

TJA

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #14-0413 / INTERNATIONAL GREEN CONSTRUCTION CODE

CITY of
BALTIMORE
MEMO



TO

DATE: August 8, 2014

The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

At its regular meeting of August 7, 2014, the Planning Commission considered City Council Bill #14-0413, for the purpose of adopting the International Green Construction Code (2012 Edition) as part of the Building, Fire, and Related Codes Article of Baltimore City, subject to certain additions, deletions, amendments, and other modifications; providing for certain exceptions and alternatives (such as LEED Silver Certification); conforming, correcting, and clarifying related language; providing for the effect, construction, and effective date of this Ordinance; and generally relating to the Building, Fire, and Related Codes for Baltimore City..

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #14-0413 and adopted the following resolution; eight members being present (eight in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #14-0413 be amended and passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

- cc: Ms. Kaliope Parthemos, Chief of Staff
- Mr. Colin Tarbert, Deputy Mayor for Economic and Neighborhood Development
- Mr. Leon Pinkett, Assistant Deputy Mayor for Economic and Neighborhood Development
- Ms. Angela Gibson, Mayor's Office
- The Honorable Rochelle "Rikki" Spector, Council Rep. to Planning Commission
- Mr. David Tanner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Ms. Sharon Daboin, DHCD
- Ms. Barbara Zektick, DOT
- Ms. Elena DiPietro, Law Dept.
- Ms. Natawna Austin, Council Services
- Ms. Melissa Krafchik, PABC



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

August 7, 2014

REQUEST: Support of Council Bill #14-0413

RECOMMENDATION: Support with Amendments

Amendments:

101.3 Scope
Exceptions

3. A structure registered with the Green Building Certification Institute ("GBCI") at a Silver-Level or Higher Rating in the US Green Building Council's LEED (Leadership in Energy and Environmental Design) Rating System scheduled to achieve Certification by GBCI within twelve months of Use and Occupancy.

Section 610
Building Renewable Energy Systems

Edit 610.1 second paragraph to add geothermal as an option for onsite renewable energy system. Add details for % of geothermal and basic system requirements in a new paragraph 610.5 and change the current numbering of 610.5 for System Performance Monitoring and meeting to number 610.6

Section 101.3.1
Residential Construction

Keep residential construction and add ICC 700 Silver as an alternative for multifamily greater than 5 units and 3 stories. Need to look at the current IgCC language and make sure it fits w/ our existing exceptions, etc.

STAFF: Alice Kennedy

PETITIONER(S): City Council

HISTORY

The Baltimore City Green Building Standards (BCGBS) were adopted in 2009 and went live in September of 2010. The current Standards are based on the US Green Building Council LEED® v3.0 (2009) Leadership in Energy and Environmental Design rating program. The BCGBS are based on a point system, and there are a total of 150 points available in the Baltimore City Green Building Standards and approximately 8 Required Credits, depending on the rating program selected. Approximately 87-90 credits are spread throughout six standard credit categories, similar to those found in LEED®. Project Teams have been required to earn a Baltimore City 2-Green Star rating, which is equivalent to a LEED® 2009 v3.0 Silver.

Any LEED project registered after June 1, 2015 must follow LEED v4. The BCGBS mirrors the credits and format of LEED v3. As of June 1, 2015, the BCGBS will not be a LEED Silver equivalent rating system and our own rating system will be out of compliance with our own Green Building Law. LEED v4 is a completely different rating system both in form and metrics used than LEED v3.

The International Green Construction Code (IgCC) is the first model code to include sustainability measures for the entire construction project and its site — from design through construction, certificate of occupancy and beyond. The IgCC was first published by the ICC in 2012 and was initiated by the ICC and the SBTC in 2010.

The IgCC is a set of minimum green requirements to be met when building or altering any commercial structure or residential building that's more than three stories tall. Its purpose is to reduce the negative effects of such buildings on our environment. The requirements apply to the entire construction project plus its site, so everyone involved in the building process, from materials manufacturers to design professionals to contractors, is affected.

Building officials will be the code's primary enforcers which makes enforcement and monitoring easier for the Department of Housing and Community Development. Since the IgCC was approved by the State as an acceptable building code, the City will receive training and support resources from the State DHCD upon adoption.

During the 2014 legislative session, House Bill 207 approved unanimously in both the Maryland House and Senate broadens the definition of a “high performance building” to include any building that complies with a nationally recognized and accepted green building code, guideline, or standard that is reviewed and recommended by the Maryland Green Building Council. The State is expected to adopt a version of the 2012 IgCC for its specific use for government building before the new law goes into effect on October 1, 2014.

The IgCC is supported by:

- the American Institute of Architects (AIA)
- the U.S. Green Building Council (USGBC), producers of the LEED green building rating systems
- and The Green Building Initiative (The GBI), which created the Green Globes green building rating system, among others.

While the IgCC's creator, the ICC, is an American entity, the new code is available for use throughout the world.

CONFORMITY TO PLANS

The City of Baltimore Sustainability Plan was adopted in 2009. The Sustainability Plan, in its Green Economy chapter, has a goal to increase green building practices in the City of Baltimore. In addition, the Climate Action Plan, adopted in 2012, and the Disaster Preparedness Project & Plan, adopted in 2013, both call for the adoption of the International Green Construction Code.

ANALYSIS

By adopting the IgCC, the City will broaden the scope of the number of projects required to be built to a green building standard and will address the pending changes to LEED which will make much of the existing green building law obsolete on June 1, 2015 once LEED v4 becomes effective. Currently, the City's mandatory green building law, found in Chapter 37 of the Baltimore City Building Fire and Related Codes ("BCBFRC"), requires all new construction and major renovation of commercial/mixed use projects over 10,000 square feet to be built to LEED Silver or a Baltimore City Green Building Standard ("BCGBS") 2 Green Star Standard. In 2009 the BCGBS was created by an outside contractor and was tied directly to the language in LEED v3. This bill proposes deleting Chapter 37 in its entirety.

The new version of LEED is significantly different in both credit requirement structure and format than the 2009 version. Updating the BCGBS to mirror LEED v4 would be cost prohibitive and implementation would be difficult at best. The IgCC is part of the ICC code family and is an overlay code to the IBC, which serves as the basis for our existing building code. The IgCC is the code industry's response/alternative to existing 3rd party verified green building standards.

Because the City is adopting a Code and not a Standard, implementation on the City side should be much easier and applicants will have a better understanding of how to comply with the law/code. The Maryland legislature enacted enabling legislation permitting local governments to adopt the IgCC in 2011, which should allow the City seek State support for staff training as part of its implementation.

This bill is a good thing in that it resolves the pending conflict in our existing law with LEED v4, covers more buildings, keeps a high threshold for green construction, helps us meet our sustainability goals, is more cost effective for the City and should be more "user friendly" for the applicants, while at the same time keeping LEED as an alternative compliance option for those applicants who still chose to go that path.

Notifications - The public engagement process started with email notifications going out to a contact list of over 3000 people. They were all invited to an information session which was held on July 21, 2014.

The City Council is holding three work sessions in August and September to evaluate the bill line by line with public comment and input

A handwritten signature in black ink, appearing to read "Thomas J. Stosur". The signature is fluid and cursive, with the first name "Thomas" and last name "Stosur" clearly distinguishable.

Thomas J. Stosur
Director