RESOLUTION NO. 27001

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AND ADOPTING GREEN BUILDING RATING SYSTEMS AND COMPLIANCE THRESHOLDS IN ACCORDANCE WITH CHAPTER 21-09 OF THE SANTA ROSA CITY CODE

WHEREAS, on February 10, 2004, the Council approved the Santa Rosa Green Building Program, Implementation Plan, a comprehensive plan aimed at promoting green building within the City through education, marketing and voluntary participation; and

WHEREAS, on August 17, 2004, the Council adopted the Build It Green - Green Building Guidelines to implement a consistent and uniform residential green building rating system within the City, which led to the subsequent adoption of the 2005 edition of the Build It Green – Green Building Rating System on June 6, 2006 to respond to 2005 changes in Title 24, Part 6, of the California Code of Regulations; California's Energy Efficiency Standards for new buildings; and

WHEREAS, in recent years, green building design, construction and operational techniques have become increasingly widespread. Many homeowners, businesses, and building professionals have voluntarily sought to incorporate green building techniques into their projects. A number of local and national systems have been developed to serve as guides to green building practices. The U.S. Green Building Council, developer of the Leadership in Energy and Environmental Design (LEED®) Green Building Rating Systems and LEED® Reference Guide, has become a leader in promoting and guiding green building. Also, the New Homes Green Points Calculator and the Multifamily Green Points Project Tool published by Build It Green are useful documents in evaluating residential green building projects; and

WHEREAS, on September 25, 2007, staff briefed the Council on the status of the City's Green Building Program and provided options to the Council, following which, the Council directed staff to prepare an ordinance requiring the mandatory implementation of green building techniques in new construction; and

WHEREAS, on October 16, 2007, the Council created the Green Building Policy - Council Advisory Committee, by resolution, to review green building issues and to make recommendations to the Santa Rosa City Council; and

WHEREAS, based on the recommendations of staff and the Green Building Policy – Council Advisory Committee, the Council has introduced for adoption two new ordinances aimed at increasing energy efficiency and green building practices within the City, specifically, new Chapter 18-34, "Local Energy Efficiency Standards" and new Chapter 21-09, "Green Building;" and

WHEREAS, new Chapter 21-09, "Green Building," calls for the Council to adopt the applicable green building rating systems and compliance thresholds by resolution.

NOW, THEREFORE, BE IT RESOLVED that the Council of Santa Rosa hereby finds and determines that the U.S. Green Building Council LEED® Commercial Green Building Rating System has established identifiable and workable green building guidelines for commercial projects.

BE IT FURTHER RESOLVED that the Council hereby finds that requiring the demonstration of 20 credits under the applicable LEED® Commercial Green Building Rating Systems pursuant to Chapter 21-09 of the City Code is a measured and reasonable initial step in working toward sustainable building practices within the City.

BE IT FURTHER RESOLVED that the Council hereby finds and determines that the Build It Green – Green Building Residential Guidelines for both new home construction and the multifamily residential has established identifiable and workable green building guidelines for residential building projects.

BE IT FURTHER RESOLVED that the Council hereby finds that requiring the certification of 50 points under the applicable Build It Green – Green Point Rating System is a measured and reasonable initial step in working toward sustainable building practices within the City.

BE IT FURTHER RESOLVED that the Council hereby adopts the "Establishment of Green Building Rating Systems and Compliance Thresholds In Accordance with Chapter 21-09 of the Santa Rosa City Code" as set forth in the "Attachment A" to become effective concurrent with the provisions of Chapter 21-09 and hereby authorizes the City's Building Official to apply and implement the standards therein set forth.

IN COUNCIL DULY PASSED this 18th day of December, 2007

AYES: (7) Mayor Blanchard; Councilmembers Pierce, Bender, Dean, Gorin, Jacobi, Sawyer

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: Susan Stoneman, City Clerk APPROVED: Bob Blanchard, Mayor

APPROVED AS TO FORM:

Brien Farrell, City Attorney

ATTACHMENT A

Establishment of Green Building Rating Systems and Compliance Thresholds in Accordance with Chapter 21-09 of the Santa Rosa City Code.

A. Commercial. Applicants for all commercial projects subject to chapter 21-09 of the Santa Rosa City Code shall provide green building documentation indicating it has achieved, or shall be self-certified to have achieved, a minimum of twenty (20) credits in accordance with the LEED® Commercial Green Building Rating System applicable to the type of commercial building(s) as defined below. The final determination as to type of the commercial building, and therefore which specific LEED® system shall apply, shall be within the discretion of the City's Chief Building Official. Applicants are encouraged to register commercial projects with the U.S. Green Building Council. LEED® certification through the U.S. Green Building Council is not required for compliance under chapter 21-09.

"Commercial projects" or "commercial building" means any retail, office, industrial, warehouse or service building(s) within the boundaries of the City, which is not a residential project or the residential portions of a mixed use project, but including hotels, motels, inns, or similar commercial enterprises wherein rooms or a suite of rooms are rented for transient occupancy purposes.

"New Commercial Building" means any commercial building constructed for occupancy of at least seventy-five percent (75%) of the building, as opposed to construction of the building as core & shell, which shall be as described below. New commercial buildings shall use the LEED® for New Construction Rating System.

"Core & Shell Commercial Building" means any commercial building constructed for less than seventy-five percent (75%) occupancy, subject to build out by future occupants. Core & shell commercial buildings shall use the LEED® for Core & Shell Rating System.

"LEED® Commercial Green Building Rating System" or "LEED® Rating System" means for purpose of chapter 21-09 of the City Code, the most recent version of the leadership in energy and environmental design (LEED®) commercial green building rating systems, or other related LEED® rating system, approved by the U.S. Green Building Council, as applicable to the building type. As new or updated rating systems are developed by the U.S. Green Building Council, the City's chief building official shall have the authority to specify the applicable LEED® commercial green building rating system. Notwithstanding the immediately preceding sentence, however, for the first six (6) months after the release of any new version of the LEED® commercial green building rating system, when a building permit application for a commercial project or building is submitted to the City's building division, the applicant shall be given the choice of using the most current version or the version to be superseded. The most recent version of the applicable LEED® commercial green building rating system shall be maintained at the City's building division at all times.

B. Residential. Applicants for all residential projects subject to chapter 21-09 of the Santa Rosa City Code shall provide green building documentation to indicating that it has achieved a minimum of fifty (50) points on the Green Point Rating System, as defined herein below.

For purposes of accruing points to meet the required compliance threshold under Green Building, chapter 21-09: (1) compliance with chapter 18-34 of the City Code, Local Energy Efficiency Standards, shall be deemed equal to thirty (30) points under the Green Point Rating System; and (2) compliance with chapter 20-34 of the City Code, Landscaping Standards, shall be deemed equal to nine (9) points under the Green Point Rating System, under the applicable categories.

"Residential project" or "residential building" means any building within the City's boundaries used for living, sleeping, eating and cooking. Residential projects include new single-family, multi-family and the residential portions of any mixed-use project. For the purposes of chapter 21-09, a residential project includes assisted living facilities and senior housing. A residential project does not include for purposes of chapter 21-09, hotels, motels, inns, or similar commercial enterprises wherein rooms or a suite of rooms are rented for transient occupancy and are considered commercial projects.

"Green Point Rating System" means for purposes of chapter 21-09 of the Santa Rosa City Code, the most recent version of the Build It Green 2007 Edition of the New Home Construction Green Building Guidelines or the Multifamily Residential Green Building Guidelines, and the respective green point rating systems. As new or updated rating systems are developed by Build It Green, the City's chief building official shall have the authority to specify the applicable "Build It Green" green building rating system. Notwithstanding the immediately preceding sentence, however, for the first six (6) months after the release of any new version of the "Build It Green" green building rating system, when a building permit application for a residential project or building is submitted to the City's building division, the applicant shall be given the choice of using the most current version or the version to be superseded. The most recent versions of the applicable green point rating systems shall be maintained at the City's building division at all times.