



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 070908

Introduced October 25, 2007

Councilmembers Reynolds Brown and Kenney

**Referred to the
Committee on Rules**

AN ORDINANCE

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Section 14-102, entitled "Definitions," and creating a new Section 14-1631 of The Philadelphia Code, entitled "Green Building Design Standards," to require certain buildings to meet green building design standards, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 14-102 of The Philadelphia Code, entitled "Definitions", is hereby amended to add the following definitions, the existing definitions to be renumbered accordingly:

§14-102. Definitions.

In Chapters 14-100 through 14-1800 inclusive, the following general definitions shall apply:

* * *

() *Commission. The City Planning Commission.*

* * *

() *Green Building. Structures and their surrounding landscapes designed, constructed, and maintained to decrease energy and water usage and costs, to improve the efficiency and longevity of building systems, and to decrease the burdens imposed on the environment and public health.*

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SECTION 2. A new Section 14-1631 of The Philadelphia Code, entitled “Green Building Design”, is hereby enacted, to read as follows:

§14-1631. Green Building Design

(a) Purposes.

The Council of the City of Philadelphia declares the purposes of this section as follows:

(1) To promote effective energy and environmental standards for construction, rehabilitation and maintenance of buildings in Philadelphia.

(2) To optimize the energy performance of buildings throughout Philadelphia.

(3) To increase the demand for environmentally preferable building materials, finishes and furnishings.

(4) To improve environmental quality in this City by decreasing the discharge of pollutants from buildings and their manufacture.

(5) To create public awareness of new technologies that can improve the health and productivity of building occupants by meeting advanced criteria for indoor air quality.

(6) To improve working conditions and reduce building-related health problems.

(7) To reduce Philadelphia’s dependence upon imported sources of energy through buildings that conserve energy and utilize local and renewable energy sources.

(8) To protect and restore this City’s natural resources by avoiding development of inappropriate building sites.

(9) To reduce the burden on municipal water supply and treatment by reducing potable water consumption.

(10) To reduce waste generation and to manage waste through recycling and diversion from landfill disposal.

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(11) *To improve the City's capacity to design, build and operate high-performance buildings and, in doing so, to create new jobs and contribute to economic growth.*

(b) Definitions.

(1) *Covered Building Projects. The erection of any structure exceeding 4,000 square feet in gross floor area, or the extension, rehabilitation, alteration, substantial demolition or change of use of at least 50% of the gross floor area of any structure exceeding 4,000 square feet in gross floor area, for which the applicant is required to obtain a building or use permit, excluding structures whose primary use is as a single family dwelling.*

(c) Green Building Design Standards.

(1) *Level of performance.--The performance required under the adopted Green Building Design Standards shall be at or above the level beyond the minimum level required by the selected standards.*

(2) *Minimum criteria.--The Green Building Design Standards applicable to this section shall meet the following minimum criteria:*

(i) *Be consensus-based, as defined by the Office of Management and Budget, Circular No. A-119, dated February 10, 1998.*

(ii) *At a minimum, include performance-based categories or credits that will foster achievement of the purposes set forth under subsection (a).*

(iii) *Require documentation, verifiable calculations or the equivalent procedure to substantiate and support any claim made relating to subsection (c)(2)(ii).*

(iv) *Employ third-party, postconstruction review and verification for achievement of certification.*

(v) *Have a track record of certified green buildings in the United States.*

(3) *Energy Star ratings.--In addition to meeting the performance requirements of the adopted Green Building Design Standards, all covered building projects are*

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required to achieve an Environmental Protection Agency Energy Star rating of 85 or above.

(4) *Green Design Professionals.* All covered building projects shall employ at least one LEED (Leadership in Energy and Environmental Design) certified designer or architect who shall sign all plans and drawings submitted to the Commission.

(d) *Scope.*

(1) All covered building projects shall meet or exceed the standards as set forth under subsection (b), and the levels of achievement to be defined by the Commission. No permitted use shall be constructed or opened for occupancy unless the Commission certifies, based on a review of the architectural plans and the pre-construction green building certification from an appropriate rating organization or agency, that the proposed design is in compliance with the provisions of this Section.

(2) The Commission must act to accept or reject the submission within 30 days or the submission will be considered approved. No construction drawings will be reviewed for purposes of building permits until after the Commission approves the design development plans pursuant to subsection (1) above.

(e) *Regulations.*

(1) *General rule.*--The Commission, in consultation with any other Department as designated by the Mayor, shall develop and issue regulations for complying with this section. The purposes of the regulations shall be to:

(i) Adopt Green Building Design Standards selected by the Commission, in consultation with any other Department as designated by the Mayor, from among accepted industry standards meeting the criteria prescribed in subsection (b).

(ii) Define reporting requirements for covered building projects.

(iii) Define procedures and methods for verifying compliance with the standards, as set forth in subsection (b), in the design and construction of covered building projects.

(2) *Amendment.*--The Commission, in consultation with any other Department as designated by the Mayor, may amend the regulations as necessitated by the emergence of new or modified high-performance building standards as defined under subsection (b).

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(f) Report.

The Commission shall prepare and submit annually a report to the Council. The report shall at a minimum include:

(1) The number and type of buildings designed and constructed utilizing each of the rating systems recognized under this Section.

(2) The levels of certification of each building designed, constructed or renovated.

(3) Actual savings in energy costs.

(4) A description of all potential environmental benefits, including, but not limited to, water resources savings and the reduction of waste generation.

(5) Any conflicts or barriers identified which hinder the effective implementation of this act.

(g) Monitoring and evaluation.

The Commission, in consultation with any other Department as designated by the Mayor, shall develop and implement a process to monitor and evaluate the energy and environmental benefits associated with each building project designed, constructed or renovated under this act. The monitoring and evaluation of each building project shall commence one year after the completion and occupancy of the building project and continue for five years thereafter.

SECTION 3. Effective Date. This Ordinance shall take effect six months after final approval.

Explanation:

Italics indicate new matter added.

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