



TOWN OF FAIRFAX

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MEMORANDUM

March 4, 2010

To: Planning Commissioners

From: Jim Moore, Planning Director

Subject: **BACKGROUND BRIEFING MATERIAL ON “GREEN” BUILDING**

Dear Commissioners,

The information below was provided to you last spring when we began discussing the creation and adoption of a Green Building Ordinance. It might be helpful to review this material again in light of the Model Green Building Ordinance that has been provided to us by the BERST task force from the Marin Climate & Energy Partnership (MCEP) committee – of which I am now a member of on behalf of the Town.

You will also find a copy of the GreenPoint Checklist attached for your review and to assist in your discussions.

What is “green” Building?

Green Building is a whole-systems approach to building that includes:

- Designing for livable communities
- Using sun and site to the buildings advantage for natural heating, cooling, and day-lighting
- Landscaping with native, drought-resistant plants and water efficiency practices
- Building quality, durable structures
- Reducing and recycling construction and demolition waste
- Insulating well and ventilating appropriately
- Incorporating durable, salvaged, recycled and sustainably harvested materials into building construction
- Using healthy products and building practices
- Using energy efficient and water saving appliances, fixtures and technologies

What are green building guidelines?

- Green building guidelines establish green building requirements, typically by area (Resources, Energy, Indoor Air Quality/Health) on a point basis. A checklist is created with various green building materials and practices and each is assigned a certain number of points. This creates a basis for which individual projects can be evaluated and certified.

The Certification Agencies:

- Leadership in Energy and Environmental Design (LEED's) Green Building Rating System, a national third party rating agency
- GreenPoints rating system from Build It Green, a California non-profit company.
- Both organizations are accepted third party certification programs, which handle all aspects of creating and reporting green building standards.

Benefits to Fairfax:

- Green building design, construction and operation can have a significant positive effect on energy and resource efficiency, waste and pollution generation, and the health and productivity of a building's occupants over the life of the building
- As the Town moves forward with implementation of a Climate Action Plan, having a green building ordinance in place will help Fairfax reach voluntary green house gas emission reduction goals.
- It is opportunity for Fairfax to continue its dedication to being a local leader in important environmental legislation.
- Implementing policies on the local level gives Fairfax the flexibility to customize the code requirements to the concerns and needs of the town.
- This ordinance will advance the town's dedication to economic sustainability by creating "green" job opportunities for Fairfax residents and companies.

Cost/Benefit Analysis:

Of concern is the additional costs of renovating or construction of a GreenPoints or LEED's certified building. A 2003 Financial Cost Benefit Analysis of Green Building completed for the California Green Building Task Force, concluded that the benefits of building green include cost savings from reduced energy, water, and waste; lower operations and maintenance costs; and enhanced occupant productivity and health. Analysis of these areas indicates that total financial benefits of green buildings are over ten times the average initial investment required to design and construct a green building. Energy savings alone exceed the average increased cost associated with building green. Despite data limitations and the need for additional research in various areas, the findings of the report point to a clear conclusion: building green is cost-effective and makes financial sense today.

The Process:

- Responsibilities of the Town
 - Produce and enforce a clear and achievable Green Building Ordinance
 - Provide a checklist (see attached sample) to be certified by a third party auditor, and approved prior to building permit approval, and again before and occupancy permit is granted
 - Provide companies and citizens with information about how and where to find a certified green auditor
 - Provide companies and citizens with information about how and where to become a certified green auditor
 - Provide companies and citizens with education and information about where and how they can find out more about green building requirements.
 - Provide for an appeals process
- Responsibilities of the builder/citizen:
 - Complete the required checklist
 - Obtain certification from an approved third party auditor
- Enforcement:
 - Independently audited checklist must be submitted to the town prior to approval of building permit
 - Independently audited checklist must be submitted to the town prior to issuance of the occupancy permit

What programs have other local governments implemented?

- City and County of San Francisco:
 - Effective December 2008, The San Francisco Green Building Ordinance requires LEED and GreenPoint Rated standards at increasing levels of stringency over time to new commercial and residential construction. It is the most progressive green building ordinance in the United States.
- City of Berkeley:
 - Every builder applying for a Use or Administrative Use permit for new construction and major remodels or involves demolition must consult with the Berkeley Green Building Coordinator and submit a GreenPoint checklist with the application. All new non-residential buildings over 10,000 sq. ft. must conduct an Energy Conservation Analysis under PG&E's Savings by Design Program.
- City of Novato:

- The City of Novato requires that each new residential building achieve at least 50 GreenPoints with a minimum of ten points in each category. Major renovations must achieve 30 points with a minimum of five points in each category. Completed GreenPoints checklists must be submitted to the Planning Department and the Building Department.
- City of Rohnert Park:
 - The City of Rohnert Park has developed a tiered system for green building requirements. New buildings are subject to different GreenPoint Rated thresholds according to type (single dwelling, multiple dwelling and commercial), size and density. Single dwelling units must achieve between 90 and 110 points and new multifamily dwellings must achieve at least 80 points. All new commercial buildings are required to meet LEED for Commercial Interiors or Core and Shell.
- City of San Rafael:
 - San Rafael has developed a rigorous policy in which all new single- and multi-family residences, as well as residential additions over 500 sq. ft. must achieve 60 points on the GreenPoint Rated checklist. In addition, all commercial and civic buildings over 5,000 sq. ft. must be LEED certified and all those over 30,000 sq. ft. must achieve a LEED Silver rating.
- City of Sebastopol:
 - The City of Sebastopol requires new residential and commercial buildings and commercial remodels over 1,800 sq. ft. achieve at least 60 GreenPoints in total and at least 15 points in Indoor Air Quality, Energy Efficiency and Resource Efficiency from the GreenPoint Rated guidelines.
- Marin County:
 - All single-family dwellings larger than 3,500 sq. ft. are subject to the energy efficiency budget of a 3,500 sq. ft. building. Marin is currently working on a new mandatory green building ordinance, the details of which should be released in the summer.

Options to Consider:

Fairfax has several options to consider before adopting green building guidelines.

- Voluntary vs. Mandatory
 - The voluntary option would offer those who choose to comply incentives such as rebates and/or an expedited permitting process

- The mandatory option would require all specified projects to comply with the ordinance
- Types of applicable projects:
 - Residential new construction single and multifamily
 - Residential remodels over a specified size
 - Commercial new construction
 - Commercial remodels over a specified size
- Code Strength:
 - Finding the right balance of strength and affordability
 - Final point requirements can be set at onset, or slowly increased over time
- Rating Agency:
 - The Leadership in Energy and Environmental Design (LEED)
 - The GreenPoints system from Build it Green
 - Both options are based on the same principles and have employ a checklist system
- Points from each category or a points total:
 - Guidelines can require point minimums from each category, this allows local governments to customize the policy to the needs of the particular community
 - Guidelines can mandate a point total, but not a specific total from each category (Resources, Energy, Indoor Air Quality/Health).
- Incentives for going above and beyond the requirements of the ordinance:
 - Expedited permitting process
 - Rebates from the town (grant money may be available)
 - Listing as a green building on the Town website
 - Provision of a plaque for building mounting, identifying the project as exceeding the Town's green building requirements
 - Use of a Fairfax Green Building logo for construction advertising

Recommendations:

- Voluntary vs. Mandatory:
 - Mandatory guidelines similar to those recently adopted by the cities of San Rafael and Novato.
- Types of principal projects:
 - All residential new construction must meet or exceed point requirements

- Major residential remodels with a 50% or greater square footage increase, or removal of over 50% of the existing interior wall and or ceiling coverings to relocate or modify the existing floor plan must meet or exceed point requirements.
 - New commercial construction is subject to increasing levels of LEED's certification based on project size.
- Rating Agency:
 - The use of the GreenPoints checklist from Build it Green for residential projects because of the accessibility, ease of use, and because most other local governments have opted to use GreenPoints for residential construction.
 - The use of the LEED's certifying system for applicable commercial projects, because it is the national standard.
- Code Strength and Point Totals:
 - Residential:
 - Setting achievable requirements now, rather than a system which increases requirements over time. Choosing a single policy now will create less confusion for the public and staff in the long run.
 - Fairfax should follow San Rafael's example and require a minimum of 60 points from any category for new construction and 40 for major remodels. This flexibility will allow the guidelines to be easily adapted to each project.
 - Commercial:
 - New construction which is 5,000 square feet of conditioned space or greater must include green building techniques and materials as defined by LEED's
 - New construction between 5,000 and 29,999 square feet of conditioned space must achieve a "Certified" rating using the latest version of LEED for New Construction
 - New construction of at least 30,000 square feet of conditioned space must meet the LEED "Silver" rating.
- Incentives for going above and beyond the requirements of the ordinance:
 - An expedited permitting process for single family homes which achieve 100 or greater GreenPoints
 - Listing of the building on the Town's website
 - Reimbursement of the cost of having a project certified, up to \$1000 should grant money become available to the Town.