

ATTACHMENT II

Applicable Regulations

ORDINANCE NO. 0-2011-06AN ORDINANCE OF THE CITY OF HOLLYWOOD,
FLORIDA, ESTABLISHING MANDATORY GREEN
BUILDING PRACTICES FOR NEW CONSTRUCTION AND
MAJOR RENOVATIONS TO EXISTING STRUCTURES.

WHEREAS, the City Commission of the City of Hollywood, Florida has created a Green Team Advisory Committee to make recommendations to the City Commission to develop target environmental goals and implementation plans; and

WHEREAS, the Green Team Advisory Committee has recommend the adoption of an ordinance establishing mandatory green building practices for new construction and major renovations; and

WHEREAS, the City Commission anticipates that the Green Team Advisory Committee will (i) review this ordinance (working with the Department of Planning & Development Services) over the next two years and (ii) make recommendations for changes as the Committee deems necessary to improve the ordinance; and

WHEREAS, the City Commission intends to review the effects of this ordinance in two years;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That Section 151.150 of the Code of Ordinances is hereby created to read as follows:

TITLE XV: LAND USAGE

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CHAPTER 151: BUILDINGS

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Mandatory Green Building Practices§ 151.150 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(Coding: Words underscored are additions to existing law; words ~~struck-through~~ are deletions.)

ASHRAE. The American Society of Heating, Refrigerating and Air-Conditioning Engineers

Commercial. Relating to multifamily residential buildings exceeding 20,000 square feet of gross aggregate floor area and all other buildings not described in the definition of "residential."

Energy Star. Energy Star rating system (use latest edition of rating system at time of submittal of permit application to the Building Division)

FGBC. Florida Green Building Coalition (use latest edition of rating system in effect at time of submittal of permit application to the Building Division)

Green building practice. Any of the building practices listed in § 151.151, § 151.152, and § 151.153 below.

LEED. Leadership in Energy and Environmental Design by the USGBC. (use latest edition of LEED rating system in effect at time of submittal of permit application to the Building Division)

Major renovation. Repairs and/or alterations made within any 12-month period to areas exceeding fifty percent (50%) of the gross aggregate floor area of a building.

MERV. Minimum Efficiency Reporting Value

Residential. Relating to single-family residences, townhouses, duplexes, and multifamily buildings not exceeding 20,000 square feet of gross aggregate floor area.

USGBC. U. S. Green Building Council

Section 2: That Section 151.151 of the Code of Ordinances is hereby created to read as follows:

TITLE XV: LAND USAGE

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CHAPTER 151: BUILDINGS

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Mandatory Green Building Practices

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§ 151.151 RESIDENTIAL GREEN BUILDING PRACTICES.

The following residential green building practices are approved:

- (1) Sanitation system for pools that reduces chlorine usage. To claim this item, a system that eliminates the use of liquid chlorine by recycling a salt alternative, or a system that reduces the amount of liquid chlorine required by using ionization technology must be used. An ultra violet and ozone system that sterilizes the water without the use of chemicals is also acceptable. Systems must be shown on plans and verified by plumbing inspector on site at final inspection.
- (2) No garbage disposal. No disposal should be shown on plans, and no disposal should be present at time of final building inspection.
- (3) All Energy Star appliances. All permanent appliances in the residence that can be Energy Star rated must be so rated to claim this item. (This includes refrigerator, stove, washing machine, dryer, etc. Items not covered are countertop appliances such as toasters, mixers etc.) Energy Star appliances must be verified by building inspector on site at final inspection.
- (4) No shower with more than one shower head, and all low flow shower heads. Low flow shower heads are rated at a maximum flow of 2.5 gallons per minute at 80 psi water pressure. One shower head per shower and low flow shower heads must be shown on plumbing plans and verified by plumbing inspector on site at final inspection.
- (5) Central Vacuum System (CVS). CVS canister shall be located in non air-conditioned space and shown on plans accordingly. CVS system must be verified by building inspector on site at final inspection.
- (6) Washer and dryer outside of air-conditioned space. Washer and dryer outside of air-conditioned space must be shown on plans and verified by building inspector on site at final inspection.
- (7) Energy Star qualified homes. Owner shall submit proof of application and the retainer retention of an energy star rater. A copy of the Energy Star Home certificate shall be given to Building Division upon receipt prior to final certificate of occupancy.
- (8) Recycling. A dedicated storage area for a garbage bin and a recycle bin, sized to fit both, must be shown on the plans. Dedicated storage area shall be verified by plans examiner. Plans for kitchen must include pull-out recycle and garbage bins built into cabinets. Pull-out bins built into cabinets shall be verified by plans examiner at permit review and by building inspector at final inspection.

Section 3: That Section 151.152 of the Code of Ordinances is hereby created to read as follows:

TITLE XV: LAND USAGE

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CHAPTER 151: BUILDINGS

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Mandatory Green Building Practices

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§ 151.152 COMMERCIAL GREEN BUILDING PRACTICES.

The following commercial green building practices are approved:

- (1) Bicycle storage and changing room for a minimum of 5% of building occupants. Bicycle storage can be a bicycle rack outside that allows for locking bicycles or a room inside the building to which users have access to store bicycles. The changing room will be a dedicated lockable room for the changing of clothes to which occupants of the building have access when building is in use. To claim this item, owner must meet the LEED criteria (latest edition).
- (2) Recycling. A dedicated area for collecting recycled materials that is accessible to all occupants must be provided. This can be internal or external but must be shown on plans and verified by plans examiner at permit review and by building inspector at final inspection.

Section 4: That Section 151.153 of the Code of Ordinances is hereby created to read as follows:

TITLE XV: LAND USAGE

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CHAPTER 151: BUILDINGS

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Mandatory Green Building Practices

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§ 151.153 RESIDENTIAL AND COMMERCIAL GREEN BUILDING PRACTICES
(APPROVED FOR EITHER CATEGORY).

The following residential and commercial green building practices (approved for either category) are approved:

- (1) Central Air Conditioner of 18 SEER or higher.
- (2) Radiant Barrier – Energy Star Qualified – applied to attic or crawlspace.
- (3) Solar Attic Vent Fans.
- (4) Energy efficient (Low e) Windows – All windows shall conform to the Energy Star rating criteria for South Florida as approved by the NFRC (National Fenestration Rating Council).
- (5) Energy efficient Doors. All doors shall conform to the Energy Star rating criteria for South Florida.
- (6) Energy Star Rated skylights.
- (7) Energy Star Approved Roofing Materials.
- (8) Programmable Thermostats.
- (9) Occupancy/Vacancy Sensors.
- (10) Pervious Pavement.
- (11) State-certified solar hot water heater system. A specification sheet, product approvals, and copy of certification shall be submitted with permit application. System shall pass all required inspections by plumbing inspector.
- (12) Pool solar hot water heater system. System shall be shown on plans and manufacturer's data sheets and product approvals shall be submitted with permit application. System shall pass all required inspections by plumbing inspector.
- (13) Reuse for irrigation. Where wastewater reuse is available, wastewater reuse shall be used. Where wastewater reuse is not available, rainwater reuse shall be used. Plans shall indicate system to be used, and if rainwater reuse is to be used, system shall substantially comply with rainwater harvesting guidelines adopted by the Broward County Board of Rules and Appeals. System must be

verified by plumbing inspector at final inspection. In determining whether to count this green building practice towards the minimum number of green building practices required, the city does not expect single family properties to use wastewater reuse unless it is reasonably available to access.

- (14) Dual Flush Toilets. These toilets when flushed use less than 1 gallon to flush liquid and 1.6 gallons or less for solids (USGBC). Plans shall indicate dual flush toilet. System must be verified by plumbing inspector at final inspection.
- (15) Solar photovoltaic system comprising at least 800 watts or better. Calculations must be submitted with plans. System must pass all required inspections by electrical inspector.
- (16) At least 80% of plants, trees and grasses per the South Florida Water Management District recommendations (latest edition). Landscape plan, reviewed and approved by a landscape architect, shall be submitted with permit application. Landscaping shall be verified by inspection prior to final certificate of occupancy.
- (17) All energy-efficient outdoor lighting. Suggested lights for outdoor spaces include fluorescent bulbs and fixtures with electronic ballasts (more efficient than magnetic types), low pressure sodium or mercury vapor, photovoltaic systems, LED lighting and low voltage landscape lights that run on a timer. All energy-efficient outdoor lighting shall be verified by electrical inspector at final inspection.
- (18) Energy performance at least 10% more efficient than standard established by ASHRAE (latest edition). Calculations shall be submitted with permit application.
- (19) Rough-in plumbing for future solar hot water system. This item is not available if a solar hot water system is installed at initial construction. The rough-in must consist of running copper or CPVC piping up through the roof at a south facing roof. The penetration should be properly sealed. Rough-in plumbing shall be shown on plans and verified by plumbing inspector on site at final inspection.
- (20) All hot water pipes insulated. All hot water pipes shall have a minimum of ½" insulation, including buried pipes. (CPVC is not a suitable replacement for insulation). All hot water pipes insulated shall be shown on plans and verified by plumbing inspector on site at final inspection.

- (21) MERV of air filters on all air conditioning units at least 8 with anti-microbial agent. MERV of at least 8 shall be verified by mechanical inspector on site at final inspection
- (22) Tankless water heater in lieu of a standard tank water heater. Documentation of energy savings must be provided. Product approvals should be provided with plans and shall indicate total energy demand. Tankless water heater shall be shown on plans and shall pass all required inspections.
- (23) Any innovative building practice not listed above but approved by the Building Official.

Section 5: That Section 151.154 of the Code of Ordinances is hereby created to read as follows:

TITLE XV: LAND USAGE

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CHAPTER 151: BUILDINGS

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Mandatory Green Building Practices

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§ 151.154 ENCOURAGEMENT OF MAXIMIZATION OF GREEN BUILDING PRACTICES.

The city shall encourage each person desiring to construct a new structure or make a major renovation to an existing structure to maximize the number of green building practices to be included in such project.

Section 6: That Section 151.155 of the Code of Ordinances is hereby created to read as follows:

TITLE XV: LAND USAGE

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CHAPTER 151: BUILDINGS

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Mandatory Green Building Practices

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§ 151.155 SINGLE-FAMILY DWELLINGS AND DUPLEXES.

New construction of, and a major renovation to, a single-family detached dwelling or duplex shall include a minimum of five (5) green building practices.

Section 7: That Section 151.156 of the Code of Ordinances is hereby created to read as follows:

TITLE XV: LAND USAGE

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CHAPTER 151: BUILDINGS

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Mandatory Green Building Practices

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§ 151.156 SMALL NON-RESIDENTIAL STRUCTURES.

New construction of, and a major renovation to, a structure (other than a single-family detached dwelling or duplex) with not more than 20,000 square feet of total floor area shall include a minimum of ten (10) green building practices.

Section 8: That Section 151.157 of the Code of Ordinances is hereby created to read as follows:

TITLE XV: LAND USAGE

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CHAPTER 151: BUILDINGS

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Mandatory Green Building Practices

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§ 151.157 MAXIMUM NUMBER OF UNLISTED INNOVATIVE GREEN BUILDING PRACTICES APPROVED BY BUILDING OFFICIAL FOR SINGLE-FAMILY DWELLINGS, DUPLEXES AND SMALL NON-RESIDENTIAL STRUCTURES.

For each project that is subject to § 151.155 or § 151.156 above, a maximum of two (2) innovative green building practices approved by the Building Official pursuant to subsection (23) of § 151.153 above shall be counted towards the minimum number of required green building practices, and each green building practice shall be shown on the plans and specifications with supporting product approvals before the first building permit for the project is issued.

Section 9: That Section 151.158 of the Code of Ordinances is hereby created to read as follows:

TITLE XV: LAND USAGE

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CHAPTER 151: BUILDINGS

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Mandatory Green Building Practices

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§ 151.158 LARGE DEVELOPMENTS.

New construction of, and a major renovation to, a stand-alone building (other than a single family detached dwelling or duplex) with more than 20,000 square feet of total floor area or one or more buildings within a development containing a total floor area (including all buildings within the development) in excess of 20,000 square feet shall be certified under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System of the USGBC, certified by the FGBC as a Florida Green High Rise Residential Building or a Florida Green Commercial Building, or certified under another recognized certification program approved by the city.

The requirement of certification may be waived in an emergency situation or under documented circumstances in which compliance with the requirement would be cost prohibitive, would create an unreasonable burden on the construction project, would have a negative impact on a historic structure, or would defeat the intent of certification. Any request for a certification waiver must be accompanied by a specific reason for the waiver and be approved by the City Commission. Under these circumstances, a reasonable effort will be made by the applicant to maximize the number of green building practices included.

If the developer/owner/contractor wishes to exceed the basic certification requirements, the following incentives shall be granted by the city:

- (1) Priority site plan review, building plans review, and building permit processing, which provides priority review and processing of the proposed project ahead of other non-green building projects.
- (2) Reduction in required parking. The developer shall provide a parking analysis justifying the parking reduction and showing that the then current code requirements are excessive. This incentive will be granted only if the developer obtains a variance under the city's Zoning and Land Development Regulations and only to the extent of such variance.
- (3) Increased residential density by one unit per acre, but such increase shall not exceed the density allowed under the Future Land Use Element of the city's Comprehensive Plan unless Flexibility Units are applied. This incentive will require City Commission approval.
- (4) Technical assistance by City staff on issues related to certification.

Section 10: That Section 151.159 of the Code of Ordinances is hereby created to read as follows:

TITLE XV: LAND USAGE

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CHAPTER 151: BUILDINGS

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Mandatory Green Building Practices

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§ 151.159 SUPERIORITY OF FLORIDA BUILDING CODE.

The provisions of this subchapter are subordinate and incidental to the enforcement of the Florida Building Code. In the case of a conflict, the Florida Building Code shall govern.

Section 11: That it is the intention of the City Commission that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Hollywood, Florida, and the provisions of this ordinance may be renumbered to accomplish such intention.

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, ESTABLISHING
MANDATORY GREEN BUILDING PRACTICES FOR NEW CONSTRUCTION AND
MAJOR RENOVATIONS TO EXISTING STRUCTURES.

Section 12: That if any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 13: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 14: That this ordinance shall be in full force and effect immediately upon its passage and adoption.

ADVERTISED on Feb 4, 2011.

PASSED on first reading this 19 day of Jan, 2011.

PASSED AND ADOPTED on second reading this 16 day of Feb, 2011.



PETER BOBER, MAYOR

ATTEST:



PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM & LEGALITY
for the use and reliance of the
City of Hollywood, Florida only:



JEFFREY P. SHEFFEL
CITY ATTORNEY
2/17/11pac

LEGAL AD CITY OF HOLLYWOOD

NOTICE IS HEREBY GIVEN in accordance with Section 166.041 Florida Statutes that the City Commission of the City of Hollywood, Florida, at a Regular City Commission Meeting, on Wednesday, February 16, 2011, in the City Commission Chambers, Room 219, General Joseph W. Watson Circle, Hollywood, Florida, proposes to consider on second and final reading the following proposed ordinance(s):

Proposed Ordinance - PO-2010-47 beginning at: 1:15 PM, or as soon thereafter as same can be heard:

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, ESTABLISHING MANDATORY GREEN BUILDING PRACTICES FOR NEW CONSTRUCTION AND MAJOR RENOVATIONS TO EXISTING STRUCTURES.

The proposed ordinance(s) may be inspected by the public in the Office of the City Clerk, Room 221, General Joseph W. Watson Circle, Hollywood, Florida, between the hours of 8:00 AM and 4:45 PM on any regular working day. Interested parties may appear at the aforesaid time and place and be heard with respect to the proposed ordinance(s).

NOTE: Any person who decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting will need a record of the proceedings, and it will be their responsibility to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Please call 954-921-3211 for any questions regarding the above matter.

Persons with disabilities who require reasonable accommodation to participate in City programs and/or services may call the Office of the City Manager five business days in advance at 954-921-3201 (voice). If an individual is hearing or speech impaired, please call 800-955-8771 (V-TDD).

Dated this 4th day of February , 2011.

Patricia A. Cerny, MMC
City Clerk
Hollywood, FL

THE SUN SENTINEL/LEGAL AD
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FURNISH PROOF OF PUBLICATION

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PO-2010-47

PO-2010-47

Continued
on 1st
Read to
Jan 19, 2011

Passed
on

2nd
Read

11/17/10

2/16/11

PO-2010-47

Passed
on
1st Read

1/19/11