

CITY OF SAN RAFAEL

Community Development Department – Planning Division
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FILE NO.: ZO07-001 & GPA07-003

AGENDA ITEM NO.: _____

MEETING DATE: June 12, 2007

REPORT TO PLANNING COMMISSION

SUBJECT: Green Building Program – Proposal for Zoning Code and General Plan Revisions including:

1. Addition of Section 14.16.275 to the Zoning Code establishing green building requirements for new or renovated residential development and new non-residential development in excess of 5,000 square feet,
2. Amendment of Chapter 14.03 of the Zoning Code to add applicable definitions,
3. Addition of Chapter 12.44 to the Municipal Code establishing energy efficiency standards for new or expanded single-family dwellings that exceed 3,500 square feet in size,
4. Addition of Chapter 12.45 to the Municipal Code regulating the installation or replacement of wood-burning appliances, and
5. Amendment of the General Plan Conservation Element to include new program CON-18f establishing green building requirements for civic buildings.

Zoning District: Citywide; Applicant Name: City of San Rafael; File Nos.: ZO07-001 and GPA07-003.

SUBMITTED BY: _____ Bob Brown _____ APPROVED BY:
Community Development Director

ISSUES

Determine if the proposed green building regulations are appropriate, if a higher level of energy efficiency should be required of larger single-family homes exceeding 3,500 square feet, if new wood-burning appliances should be regulated in new development and if non-complying wood stoves should be replaced during remodeling, and if the General Plan should be revised to establish green building requirements for new or remodeled civic buildings.

RECOMMENDATION

It is recommended that the Planning Commission take the following actions-

1. Adopt a resolution recommending that the City Council adopt an ordinance adding Section 14.16.275 to the Zoning Code establishing green building requirements for new development and amending Chapter 14.03 to add definitions pertaining to green building requirements;
2. Adopt a resolution recommending that the City Council adopt green building standards in conjunction with new Section 14.16.365 of the Zoning Code;
3. Adopt a resolution recommending that the City Council amend General Plan 2020 to add Conservation Program CON-18f establishing green building requirements for civic buildings;
4. Adopt a resolution recommending that the City Council adopt an ordinance adding Chapter 12.44 to the San Rafael Municipal Code establishing energy efficiency standards for new or expanded single-family dwellings that exceed 3,500 square feet in size; and

5. Adopt a resolution recommending that the City Council adopt an ordinance adding Chapter 12.45 to the San Rafael Municipal Code regulating the installation or replacement of wood-burning appliances.

BACKGROUND

On May 29, 2007 the Planning Commission conducted a public hearing on the proposed Green Building Program. While the Commission indicated support for much of the proposed program, they raised questions regarding the following:

1. Whether it is reasonable to require a minimum of 50 points in the Green Points rating system for residential remodels when multiple building components are not being affected, and
2. How smaller non-residential projects may be included in the green building requirements.

Both issues are addressed below.

ANALYSIS

Residential Remodel Requirements

The Planning Commission was very perceptive in identifying the difficulties that some residential remodel projects would have in achieving the required number of Green Points proposed (50). Projects which affect relatively few components of a building remodel would not be able to achieve the proposed number of Green Points without doing a more significant remodel than intended.

Staff found that there are a few jurisdictions who have established a minimum requirement of only one Green Point for residential remodeling projects in an attempt to simply have the applicant look at the Remodeling Green Building Guidelines and incorporate at least one green building feature. The hope is that applicants will be interested in pursuing additional green building techniques and materials.

Staff contacted Brian Gitt, the Executive Director of Build It Green, who indicated that their organization is presently in the process of revising the Remodeling Green Building Guidelines and the associated Green Points calculator, and is attempting to address the issue raised by the Commission. It is likely that there will be some recommended range of Green Points related to the scope of the proposed remodeling project. He indicated that the new Remodeling Green Building Guidelines and calculator should be available by the end of the year.

Given our desire to utilize the Build It Green rating system to maximum advantage, staff recommends that we wait until completion of the revisions to the Remodeling Green Building Guidelines and revised rating system and adopt remodeling requirements at that time. In the meantime, staff will develop familiarity with the green building provisions for new construction.

Non-residential Green Building Requirements

The Planning Commission indicated a desire to extend the green building requirements to more commercial construction than the 30,000 square foot minimum suggested by staff. Staff indicated concerns that the LEED® certification process by the US Green Building Council is expensive and lengthy and would be seen as a burden by builders of smaller projects.

Staff reviewed non-residential building permits for new non-residential construction (new buildings or additions, not remodels) from 1999 to 2006. There is an obvious trend in seeing fewer large non-residential projects due to a number of factors including a lack of vacant land, a poor office market and significantly increased construction costs. Based on projections in General Plan 2020, this trend is likely to continue. We can expect to see one to two large (>30,000 sq. ft.) non-residential projects per year, and 1-3 smaller

(5,000-30,000 sq. ft.) projects per year. This number of non-residential projects is manageable in terms of the increased workload associated with administering the new green building requirements.

To address the concern about the time and expense of the LEED® certification process staff recommends that new non-residential construction projects of 5,000 to 30,000 square feet be required to follow the LEED® rating system, but to allow the “certification” of compliance by a LEED® Accredited Professional rather than the official certification by the U.S. Green Building Council. LEED® certification by the U.S. Green Building Council would be required for projects over 30,000 square feet since these are projects that can more easily absorb the cost and the longer timeframe for LEED® certification. In addition, staff recommends that smaller projects be required to meet the LEED® “Certified” point total (26-32 points), while projects larger than 30,000 square feet would be required to meet the LEED® “Silver” point total (33-38 points).

ENVIRONMENTAL DETERMINATION

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15308 of the CEQA Guidelines which exempts changes in land use regulations intended for the protection of the environment.

EXHIBITS

1. Draft Resolution recommending that the City Council adopt an ordinance adding Section 14.16.275 to the Zoning Code establishing green building requirements for new development and amending Chapter 14.03 to add definitions pertaining to green building requirements.
2. Draft resolution recommending that the City Council adopt green building standards in conjunction with new Section 14.16.275 of the Zoning Code
3. Draft resolution recommending that the City Council amend General Plan 2020 to add Conservation Program CON-18f establishing green building requirements for civic buildings;
4. Draft resolution recommending that the City Council adopt an ordinance adding Chapter 12.44 to the San Rafael Municipal Code establishing energy efficiency standards for new or expanded single-family dwellings that exceed 3,500 square feet in size; and
5. Draft resolution recommending that the City Council adopt an ordinance adding Chapter 12.45 to the San Rafael Municipal Code regulating the installation or replacement of wood-burning appliances.
6. Minutes of May 29 Planning Commission meeting
7. Summary of Non-residential New Construction over 5,000 Square Feet