petals at a minimum), or Zero Energy™ (ZE) and Core programs; Built Green's 4-Star™ program; the US Green Building Council's (USGBC) Leadership in Energy and Environmental Design™ (LEED) Platinum program.
 - b. An applicant may propose, and the Planning Official may approve, alternative certification(s) if the Planning Official determines that the alternative certification(s) is equal to or superior to the programs listed above in terms of the resulting building performance.
 - c. Proof of registration in one of the certification programs in section (a) or section (b) must be provided prior to development permit submittal.
 - d. Performance Standards:

All projects shall adhere to the following performance standards and show compliance with them at the time of the development permit submittal:

- 1) In zones where a maximum density is specified the development shall attain that maximum density, or exceed the maximum density through allowed bonuses;
- 2) Provide an Embodied Carbon Assessment of existing and proposed buildings and set embodied carbon limits and reductions;
- 3) At least 20% of all required parking spaces shall be Electric Vehicle (EV) Ready Parking Spaces. In addition, at least 10% of all required parking shall be EV Ready Parking Spaces that are complete with a functioning electric vehicle charger;
- 4) All bicycle storage areas shall include electrical outlets to charge electric bicycles and other micro-mobility modes;
- 5) Provide a deconstruction and material diversion plan;
- 6) Achieve a reduction in water use in buildings and development by at least 20% over Washington State code requirements;
- 7) Demonstrate that buildings are all electric. Excepted from this requirement are

Exhibit A to Ordinance O-4788

gas commercial cooking appliances, provided that a corresponding and appropriately sized electrical outlet and all related infrastructure is installed for future replacement appliances.

KZC 25.10.080 HENC 2 Zone

3. Development shall be designed, built and certified to achieve or exceed ~~one or more of the following green building certification standards: Built Green 5 star certified, LEED Gold certified, or Living Building Challenge certified.~~ the High Performance Building Standards described in KZC 115.62.

KZC 30.20 (Permitted Uses Table – Office Zones)

Special Regulations: PU-41: A transit-oriented development containing attached or stacked dwelling units or residential suites use in the PR 1.8 TOD zone within the Totem Lake Business District (TLBD) shall meet the following requirements:

- p. Development shall be designed, built and certified to achieve or exceed ~~the following green building standards: Built Green 5 Star certified, LEED Platinum certified, or Living Building Challenge petal certified (energy, water and materials petals at a minimum), or living building challenge certified.~~ the High Performance Building Standards described in KZC 115.62.
- q. A residential suite shall meet the following requirements:
 - 1) Development shall be designed, built and certified to achieve or exceed ~~one (1) or more of the following green building standards: Built Green 5 Star certified, LEED Platinum certified, or Living Building Challenge petal certified (energy, water and material petals at a minimum), or living building challenge certified.~~ the High Performance Building Standards described in KZC 115.62.

KZC 35.10.050 FHNC Zone

2. Maximum height of structure is as follows:

- a. Thirty-five feet above average building elevation;
- b. **Fifty-five feet above** the midpoint of the subject property on the abutting right-of-way, if:
 - 6) Development shall be designed, built and certified to achieve or exceed ~~one or more of the following green building certification standards: Built Green 5 star certified, LEED Gold certified, or Living Building Challenge certified.~~ the High Performance Building Standards described in KZC 115.62.

KZC 35.10.060 HENC 1, HENC 3 Zones

- 2. In the HENC 1 zone: