

Green Building Policies and Programs

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Foreword

Increasingly, local governments are adopting mandatory green building programs setting environmentally friendly standards for new construction and renovations. Applying to public projects, private development, or both, these programs introduce green building requirements, often in the form of a checklist of green options, of which a certain number of elements or a certain level of achievement must be attained for project approval.

This packet updates our 2008 packet, *Planning and Zoning for Green Building*. It includes a collection of reports on green building, local green building program requirements, and green building program ordinances. These ordinances have been organized into the following sections:

- *Green Building Programs, Requirements for Public Projects:* These ordinances establish mandatory green building programs only for city- or county-owned or funded development; they do not address private-sector development.
- *Green Building Programs, Requirements for Public and Private Projects:* These ordinances establish mandatory green building programs for city- or county-owned or funded development as well as for private development. The type of private development these ordinances apply to can vary; some municipalities apply these programs to nearly all private projects, while others apply them to larger projects over certain size thresholds.
- *Green Building Programs, Requirements for Private Projects:* These ordinances establish mandatory green building programs for private development, either commercial, residential, or both.
- *Green Building Programs, General Mandatory Green Requirements:* These ordinances establish general green standards that apply across the board to all development projects, and also establish green building programs that go beyond these basic standards.

The packet also provides sample ordinances and documents addressing incentives for voluntary compliance with green building program standards. Common incentives include fast-track permitting, refunds of permit fees, technical assistance, marketing assistance, and density or height bonuses.

Many of the ordinances in the packet come from California communities. Since the adoption of the CALGreen Code green building standards by the state of California, many of these ordinances are being amended to incorporate the CALGreen code. We have elected to include these pre-CALGreen ordinances in the packet and noted where they occur; though they may not be current, they still provide excellent examples of local green building regulations.

Finally, rather than developing their own green building standards, most municipalities use preexisting certification programs. The USGBC's various LEED programs are most commonly used; however, there are other standards and certification programs that may be designated, some of which are listed in the Online Resources section of EIP-13.

Green Building Reports

American Institute of Architects. 2009. *Local Leaders in Sustainability: Green Building Policy in a Changing Economic Environment*. Study Findings. Conclusion. Green Building Program Quick Reference Matrix. Washington, D.C.: American Institute of Architects.

- Report updates original 2007 AIA green building program survey. Provides national overview of green building programs, with focus on program response to recent economic trends. Matrix provides comprehensive list of municipal green building programs. Entire report available at www.aia.org/aiaucmp/groups/aia/documents/document/aia081614.pdf.

Bernstein, Tobie. 2008. *Municipal Green Building Policies: Strategies for Transforming Building Practices in the Private Sector*. Pages ii–27. Washington, D.C.: Environmental Law Institute.

- Reviews municipal policies that establish green building requirements, provide expedited review for green building projects, and provide direct financial incentives for green buildings. Appendices provide municipal policy summaries. Entire report available at http://www.elistore.org/reports_detail.asp?ID=11295.

Metropolitan Washington Council of Governments, Intergovernmental Green Building Group. 2007. *Greening the Metropolitan Washington Region's Built Environment*. Summary Report. Washington, D.C.: Metropolitan Washington COG.

- Provides overview of green building benefits and five recommended strategies for supporting green building innovation within the region.

Local Green Building Program Guidelines

Boulder (Colorado), City of. 2009. *City of Boulder Residential Building Guide: Green Points Application: Resource Conservation Ordinance 7565*. For New Construction and For Additions and Remodels.

- Details both mandatory green building requirements as well as Green Points requirements for new dwelling units and for additions and remodels.

Monterey (California), City of. "Monterey Green Building Program: Residential and Non-Residential."

- Information on how to participate in the Green Building Program; includes point requirements, exemptions, and application form.

Portland (Oregon), City of. 2010. *Green Building Policy for City-Owned Facilities Implementation Guide*.

- Provides overview of city green building policy requirements and guidance on meeting those standards.

Santa Cruz (California), City of. 2008. "New Home Green Points Checklist for Residential Buildings."

- Includes project application process, prerequisites and requirements, and ratings checklist.

Scottsdale (Arizona), City of. 2007. "Green Multi-Family Rating Checklist: New Construction, Major Remodels & Additions." March 2007 release.

- Voluntary green building program for private development offers permitting and marketing incentives to participating builders. Rating checklist for multifamily development is tailored to local environmental contexts. More information and checklists for single-family and commercial buildings at <http://www.scottsdaleaz.gov/greenbuilding.asp>.

West Hollywood (California), City of. 2009. *The West Hollywood Green Building Manual*.

- Manual describes how to meet standards and document compliance with both general green building requirements for all projects as well as the Green Building Point System for commercial projects and residential projects with three or more units.

Green Building Programs, Requirements for Public Projects

Atlanta (Georgia), City of. 2010. *Code of Ordinances*. Chapter 75, Sustainable Development Design Standards. Tallahassee, FL: Municipal Code Corporation.

- All city facilities and buildings over 5,000 gross square feet of occupied space or two million dollars total project cost are required to meet LEED Silver rating standards. More information at www.atlantaga.gov/mayor/energyconservation_sustainabledesign.aspx.

Miami-Dade (Florida), County of. 2010. *Code of Ordinances*. Chapter 9, Standards for Construction of County Buildings, Roads, Bridges and Causeways. Article III. Sustainable Buildings Program. Tallahassee, FL: Municipal Code Corporation.

- All new construction and renovations/remodels of County buildings must comply with the designated green building rating system. More information at www.miamidade.gov/buildingcode/greenbuilding.asp.

Portland (Oregon), City of. 2009. *Green Building Resolution*.

- Third iteration of green building policy. New city-owned facilities must achieve LEED Gold certification. Existing buildings will pursue LEED for Existing Building Operation and Maintenance (EBOM) Silver certification. More information at www.portlandonline.com/OSD/index.cfm?c=41481.

Sarasota (Florida), County of. 2005. *Resolution No. 2005-048*.

- Establishes Green Building Program; compliance is mandatory for county buildings, voluntary for private development. Based on Florida Green Building Coalition residential standards and LEED commercial standards. Incentives include fast-track permitting, building permit fee refunds (since discontinued), and marketing materials. More information at <https://building.scgov.net/OSG/Sarasota/Green%20Building/GreenBuilding.htm>.

Green Building Programs, Requirements for Public and Private Projects

Howard (Maryland), County of. 2010. *County Code*. Title III, Buildings. Subtitle 10. Energy Efficiency and Environmental Design. Tallahassee, FL: Municipal Code Corporation.

- Applies to new publicly-funded 10,000 SF+ buildings and most new commercial construction over 50,000 SF (10,000 SF in downtown Columbia). Projects must achieve LEED certification (Silver for public buildings) or meet equivalent rating designated by the Director. More information at www.co.ho.md.us/dpz/environment/green_building.htm.

Pasadena (California), City of. 2010. *Pasadena Municipal Code*. Title 14, Buildings and Construction. Chapter 14.90. Green Building Practices.* Tallahassee, FL: Municipal Code Corporation.

- Applies to new city buildings of over 5,000 SF and renovations of over 15,000; new nonresidential buildings over 25,000 SF; tenant improvements over 25,000 SF; and mixed use or multifamily projects over four stories high. LEED Certified status required; city buildings and nonresidential projects over 50,000 SF must achieve LEED Silver status. More information at www.ci.pasadena.ca.us/permitcenter/greencity/building/gbprogram.asp. *Code has since been revised to comply with CALGreen standards.

Washington, District of Columbia. 2010. *District of Columbia Official Code*. Division I, Title 6. Housing and Building Restrictions and Regulations. Chapter 14A. Green Building Requirements.

- Green building requirements for District-owned projects; also applies to private projects over 50,000 SF. Incorporates LEED and Green Communities standards, Energy Star benchmarking. Requires performance bond; establishes incentives, including expedited permit review and grants. Program funded by a green building fee on new construction. More information at <http://green.dc.gov/green/cwp/view,a,1231,q,460953.asp>.

Green Building Programs, Requirements for Private Projects

Babylon (New York), Town of. 2010. *Municipal Code*. Chapter 89, Building Construction. Article VIII. Green Building Certification. Rochester, NY: General Code.

- Applies to all new construction of non-residential and multi-family buildings 4,000 SF or larger. Applicants must submit LEED checklist to obtain a building permit and pay green building fee of \$0.03/SF, up to \$15,000; the fee is refunded if LEED-certified status is achieved.

Boston (Massachusetts), City of, Boston Redevelopment Agency. 2010. *Zoning Code*. Article 37. Green Buildings.

- Applies to any project undergoing Large Project Review; projects shall be LEED certifiable under the most appropriate rating system. Augments LEED checklist with "Boston Green Credits." More information at www.cityofboston.gov/environmentalandenergy/buildings/.

Huntington (New York), Town of. 2010. *Code of Ordinances*. Chapter 197, Planning, Design and Development. Rochester, NY: General Code.

- Applies to all new commercial construction of 4,000 SF or more, except for Town-sponsored projects. Applicants must submit LEED checklist and pay fee of \$1/SF, up to \$200,000, into Green Building Trust; fee minus \$0.02/SF (to pay for program administration) is refunded when LEED certification is received.

Livermore (California), City of. 2010. *Municipal Code*. Title 15, Buildings and Construction. Chapter 15.76. Commercial and Residential Green Buildings. Seattle, WA: Code Publishing Company.

- For private development permit approval, all commercial projects must achieve at least 20 LEED credits and all residential projects must achieve at least 50 GreenPoint points. Performance bond required. More information at www.ci.livermore.ca.us/CDD/green_building/livermore.html.

Monterey (California), City of. 2010. *City Code*. Chapter 38, Zoning Ordinance. Part IV, Article 17. Regulations Applying in All Districts. Section 38-112.3. Green Building Regulations. Seattle, WA: Code Publishing Company.

- Private projects must participate in the Monterey Green Building Program and earn a certain number of points from the GreenPoints checklist for building permit approval. Includes list of exemptions. More information at www.monterey.org/building/greenbuilding/index.html.

San Jose (California), City of. 2009. *Green Building Regulations for Private Development*. Ordinance 072309.*

- For permit approval, all new small commercial and residential projects must submit completed GreenPoint Rated or LEED checklist; large commercial/industrial projects must achieve LEED silver rating, and large residential projects must achieve LEED or GreenPoint Rated certification. All new construction is required to pay a "Green Building Refundable Deposit," refundable if the project meets program standards. More information at www.sanjoseca.gov/esd/greenbuilding/. *Code has since been revised to comply with CALGreen standards.

Santa Cruz (California), City of. 2010. *Municipal Code*. Title 24, Zoning. Chapter 24.15, Green Building Regulations. Table 1. Seattle, WA: Code Publishing, Inc.

- Applies to all new construction or remodels/alterations. Projects must score a minimum number of points under the city's standard for green building to obtain a building permit; scoring more points earns an accelerated building permitting process, or a green building award from the city. More information at www.cityofsantacruz.com/index.aspx?page=1177.

Green Building Programs, General Mandatory Green Requirements

Boulder (Colorado), City of. 2010. *Revised Code*. Title 10, Structures. Chapter 10-7.5. Green Building and Green Points Program. Fort Collins, CO: Colorado Code Publishing Company.

- Applies to new, remodels of, and additions to all residential projects. Sets mandatory requirements for energy efficiency and requires residential building permit applicants to earn a certain number of "green points" from an extensive list. More information at www.bouldercolorado.gov/index.php?option=com_content&task=view&id=208&Itemid=489.

Santa Monica (California), City of. 2009. *Municipal Code*. Article 8, Building Regulations. Chapter 8.108, Green Building, Landscape Design, Resource Conservation and Construction and Demolition Waste Management Standards. Seattle, WA: Quality Code Publishing.

- Applies to all new construction and renovations with costs exceeding 50% of replacement costs. Sets mandatory green building material and energy use requirements; allows for priority processing of buildings that are seeking LEED certification and imposes a penalty if LEED certification is not met. More information at www.smgov.net/departments/ose/categories/buildgreen.aspx.

West Hollywood (California), City of. 2010. *Municipal Code*. Title 19, Zoning Ordinance. Article 19-3, Site Planning and General Development Standards. Chapter 19.20, General Property Development and Use Standards. Section 19.20.060. Green Building. Seattle, WA: Quality Code Publishing.

- All projects must comply with general mandatory green building standards. Commercial and residential projects of three or more units must achieve a minimum of 60 points in the green building program. "High-achieving projects" (90 or more points) may select one of eight development incentive options. More information at www.weho.org/index.aspx?page=194.

Incentives for Voluntary Green Building Programs

Arlington (Virginia), County of, Environmental Services. "Green Building Incentive Program."

- Arlington County offers bonus density and height incentives for achievement of LEED certification by large office, high-rise residential, and mixed use projects. Program updated in 2009. More information at www.arlingtonva.us/departments/EnvironmentalServices/epo/EnvironmentalServicesEpoGreenBuildings.aspx.

Chicago (Illinois), City of. 2010. *Municipal Code*. Title 13, Buildings and Construction. Chapter 13-32, Building Permits. Article II, Section 13-32-301. Permit Fee Waiver.

- Subsections (c) and (d) provide for permit fee waivers for green buildings up to a maximum of \$25,000 and fee reduction of \$.05 per square foot of green roof area. More information at www.cityofchicago.org/city/en/depts/bldgs/provdrs/green_permit.html.

Eugene (Oregon), City of. 2009. "City of Eugene Green Building Incentive Program."

- Voluntary green building program offers a suite of incentives for projects seeking LEED or Earth Advantage certification, including streamlined permitting, technical assistance, and building permit fee rebates. More information at www.eugene-or.gov/portal/server.pt?open=512&objID=772&PageID=0&cached=true&mode=2&userID=2.

Gainesville (Florida), City of. 2010. *Code of Ordinances*. Chapter 6, Buildings and Building Regulations. Article I.5, Gainesville Green Building Program.

- Program is voluntary for private projects. Allows for fast-track permitting, reduced permitting fees, marketing incentives, and a green building award. More information at www.cityofgainesville.org/GOVERNMENT/CityDepartmentsAM/BuildingInspectionDepartment/GreenBuilding/tabid/241/Default.aspx.

Issaquah (Washington), City of, Resource Conservation Office. 2009. "2009 Sustainable Building Incentives for Commercial Buildings." "2009 Sustainable Building Incentives for Single Family and Multi-Family Residential Buildings."

- All sustainable building projects receive free consultations and go to the head of the building permit review line. Also lists various grant programs and other financial incentives.

San Francisco (California), City of, Planning Department. 2009. "Planning Department Priority Application Processing Guidelines." Planning Director Bulletin No. 02.

- LEED Gold-rated construction projects are designated a Type 1 application, with processing target time of 2 weeks. Includes requirements for green building performance assurance.

Stand-Alone Density Bonus Incentives for Green Buildings

Cranford (New Jersey), Township of. 2005. *Ordinance No. 2005-46: An Ordinance to Adopt Sustainable Building Standards for Construction in the Township of Cranford and Enacting Chapter 106 (Energy Efficiency) of the Code of the Township of Cranford Relating Thereto*.

- Allows developers to request an incentive such as a larger building for official LEED certified projects.

Hailey (Idaho), City of. 2006. *Hailey Zoning Ordinance*. Article X: Planned Unit Developments. 10.4.1 Density Bonus.

- In PUD developments, ordinance offers density bonus of 10% for LEED Silver, 15% for LEED Gold, and 20% for LEED Platinum certification.

Portsmouth (New Hampshire), City of. 2010. *Zoning Ordinance*. Article V, Dimensional and Intensity Standards. Section 10.536.20. Central Business A – Maximum Floor Area.

- Allows increase of FAR from 3.5 to 4.0 for LEED-certified projects.

Seattle (Washington), City of. 2009. *Seattle Municipal Code*. Title 23, Land Use Code. Chapter 23.49, Downtown Zoning. Section 23.49.011(A)(2)(a). Floor Area Ratio.

- Provides for FAR density bonuses for LEED Silver projects in DOC1, DOC2 and DMC downtown zoning districts.

State College (Pennsylvania), Borough of. 2010. *Codes of Ordinances*. Chapter XIX, Zoning. Part D. Classification of Districts - Commercial Incentive District. Section 1855. Incentives.

- Green certified buildings in the commercial incentive district are eligible for a bonus one-story height increase and 10 to 20% reduction in required parking.

Online Green Building Resources and Organizations

Alameda County Waste Management Authority & Alameda County Source Reduction and Recycling Board – Green Building in Alameda County: Publications

<http://stopwaste.org/home/index.asp?page=280>

- California county agency providing model ordinance language and green building guidelines for residential and commercial development.

Built Green Washington - Resources

www.builtgreenwashington.org/22/resources.html

- Washington-based organization offers green building certification and links to resources.

California Department of General Services, Building Standards Commission – California Green Building Standards

www.bsc.ca.gov/CALGreen/default.htm

- Green building code adopted at the state level; applies to California municipalities.

Earth Advantage

<http://www.earthadvantage.org/>

- Oregon-based organization offering green building certification for residential and commercial development.

Florida Green Building Coalition Certification

<http://floridagreenbuilding.org/certification>

- Certification programs for homes, commercial buildings, high-rise residential projects, land development, and local governments.

Playbook for Green Buildings and Neighborhoods

<http://greenplaybook.org/buildings/index.htm>

- Clearinghouse for green building resources.

Build it Green - GreenPoint Rated

www.builditgreen.org/greenpoint-rated/

- California-based third-party verified green building standards for single- and multifamily residential development.

National Association of Home Builders (NAHB) – National Green Building Program

<http://www.nahbgreen.org/>

- Green building standards and certification programs for residential development.

U.S. Environmental Protection Agency – Green Building

www.epa.gov/greenbuilding/

- Overview of green building and clearinghouse for green building resources.

U.S. Green Building Council - Leadership in Energy and Environmental Design (LEED), www.usgbc.org/DisplayPage.aspx?CategoryID=19

- Most commonly used green building certification program.