

**CITY OF ALBANY
PLANNING AND ZONING AGENDA
STAFF REPORT**

Agenda date: 5/22/12
Prepared by: ALH

ITEM: 7A

SUBJECT: **Green Building Ordinance Update** - This is an informational update on the status of the Green Building Ordinance update. The update process began in December 2011 and has involved members of the Planning & Zoning Commission and the Sustainability Committee reviewing the existing Ordinance and creating proposed changes. The changes are intended to further support the goals and policies of the City’s Climate Action Plan and reduce greenhouse gas emissions in the City.

SITE: City Wide

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Commission receive the memo for the Green Building Ordinance update and provide feedback to staff.

BACKGROUND

The City of Albany, in collaboration with the Cities of El Cerrito, Piedmont, and San Pablo, received the Small Cities Climate Action Partnership Grant through the Environmental Protection Agency (EPA) in February 2010. Under the Small Cities Climate Action Partnership (ScCAP), all four cities have been working together to share their work, processes, and best practices as they implement various energy efficiency projects and policies. The total grant amount shared by the four Cities is \$497,488. The grant remains effective through December 2012. As part of the grant, the City of Albany is required to update the Green Building Ordinance. Additionally, the City’s Climate Action Plan contains policy requiring the update of the Ordinance to reduce greenhouse gas emissions.

CAP Measure#	Measure	Action
BE 3.1	Require new construction to comply with Tier 2 energy efficiency standards contained within Section 503.1.2 of the CA Green Building Code	Amend the Green Building Ordinance to incorporate the Tier 2 energy efficiency standards contained in section 503.1.2 of the 2008 CA Green Building Code as the required standards for energy efficiency for new construction

ANALYSIS

Green Building Ordinance Update Meetings

The Green Building Ordinance update process was initiated in November 2011 and involved Albany City staff, two members of the Planning & Zoning Commission, three members of the Sustainability Committee, Wes Sullens from Stopwaste.org and Mike Gabel, of Gabel Associates, LLC, a building energy consultant. A series of meetings were held on the following dates to discuss ordinance changes:

- Thursday November 3, 2011
- Thursday December 1, 2011
- Thursday, January 25, 2012
- Thursday, April 5, 2012

Proposed Changes

The group discussed immediate changes to the Ordinance including an increase of the minimum point requirement and implementation of Build It Green practices.

Implementation

- Increase the minimum point standards for Planning Application requests (both administrative & Planning & Zoning Commission review)
 - Lower the incentive points and increase the point minimum
 - Currently the minimum is 50 points.
 - Recommendation: 75 point minimum- this new minimum amount was based on an average point score of 78 points. This was calculated from residential remodel applications submitted to the City in 2011.

Enforcement of Green Building Efforts

- Create a template for Build It Green to be included on Building Permit plans
- Have an inspection for Build it Green Compliance prior to the final inspection
 - Collect a deposit (\$200 est.) for the inspection at time of permit fee collection
 - Work with a Certified Build it Green Inspector to conduct the final compliance inspection

Energy Score Program Unique to Albany

The Subcommittee also discussed the possibility of establishing an energy score program in Albany. This program would be unique to the City and require an energy audit while a home is in escrow. Similar to a termite report where existing conditions are required to be inspected and disclosed, improvements would not be a requirement as part of the sale. The intent is to raise awareness of energy efficiency and to help the homeowner understand how to improve the energy efficiency of the home. There are two programs, a Home Energy Rater Score (HERS) and Home Energy Saver through Lawrence Berkeley Lab, which establish a home energy efficiency score unique to each program. However, there is no standard, universal scoring system

currently available. As additional information becomes available and a universal scoring system is established by the Department of Energy, the City could continue pursuing this policy if directed by the Planning & Zoning Commission and City Council. Additionally, staff would solicit input from the local real estate community before proceeding with specific policy details.

- Consider a point of sale inspection program for home sales which would require an energy audit while the home is in escrow.
 - This would require only an inspection and would establish a energy efficiency score
 - Provides an energy efficiency audit for the prospective homeowner
 - Helps to achieve the goal: How energy efficient can you be?
 - Creates an “energy score” similar to a walkability score, unique to Albany
 - Does not require any additional investment while the home is in escrow
 - What is the most appropriate score system to use?
 - Home energy saver score, <http://hes.lbl.gov/consumer/>
 - HERS Rater

Next Steps

Based on the Commission review and input of the Subcommittee efforts, the draft ordinance will be prepared and properly noticed for the Commission to make formal recommendation to the City Council. This would be brought back to the Commission in June and then scheduled for Council action in July.

Attachments:

1. Green Building Checklists