



CITY OF MORRO BAY

GREEN BUILDING INCENTIVE

PROGRAM GUIDELINES

I. Purpose.

The purpose of the Green Building Incentive Program is to enhance the public welfare and assure that further commercial, residential and civic development is consistent with the City's desire to create a more sustainable community by incorporating green building measures into the design, construction and maintenance of buildings.

The Green Building Incentive Program has been developed to achieve the following goals:

- A. To conserve natural resources;
- B. To reduce the waste generated by construction projects;
- C. To increase energy efficiency;
- D. To promote the health and productivity of residents, workers, and visitors to the City; and
- E. To implement the green building policies and goals set forth in the City's General Plan and Local Coastal Plan.

II. Definitions.

As used in these guidelines, certain words and terms shall be defined as follows:

"Applicant" means any individual, partnership, association, limited liability company, public or private corporation, political subdivision, or any other entity that applies to the City for the applicable permits or approvals to undertake any covered project within the City.

"Build It Green" means the nonprofit organization that publishes the New Home Construction Green Building Guidelines, the New Home Green Points Checklist, and the Multifamily GreenPoint Checklist, and any successor nonprofit entity that assumes responsibility for the programs and operations of Build It Green.

"Building" means any structure used or intended for support or shelter of any use or occupancy, as defined in the California Building Code.

"Building and Plan Check Fees" means,

- A. For Green Building Certification Incentives - the total amount of building and plan check fees attributed to the overall project.
- B. For Optional Sustainability Incentives - the total amount of building and plan checks fees attributed to the optional green building component.
- C. Planning fees for use permits, zone changes, lot line adjustments, variances, etc. are not included in Building and Plan Check fees, nor are they included in the fee rebate calculations.

"City" means the City of Morro Bay.

"Commercial interior project" means new construction within the interior of a commercial structure for which the core and shell of the structure has been completed, including interior walls and partitions, drop ceilings, electrical and plumbing connections and fixtures and HVAC systems (commonly referred to as tenant improvements). A commercial interior project also includes the construction of mechanical, electrical, plumbing, or other energy using building systems (other than any fire or life safety systems required by the City or the fire department) within a commercial shell project.

“Commercial project” means any new construction of a retail, office, industrial, warehouse, or service building, or portion of a building, which is not a residential project or a City-sponsored project.

“Conditioned space” means any area within a building that is heated or cooled by any equipment.

“Covered project” means the project described in the “Green Building Incentive Application”.

“Credits” means points assigned under the applicable rating system using the appropriate checklist for a covered project.

“ Dwelling unit” means a room or group of rooms including living, sleeping, eating, cooking and sanitation facilities, constituting a separate and independent housekeeping unit, designed, occupied, or intended for occupancy by one family on a permanent basis.

“Green building” means a whole system approach to the design, siting, construction, and operation of buildings that helps mitigate the environmental impacts of buildings by seeking to minimize the use of energy, water, and other natural resources and by providing a healthy, productive indoor environment. The term applies to those measures, techniques, materials and technologies that implement the green building approach, as well as to development projects that properly utilize them.

“Green building accredited professional” means an individual who satisfies either of the following requirements, as may be applicable:

- A. Where the covered project involves application of any LEED rating system, the individual must be a LEED Accredited Professional (LEED AP) who has taken and passed an exam administered by the U.S. Green Building Council to recognize the knowledge and skills necessary to support integrated design and streamline the LEED application and certification process.
- B. Where the covered project involves application of any GreenPoint Rating System, the individual must be a Certified GreenPoint Rater who has completed the training and been certified as such by Build It Green.

“Building Official” means the City’s Building Official or his or her authorized representative.

“Green Building Project Checklist” means a checklist or scorecard developed for the purpose of calculating a score on a LEED or GreenPoint Rated Rating System. Covered projects shall utilize the green building project checklist that corresponds with the green building rating system approved for use.

“Green Building Worksheet” means a form provided by the City to be used by applicants to explain how their project qualifies for credits listed on the submitted green building project checklist.

“Graywater” means untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. "Graywater" includes wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers.

“Gross floor area” means the sum of the gross horizontal areas of all floors of a building measured from the interior face of the exterior walls or columns.

“LEED” means Leadership in Energy and Environmental Design.

“LEED Commercial Interior Rating System” means the most recent version of the LEED commercial interior rating system approved by the U.S. Green Building Council.

“LEED New Commercial Construction Rating System” means the most recent version of the LEED New Commercial Construction Rating System, also referred to as “LEED-NC (New Construction),” approved by the U.S. Green Building Council. As new rating systems are developed by the U.S. Green Building Council, the Building Official shall have the authority to specify the applicable LEED commercial green building rating system for a covered project.

“LEED for Homes Rating System” means the most recent version of the LEED for Homes rating system approved by the U.S. Green Building Council.

“Mixed use project” means one or more buildings that combine the uses of a commercial project and a residential project.

“Multifamily GreenPoint Checklist” means the most recent version of the checklist developed by Build It Green for use in determining rating points under the Multi-family Green Building Guidelines.

“Multi-family Green Building Guidelines” means the most recent version of Build it Green’s green building rating system for multi-family residential projects that provides detailed information, resources, and standards for the multi-family green building rating system, including information regarding the documentation required for certification. As new rating systems are developed by Build it Green, the Building Official shall have the authority to specify the applicable multi-family green building rating system for a covered project.

“New Home Construction Green Building Guidelines” means the most recent version of the single-family green building guidelines published by Build It Green that provides detailed information, resources, and standards for the single-family green building rating system, including information regarding the documentation required for certification. As new rating systems are developed by Build It Green, the Building Official shall have the authority to specify the applicable single-family green building rating system for a covered project.

“New Home Green Points Checklist” means the most recent version of the checklist developed by Build It Green for use in determining rating points under the New Home Construction Green Building Guidelines.

III. Incentive Standards

A. All qualifying residential projects that seek Building and Plan Check fee rebates consisting of single-family dwelling units shall achieve:

1. LEED for Homes minimum certification level “certified”.
2. GreenPoint certification by earning the minimum number of total points allocated between categories in accordance with the most recent version of such checklist.

As of the date of initial adoption of these guidelines, the single-family GreenPoint Rated certification requires at least fifty (50) points, of which a minimum of:

- a. Eleven (30) points shall be in the category of Energy;
- b. Five (5) points shall be in the category of Indoor Air Quality-Health;
- c. Six (6) points shall be in the category of Resources;
- d. Three (9) points in the category of Water;
- e. Additional points can be earned from any category to achieve a total of fifty (50).

B. All qualifying residential projects that seek Building and Plan Check fee rebates consisting of multi-family buildings shall achieve:

1. LEED for Homes minimum certification level “certified” (three stories or less)
2. LEED for New Construction minimum certification level “certified” (four stories or more).
3. GreenPoint Rated certification by earning the minimum number of total points allocated between categories in accordance with the most recent version of such checklist, unless the Building Official determines that the single-family New Home Green Points Checklist is more appropriate for the building.

As of the date of initial adoption of these guidelines, the Multifamily GreenPoint Rated certification is achieved by earning at least fifty (50) total points, of which:

- a. Six (6) points shall be in the category of Community;

- b. Eleven (30) points shall be in the category of Energy; a minimum of five (5) points shall be in the category of Indoor Air Quality/Health;
 - c. Six (6) points shall be in the category of Resources;
 - d. Three (3) points shall be in the category of Water;
 - e. Additional points can be earned from any category to achieve a total of fifty (50).
- C. All qualifying commercial projects or major renovations projects that seek Building and Plan Check fee rebates shall achieve:
- 1. LEED for New Construction minimum certification level “certified”.
- D. All qualifying commercial interior and tenant improvement projects that seek Building and Plan Check fee rebates shall achieve:
- 1. LEED for Commercial Interiors minimum certification level “certified”.
- E. Additional Standards.

In the event new guidelines or standards are adopted by the U.S. Green Building Council, or Build It Green, pertaining to types of projects that are not specifically described or defined in this chapter, the Building Official shall have authority to apply such guidelines or standards to the type of project to which they relate, as long as the same do not conflict with any of the provisions of this chapter.

IV. Green Building Certification Incentives.

Applicants achieving LEED or GreenPoint Rated certification, upon documentation by the appropriate third-party organization, shall receive a building and plan check fee rebate per Schedule A below.

SCHEDULE A

RESIDENTIAL	FUNDING LEVEL
GreenPoint Rated – New Residential	\$2,000
GreenPoint Rated – Remodel	\$2,000
LEED for Homes – New Residential	\$3,000
GreenPoint Rated - Multi-Family	20% maximum fee rebate \$10,000
LEED for New Construction – Multi Family	25% maximum fee rebate \$20,000
COMMERCIAL	FUNDING LEVEL
LEED – New Construction, Commercial Interiors	
Certified	25% maximum fee rebate \$20,000
Silver	30% maximum fee rebate \$30,000
Gold	35% maximum fee rebate \$40,000
Platinum	40% maximum fee rebate \$50,000

V. Optional Sustainability Incentives.

As an alternative to the above incentives for LEED or GreenPoint Rated certification, which require a significant level of commitment, the City is offering rebates on “Optional Sustainability Incentives” to encourage specific energy efficiency measures. The “Optional Sustainability Incentives” are not intended to be combined with or in addition to the Green Building Certification Incentives identified above in Schedule A.

Such actions shall include proper calibration and monitoring of building systems, regular maintenance and repair of equipment as needed, appropriate training of personnel responsible for operation of the building systems, and education of employees, tenants, and other regular occupants of the structure on practices that can be followed to promote energy conservation and other green building objectives.

Applicants including optional green building components which have been verified and documented in accordance with Section VI of the Guidelines, shall receive a building and plan check fee rebate per Schedule B below.

SCHEDULE B

MEASURES	FUNDING LEVEL
Exceed Title 24 by 20%	5% fee rebate maximum fee rebate \$2,500
On-site renewable energy system that produces a minimum of 75% of the annual energy use (building and site amenities).	100% fee rebate maximum fee rebate \$5,000
Green Roof	5% fee rebate
Greywater Systems	20% fee rebate

PROJECTS RECEIVING “GREEN BUILDING CERTIFICATION INCENTIVES” ARE NOT ELIGIBLE FOR “OPTIONAL SUSTAINABILITY INCENTIVES”.

VI. Submittal and review of green building documentation.

A. Submittal of Documents.

1. Each applicant shall submit an “Enrollment Form”.
2. Certification Incentives - In conjunction with any application for certification by the U.S. Green Building Council or Build it Green, the applicant shall submit to the Building Official documentation indicating the measures that will be taken to achieve the applicable green building rating required by this chapter (“green building documentation”).

The green building documentation shall be prepared by a green building accredited professional or other qualified person approved by the Building Official. The green building documentation shall include:

- a. The applicable LEED or GreenPoint Rated Checklist;
 - b. Narrative summary with analysis of each credit claimed; and
 - c. Any other documentation that may be necessary to show compliance with this chapter, as submitted by the applicant or requested by the Building Official;
 - d. The application for incentives of the covered project shall not be deemed complete until certification documentation has been submitted to Building Official and has been deemed sufficient.
3. Optional Incentives – In conjunction with any application for Optional Sustainability Incentives, (not to be combined or in addition to Certification Incentives), the applicant shall submit to the Building Official documentation demonstrating the threshold has been met:
 - a. Exceed Title 24 by 15% - Documentation by a certified energy analyst which demonstrates building performance.
 - b. On-Site Renewable – Documentation by a certified energy analyst which demonstrates building performance, and on-site renewable generation.

- c. Green Roof – Building Plans shall demonstrate a minimum of 60% of the roof surface is green and a minimum of 6 inches of soil or substrate shall be used. Building Official shall verify that building and safety codes are respected, and that the roof structure is sound.
 - d. Greywater System – Building plans that demonstrate compliance with Chapter 16 of the California Plumbing Code.
 - e. Any other documentation that may be necessary to show compliance with this chapter, as submitted by the applicant or requested by the Building Official.
- B. The application for incentives of the covered project shall not be deemed complete until certification documentation has been submitted to Building Official and has been deemed sufficient.
- C. Review of Green Building Documentation.

For the green building documentation submittal to be complete, the Building Official must determine that the documentation is sufficient.

The Building Official may retain the services of a consultant having expertise in green building techniques to review and evaluate the material and provide recommendations as to methods for compliance with the requirements of this chapter. The cost of such consultant shall be paid by the applicant.

D. Approval of Green Building Documentation.

The Building Official shall only approve the green building documentation if such documentation indicates that the covered project can or has achieved the applicable threshold(s).

If the Building Official confirms that these conditions have been met, the green building documentation shall be marked “approved”, returned to the applicant, and a fee rebate processed.

E. Non-Approval of Green Building Documentation.

If the Building Official determines that the green building documentation is incomplete or fails to indicate that the covered project will meet the required threshold(s), the Building Official shall either:

1. Return the green building documentation to the applicant marked “denied,” including a statement of reasons; or
2. Return the green building documentation to the applicant marked “further explanation required,” and detail the additional information needed.

F. Resubmission of Green Building Documentation.

If the green building documentation is returned to the applicant, the applicant may resubmit the green building documentation with such additional information as may be required.

G. Participation

1. Applicant agrees as a participant in the Green Building Incentive Program to notify the Building Official of all design charette and/or integrated design process meetings which will result in project concept or critical component related determinations. The Building Official may attend such meetings at their discretion.
2. Applicant agrees as a participant in the Green Building Incentive Program that the Building Official, in achieving an expedited review process, may submit requests for clarification, either in writing or by telephone, to contractual design consultants.

VII. Compliance review.

A. Building Permit Documentation.

As part of the application for a building permit for any covered project, the applicant shall furnish a completed Green Building Project Checklist or other documentation as may be identified by the Building Official. All construction plans and specifications shall indicate in the general notes or individual detail drawings the green building measures to be used to attain the applicable incentive or green building rating. Notwithstanding any other provision of this code, no building permit shall be issued for any covered project until the Building Official has approved the green building documentation for the covered project, in accordance with these guidelines, and the building department has determined that the plans and specifications submitted for the building permit are consistent with the approved green building documentation.

B. Compliance Review.

The City shall verify that the green building measures and provisions indicated in the green building documentation are being implemented at foundation, framing, electrical, plumbing, mechanical, and any other required inspections, and prior to issuance of a final certificate of occupancy. Additional inspections may be conducted as needed to ensure compliance with these guidelines.

During the course of construction and following completion of the project, the City may require the applicant to provide information and documents showing use of products, equipment, and materials specified in the green building documentation. The compliance inspections may be conducted by the Building Official, the City's building department staff, or a consultant retained by the City at the expense of the applicant. If, as a result of any such inspection, the City determines that the project is not being constructed in accordance with the green building documentation, a stop work order may be issued. At the discretion of the Building Official, the stop work order may apply to the portion of the project impacted by noncompliance or to the entire project. The stop work order shall remain in effect until the Building Official determines that the project will be brought into compliance with the green building documentation and these guidelines.

C. Final Determination of Compliance.

Prior to final building approval or issuance of a final certificate of occupancy, the Building Official shall review the information submitted by the applicant and determine whether the applicant has constructed the project in accordance with the green building documentation approved by the City.

If the Building Official determines that the applicant has failed to construct the project in accordance with the approved green building documentation, then the final building approval and final certificate of occupancy may be withheld.