

Mandatory Green Building Practices

TITLE XV: LAND USAGE
CHAPTER 151: BUILDINGS
Mandatory Green Building Practices

§ 151.158 LARGE DEVELOPMENTS.

(A) 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 City Manager or his/her designee.

(B) The requirement of certification may be waived by the Planning and Development Board if the Applicant demonstrates that 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 set forth documentary evidence to substantiate the aforementioned elements for non-compliance with the requirement have been met. be accompanied by a specific reason for the waiver and be approved by the City Commission. In addition, the Applicant must demonstrate that it has Under these circumstances, a reasonable effort will be made by the applicant to reasonably maximized the number of green building practices included in the development. The Planning and Development Board shall review the waiver request.

(C) 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

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

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.

(D) At the time of the filing of a building permit application for a large development, the applicant shall provide the City with proof that the applicant has filed an application seeking green certification with a City-recognized certification program. A building permit application shall not be accepted in the absence of the required proof of filing.

(E) Prior to the issuance of a certificate of occupancy for the large development, the applicant shall provide the City with a bond or letter of credit in the amount of the lesser of 1% of the master building permit construction cost value for the development or \$200,000. The City will hold the bond for the lesser of the time necessary for the green certification to issue or eighteen (18) months. A single extension of twelve (12) months may be granted by the Building Director for good cause shown.

If the green certification is achieved, the bond will be released to the applicant upon the applicant furnishing proof of certification to the Building Department. If the green certification is not achieved but an applicant has obtained at least 85% of the credits or points required for certification, the bond or letter of credit shall be forfeited to the City as follows: (credits or points remaining for certification / credits or points required for certification) x full bond or letter of credit amount = amount forfeited. If an applicant fails to obtain at least 85% of the credits or points required for certification, the entire amount of the bond shall be forfeited. Any proceeds from the forfeiture of the bonds or letters of credit under this section shall be placed in the City's Tree Fund.