



Local Government Policy Examples: Density Bonuses and Variances

SUMMARY

Best Practices Guide: Certification Program-Local Government Partnerships

BetterBuiltNW researched opportunities to accelerate adoption of energy efficiency in the Northwest's new homes sector. Research efforts led to the development of a [Best Practices Guide: Certification Program-Local Government Partnerships](#) (Guide), which examines the role of partnerships between local government and green building programs and the use of incentives as tools to stimulate green building and energy efficiency.

There is a large and diverse number of home certification programs available in the marketplace, and programs often deliver their offerings in close collaboration with other entities such as local governments, utilities, non-profits, and private sector companies. BetterBuiltNW examined 104 US local governments and their partnerships with a range of certification programs. In total, the partnerships incorporated more than 190 incentive options to promote energy efficient practices.

Density Bonuses and Variances Overview

Local governments have had success stimulating green building and energy efficiency by offering developmental incentives (such as density or height bonuses) that provide building developers an advantage to their development timeline and/or value if they leverage green building practices. These incentives offered by local governments can provide significant land zoning allowances to developers for building more housing units, taller buildings, or more adding floor space (higher floor-area-ratio or FAR) than typically allowed, in exchange for builder adoption of green building practices.

These incentives directly increase owner, developer, and builder profits, sometimes translate into incentives for the buyer, and require little to no financial investment by local governments. Local governments also benefit from increased revenue from the increased development and residents within their jurisdictions.

The following sections display municipal code language that cites developed for expedited permitting policies:

[Arlington County, Va](#)
[Bar Harbor, Me](#)
[Bothell, Wa](#)
[Pittsburgh, Pa](#)
[West Hollywood, Ca](#)

ARLINGTON COUNTY, VA

Arlington County, Virginia, Zoning Ordinance, Section 15.5.7.A.1 allows up to 0.50 FAR for residential and office buildings who achieve LEED Silver or higher, and also agree to earn Energy Star building certification within four years of occupancy. Additional incentive of 0.025 FAR is available for achieving one of eight Arlington priority credits. Projects built to achieve LEED Gold or higher certification plus two Arlington priority credits plus Net Zero Energy Building certification through the International Living Futures Institute may apply for bonus density above 0.55 FAR. Affordable housing projects receiving tax credits from the Virginia Housing Development Authority (VHDA) are allowed to earn bonus density using the Earthcraft green building rating system at the Gold or Platinum certification level.

Ordinance Name/Number	Ordinance Web Location
Ordinance No. 10.2.5.	Zoning Ordinance, Arlington County, VA, 2017

Municipal Code:

Unified commercial/mixed use development in Clarendon Revitalization District

The County Board may, by use permit approval, approve unified commercial/mixed use developments in areas designated “service commercial” on the general land use plan and that are within the Clarendon Revitalization District and that are within the C-1, C-2, C-3 or C-TH zoning districts, where a proposal meets the following requirements or where the County Board modifies the following requirements by use permit:

A. Density and use

Unified commercial/mixed use developments shall include: residential, commercial, hotel and/or retail uses up to a total F.A.R. of 1.5, except as provided for in §10.2.5.L, below; and ground floor retail that substantially complies with the Frontage Type guidelines in the Clarendon Sector Plan shall be provided where retail frontages are designated on the Use Mix Map (§9.2.6, Map 2).

B. Placement, orientation and massing

New buildings shall be built to the back of the streetscape where build-to lines are shown on the Build-To-Lines Map (§9.2.10, Map 6), for at least 75 percent of the build-to line on each street frontage of the site. The location of the build-to Line will be based upon street cross-sections shown in the Clarendon Sector Plan. Facades of new structures along a build-to line shall be composed as a simple plane (limited jogs less than 24 inches are considered a simple plane within this requirement) interrupted only by bay windows, shop-fronts, other entries to the building, café seating, or for compatibility with a preserved structure.

1. Where a building frontage or facade identified for preservation in the Clarendon Sector Plan is preserved, a step-back of at least 20 feet for a frontage and 10 feet for a facade, shall be provided immediately above the preserved portion of the project, unless the County Board finds, in a particular case, that a lesser step-back or no step-back is more appropriate to ensure a contextually appropriate definition between the preserved structure and new buildings.

2. New buildings on parcels north of Wilson Boulevard and east of North Garfield Street that abut an R district shall incorporate a setback of 25 feet from the abutting residential district lot, and shall be limited to a maximum of three floors and 40 feet in height; provided, however, that a portion of the building may be constructed up to 45 feet if step-backs of 25 feet each are provided at the 25 and 35 foot height limits facing the residential district, unless the County Board finds, in a particular case, that an alternative

design that includes a lesser step-back or no step-back would provide appropriate transition to the abutting low density residential properties. Except where a build-to line is required pursuant to §10.2.5.B, above, all other new buildings that abut an R district shall incorporate the aforementioned setback of 25 feet from the abutting residential district lot and shall provide step-backs or other reductions from the maximum height, as approved by the County Board in order to provide appropriate height transition to the abutting low-density residential properties.

3. Where a parcel abuts an R or RA district, a masonry wall of a height of six feet, or such other height as the County Board determines will reasonably protect residential properties shall be provided at the property line.

C. Streetscape

Any street frontage, including any new street as designated in the Master Transportation Plan, shall be improved with streetscapes consistent with the Streetscapes Map (§9.2.9, Map 5) and sidewalk design guidelines (§9.2.3, Table 1). The clear walkway zone (an unobstructed area serving as circulation space for pedestrians) shall be maintained at a width no less than six feet. All streetscape improvements shall be constructed in a manner consistent with such plan. All aerial utilities on and at the periphery of the site shall be placed underground with redevelopment or new construction.

D. Parking and loading

1. The proposal shall include parking as permitted and regulated in §9.2.2.D.7.

2. Surface parking proposed along streets designated as Main Street or 10th Street frontages on the Frontage Types Map (§9.2.11, Map 7), shall only be located behind a structure containing other uses. In all other locations, if surface parking lots are provided, the provisions of §14.3 shall apply regardless of the number of parking spaces. Furthermore, surface parking shall be screened as required in §14.2.3.E except that any surface parking lot facing a public right-of-way (where no structure containing another use is between the right-of-way and the parking) shall comply with the minimum streetscape requirements in §10.2.5.C, above, and in addition, any such parking area is screened by a masonry wall between 42 inches and 48 inches tall (measured as described in §14.2.3.E.2), and placed at the back of the required streetscape. This wall shall be designed to partially screen vehicles from pedestrian view from abutting sidewalks, to provide separation between pedestrians, and parking areas and to continue the build-to line as required in §10.2.5.B, above. Reasonable

interruptions to this wall are allowed to accommodate vehicular access, as provided in §10.2.5.D.3, below. In addition, any vehicular access to a surface parking lot shall include sidewalks, a minimum of four feet wide, along each side of the driveway to permit pedestrian access from the street frontage into the parking lot. Additional breaks in the masonry wall shall be allowed to accommodate pedestrian access but each break shall be a maximum of 48 inches wide.

3. Parking entrances/exits and loading areas shall be provided as required in §14.3 except that these areas shall be located only in areas designated for “Service” frontages on the Frontage Types Map (§9.2.11, Map 7). If a site does not include any site area designated for Service frontage, the County Board may approve an alternate location for service and/or parking entrances/exits that balances the following considerations:

- (a) Proposed location limits pedestrian and vehicle conflicts;
- (b) Project as designed maximizes the site’s potential for pedestrian street activation along major pedestrian routes; and
- (c) Project is designed to maximize consolidation of loading and/or vehicular entrances with other properties on the same block.

E. Trash collection and storage areas

Trash collection and storage areas shall be provided inside a main building or in a designated area screened by a solid wall made of materials similar to those used in the construction of the main building and that is at least six feet above the ground.

F. Building height

1. No building, except for mechanical penthouses, shall be erected to exceed the overall maximum height (feet) shown on the Maximum Height Limits Map (§9.2.5, Map 1). Under no circumstances shall the County Board approve a use permit for a building (exclusive of the mechanical penthouse) that exceeds the overall maximum height (feet) as shown on the Maximum Heights Limits Map.
2. The proposal shall comply with the Maximum Number of Floors shown on the Maximum Height Limits Map (§9.2.5, Map 1), except as provided for in §10.2.5.L, below.
3. All equipment above the roofline shall be screened from view by walls of equal height, and materials similar to the facades of the building, set back a distance at least equal to their height from the building edge and the height limit line and shall not exceed 12 feet. No mechanical penthouse or rooftop structure or any space above the height limit shall include additional floor space.

G. Ground floor height

Ground floor space shall be designed and constructed with a structural clear height (the space bounded by the top of one slab, or other structural portion of one floor, and the bottom of the next slab, or structural portion of a floor) of at least 15 feet, except where the County Board finds that such structural clear height would adversely affect the historical aspects of a structure designated in the Clarendon Sector Plan for full or partial preservation.

The Ground Floor of all buildings shall provide a minimum transparency consistent with the Frontage Type, as designated on the Frontage Types Map (§9.2.11, Map 7). “Transparent” shall mean using glass or other exterior material offering a view into an area of the commercial space where human activity normally occurs and shall not be satisfied by views into areas blocked by display cases, the rear of shelving, interior walls, blinds, hallways, or any other material that could block a view.

I. Building entrances

Functional entries that substantially comply with the Frontage Type guidelines set forth in the Clarendon Sector Plan shall be provided, except where the County Board finds that such entries would adversely affect the historical aspects of a structure designated in the Clarendon Sector Plan for full or partial preservation.

J. Landscaping

1. Any unified commercial/mixed use development shall provide a minimum landscaped area of 10 percent of the total development project.
2. When a proposal preserves a building designated for preservation according to the Building Preservation Map (§9.2.8, Map 4), and in accordance with the standards set forth in §10.2.5.K, below, the area of the footprint of the structure being preserved may be excluded from the required landscaped area requirements of §10.2.5.J.1, above.

K. Historic preservation

When a site includes a structure identified for preservation in the Clarendon Sector Plan, the structure shall be preserved in a manner consistent with the Clarendon Sector Plan, other regulations set forth in the District, and the regulations set forth below in §10.2.5.L.3. New development within the site shall be compatible with the existing structures in terms of material, color, texture, size and fenestration of doors and windows, and cornice lines.

L. Bonus density

Subject to the maximum height limits in §10.2.5.F, the County Board may approve optional increases in density above 1.5 F.A.R. by approving additional floors above the maximum number of floors established in §10.2.5.F.2, below. Density approved pursuant to this §10.2.5.L may be accommodated on-site or transferred to another site within Clarendon, except as provided in §10.2.5.L.1(b).

1. Affordable housing

When a project includes affordable dwelling units (ADUs), pursuant to the definition of ADUs in use by the county at the time of the application, or an equivalent cash contribution, the County Board may permit up to an additional 1.5 F.A.R. of density, as set forth below:

(a) Residential rental projects

For residential rental projects, ADUs shall be provided on-site as part of the use permit project as a total of at least 10 percent of the gross square footage (GFA) of the bonus density permitted under this §10.2.5.L.1 when the required 10 percent of the GFA is equal to 4,000 square feet or more.

(b) All other projects

For all other projects, ADUs shall be provided on-site as a total of at least 10 percent of the gross square footage of the bonus density permitted under this §10.2.5.L.1, or the applicant shall make a cash contribution to the Affordable Housing Investment Fund of \$15 per square foot of the gross floor footage of the bonus density. The cash contribution will be indexed to the Consumer Price Index for Housing in the Washington-Baltimore MSA as published by the Bureau of Labor Statistics and shall be adjusted annually based on the January changes to such index for that year, beginning in January, 2010. Revised amounts apply only to use permit plans filed after the adjustment date. Amounts for the calculation of the cash option are established at the time the use permit application is filed. Bonus density permitted through a cash contribution shall be accommodated on-site and shall not be available to transfer to another site.

2. Sustainable design

For projects that provide green building design (LEED) and comply with established county policies for bonus density, the County Board may approve additional density by use permit approval in an amount equivalent to that identified in established policy for development subject to site plan approval pursuant to §15.5.

3. Historic preservation

When the County Board finds that a structure identified for preservation in the Clarendon Sector Plan is preserved in accordance with §10.2.5.K, and when the County Board (after review and comment by the Historical Affairs and Landmarks Review Board at least 45 days in advance of a public hearing by the County Board, and upon consideration by the County Board of the HALRB's recommendation), has determined that the project is consistent with the historic preservation objectives of the adopted policies, then the County Board may approve an increase above the otherwise allowable density as provided in §10.2.5.L.

BAR HARBOR, ME

Provides a density bonus of an additional market-rate dwelling unit for construction projects in which all dwelling units meet LEED standards or an approved equivalent. This bonus applies to projects within a Planned Unit Development and compliance is determined by either application or by affidavit for adherence during constructed.

Ordinance Name/Number	Ordinance Web Location
Municipal Code § 125-69 (M)(6)(a)(2)(d)	https://www.ecode360.com/8375391?highlight=leeds#8375391

Municipal Code:

CHAPTER 125: LAND USE, ARTICLE V SITE PLAN REVIEW

Purpose and intent.

The purpose of the Planned Unit Development - Outlying Area is to provide an opportunity for residential subdivision developments on large tracts of land to embody the principles of:

1. Clustering of dwelling units to create buffers, open space and recreation areas;
2. Reduce infrastructure needs; and
3. Reducing negative impacts to the environment from the development

A PUD-O is also offered to seek development projects that [Amended 11-4-2008]:

1. Include affordable housing; or
2. Follow the applicable guidelines for the Great American Neighborhood; and/or
3. Follow the guidelines of low-impact development.

Intensity of Development.

- a) Number of allowable dwelling units.
 1. Applications shall show the density allowed for a conventional subdivision application. This density shall be used in calculations for requisite open space, affordable unit dedication and also as the base requirement that the Planning Board may increase as noted below. This plan establishes the base development density. Land encumbered at the time of the application by conservation easement cannot be included in the calculation for base development density.
[Amended 11-4-2008]
 2. An increase in the number of dwelling units above the base development density shall be considered for the following provisions:
 - a) For every additional affordable dwelling unit, an additional market-rate dwelling unit may be allowed.
 - b) For 10% of additional open space dedicated on the application parcel, an additional market-rate dwelling unit may be allowed.[Amended 11-4-2008]
 - c) For the provision by deed and construction of active recreation space, an additional market-rate dwelling unit may be allowed.
 - d) For projects that meet, either by application or by affidavit for adherence during construction, the standards of Leadership in Energy & Environmental Design of the U.S. Greenbuilding Council (“LEEDS”) or an approved equivalent, for all dwelling units, an additional market-rate dwelling unit may be allowed.
 - e) For projects that propose to construct new pedestrian amenities to connect the proposed development to other areas, amenities or goods and services, an additional market-rate dwelling unit may be allowed.

- f) For projects that provide formal access to public transportation, an additional market-rate dwelling unit may be allowed.
- g) For projects that restore or preserve an historic resource existing on the property as part of the application, an additional market-rate dwelling unit may be allowed.
- h) For projects that place all public utilities, other than stormwater management systems, underground on the application parcel, an additional market-rate dwelling unit may be allowed.
- i) For projects that utilize shared septic systems for all of the dwelling units, an additional market-rate dwelling unit may be allowed.

BOTHELL, WA

Bothell, WA allows an on-site parking stall reduction for LEED Certified buildings and permits them to reduce the number of on-site parking stalls as required in code. Increasing the reduction parking percentage is proposed to assist employers in implementing Commute Trip Reduction programs and assist builders and developers in earning green building credits due to increased transit ridership and reduced single occupant vehicle trips. The City also provides a building permit fee reduction for green buildings. Bothell, WA. Has established two rebate levels - a 10 percent rebate for achieving at least the lowest level of green building certification, and a 50 percent rebate for achieving the highest level (e.g., LEED Platinum or National Green Building Standard Gold).

Ordinance Name/Number	Ordinance Web Location
Ordinance No.2028	http://weblink.bothellwa.gov/WebLink/0/doc/59078/Page1.aspx

Municipal Code:

Purpose

Section 12.30.010

The purpose of this chapter is to provide for the modification of certain regulations when it can be demonstrated that such modification would result in a development which would not increase the density and intensity of land use beyond that which would be allowed if no regulations were modified; would preserve or create features or facilities of benefit to the community such as but not limited to green development practices, open space or active recreational facilities, which features or facilities would not have been provided if no regulations were modified, would be compatible with surrounding development, and would conform to the goals and policies of the Imagine Bothell... Comprehensive Plan. Throughout this title, "PUD" shall mean the same as planned unit development." (Ord. 1815 § 1, 2000; Ord. 1629 § 1, 1996).

Types of planned unit developments - Where permitted

Section 12.30.020

- A. Three types of planned unit developments are established:
 1. Single- family PUDs, comprising detached dwelling units on individual lots; the necessary streets and other public and /or private rights -of -way to serve such dwelling units; and any appurtenant common open space, recreational facilities or other areas or facilities.
 2. Non - single - family PUDs, comprising attached dwelling units, detached dwelling units not on individual lots, retail, office, service or industrial buildings, or any combination thereof, the necessary streets and other public and /or private rights - of -way to serve such uses, and any appurtenant common open space, recreational facilities or other areas or facilities.
 3. Green PUDs, comprising single family and non - single - family developments incorporating site and building design, construction and operating features and practices which, compared to standard development features and practices, lessen impacts to native plants and animals, reduce consumption of raw materials, lower greenhouse gas emissions, provide healthier living and working environments, and otherwise decrease human impacts on local and global ecosystems. In order to be considered a Green PUD, a proposed development must be independently verified by a qualified consultant as achieving at least minimum certification under one of the following programs or other certification program as approved by the community development director:
 - a) The United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED);
 - b) The International Code Council (ICC) and National Home Builders Association (NHBA) National Green Building Standard (NGBS): and

- c) The Master Builders Association (MBA) Built Green, at the Three Star level or higher.
A PUD may comprise all Hof the above types, subject to compliance with the use regulations of the zone in which the PUD is proposed to be located.
- B. Planned unit developments may be located in any zone; provided, that uses permitted in the PUD shall be governed by the use regulations of the underlying zoning classification or other generally applicable city regulations governing permitted uses, including special district regulations.

Transit and Rideshare Provisions

Section 12.16.110

- A. All land uses for which the majority of the parking demand is generated by employees who remain on - site for at least six hours each day shall be required to reserve one parking space for rideshare parking for every 20 required parking spaces, up to a maximum of 20 rideshare spaces, as follows:
 - 1. The parking spaces shall be located convenient to the primary employee entrance
 - 2. Reserved areas shall have markings and signs indicating that the space is reserved between the hours of 6:00 a.m. and 9:00 a.m., 12:00 noon and 1:00 p.m., and at all other shift changes; and
 - 3. Parking in reserved areas shall be limited to vanpools and carpools established through rideshare programs and to vehicles meeting minimum rideshare qualifications set by the employer.
- B. The community development director may reduce the number of required off – street parking spaces when one or more scheduled transit routes provide service within 660 feet of the site. The amount of reduction shall be based on the number of scheduled transit runs between 7:00 a.m. and 9:00 a.m. and 4:00 p.m. and 6:00 p.m. each business day up to a maximum reduction as follows:
 - 1. Six percent for buildings attaining at least minimum green building certification under the Leadership in Energy and Environmental Design (LEED). National Green Building Standard, Built Green (Three Star level or higher), or other certification program as approved by the Community Development Director, and four percent for other buildings for each run serving land uses of the type described in subsection A of this section up to a maximum of 48 percent for green certified buildings and 40 percent for other buildings and
 - 2. Four percent for buildings attaining at least minimum green building certification under LEED, National Green Building Standard, Built Green (Three Star level or higher), or other certification program as approved by the Community Development Director, and two, percent for other buildings for each run serving other land uses up to a maximum of 24 p

Fees

Section 20.02.155

- A. A permit shall not be valid until the fees prescribed by Tables 20. 15502.A, B, C, D and E and the current city fee resolution have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

EXCEPTION: When an area of the city has been deemed a disaster area by either the local, state or federal authorities, any structures damaged by storms, floods, landslides, earthquakes, fires or other natural disasters shall have all permit and plan review fees waived for the purposes of repairing or rebuilding the damaged structures (with the exception of state surcharge fees). I.

- B. Green building permit fee rebate. A percentage of the building permit fees set forth in Table 20. 155A02 shall be rebated to applicants who achieve and provide verification of green building certification under the Leadership in Energy and Environmental Design, National Green Building Standard, Built Green (Three Star level or higher), or other certification programs as approved by the Community Development Director, as follows:
 - 1. At least basic or lowest level of certification, or at least Three Star level of Built Green, rebate 10 percent of permit fees:
 - 2. Highest level of certification, rebate 50 percent of permit fee.

PITTSBURGH, PA

The city of Pittsburg developed Environmental Performance Standards to protect sensitive environmental areas and work towards high quality of life. One aspect of these standards are sustainable development bonuses that promote green building, LEED certified building, and waste reduction. Both floor area and height bonuses are part of the LEED Certified initiative. The height bonus allows LEED Certified buildings or structures to exceed floor ratios for the zoning district, with a cap at 20% floor area (FAR) excess of zoning specifications. LEED Certified buildings or structures may also exceed permitted height in the zoning district, up to 20% excess of zoning specifications.

Ordinance Name/Number	Ordinance Web Location
Ordinance. No. 18-2009	https://library.municode.com/pa/pittsburgh/codes/code_of_ordinances?nodeId=PIZOCO_TITNINEZOCO_A_RTVIDEST_CH915ENPEST_915.04SUDEBO

Municipal Code:

CHAPTER 915: - ENVIRONMENTAL PERFORMANCE STANDARDS

915.01. - General.

915.01.A Purpose

The City's natural resources, steep forested hills, prominent ridges and rivers are major contributors to the quality of life and distinctive character. The provisions of this section are intended to protect sensitive environmental areas from adverse impacts.

915.01.B Applicability

No structure or land use shall be located, erected, constructed, reconstructed, moved, altered, converted, enlarged or designed to be so, except in conformance the provisions of this section.

(Ord. 40-2005, § 1H, eff. 12-30-05)

915.02. - Environmental Standards.

915.02.A Grading Standards

915.02.A.1 The Grading, Cut, and Fill Standards of this Section Shall Apply to All Slopes.

- a. To the maximum extent feasible, the grading shall preserve the natural landforms of the site;
- b. To the maximum extent feasible, cutting, filling and severe benching or terracing of existing slopes to create additional building area or larger building sites shall be avoided;
- c. Finished grades of fifteen (15) percent or less are strongly encouraged. Cut or filled slopes shall not exceed twenty-five (25) percent unless:
 - (1) The applicant submits a geotechnical investigation report that certifies the safety and suitability of such slopes; and
 - (2) The applicant proposes the use of walls, terraces, or other methods at intervals of not less than ten (10) feet to create planting beds that will stabilize the slope, and such measures are

approved in the geotechnical investigation report as sufficient to ensure the stability of the slope and ensure that such slope shall pose no significant risk of danger to any property or public improvements located on or off the proposed development site.

d. The top and bottom of the cut or filled slopes shall be located no less than five (5) feet from any property line, street, building, parking area, or other developed area.

e. Retaining walls or gabions may be permitted to support steep slopes, but shall not exceed ten (10) feet in height.

f. Retaining walls shall follow the existing hillside contours if physically feasible and shall avoid visible unnatural straight slope faces. Walls shall be of a color that is compatible with natural rock outcroppings that occur on Pittsburgh hillsides.

915.02.B Slope Revegetation Standards

Slopes in excess of a fifteen (15) percent grade that are exposed during construction or site development shall be landscaped or revegetated in order to mitigate adverse environmental and visual effects. Fill soil on slopes must support plant growth. At a minimum, any slope in excess of fifteen (15) percent grade exposed or created during development shall be landscaped or revegetated with trees and other plant material at the following minimum planting densities per one hundred fifty (150) square feet of exposed slope area:

• One (1) canopy tree	• two (2) understory trees
• Two (2) evergreens	• five (5) shrubs

Gabions and low walls should be utilized to gain planting pockets on steep grades.

915.02.C Tree and Vegetative Surveys

The Zoning Administrator shall require a tree survey for development applications on any site greater than one-quarter (¼) acre (ten thousand eight hundred ninety (10,890) square feet).

915.02.D Tree Protection and Replacement

The Zoning Administrator shall require the protection and preservation of trees with a diameter of twelve (12) inches or more, measured at a point four (4) feet above grade. If said trees are removed during site preparation or development, they shall be replaced, at a minimum, equal to the combined total diameter of removed trees. Diameter measurements shall be taken at a point four (4) feet above grade.

(Ord. 40-2005, § 1H, eff. 12-30-05)

915.04. - Sustainable Development Bonuses.

915.04.A Purpose

Green buildings improve air and water quality, reduce solid waste, conserve natural resources, reduce operation costs, optimize life-cycle economic performance and minimize the strain on local infrastructure. Given that buildings are responsible for a large portion energy and resource use, the provisions of this section are intended to promote sustainable developments that reduce the impact of the built environment in the City of Pittsburgh.

915.04.B Applicability

The following bonuses for Sustainable Development may be permitted in all non-residential zoning districts. These bonuses may not be applied in addition to any other height or FAR bonus or exception. These bonuses may not be applied in addition to any additional height of FAR variances or special exceptions granted by the Zoning Board of Adjustment. These bonuses may not be granted where the Residential Compatibility Standards apply.

915.04.C Special Definitions

LEED Certified Building: shall mean a building certified, under the Leadership in Energy and Environmental Design (LEED) program of the United States Green Building Council, that meets LEED standards for either New Construction and Major Renovation Projects or Core and Shell Projects.

915.04.D Floor Area and Height Bonuses

In the event that a building or structure is determined, per [Section 915.04.E](#), to be an appropriately located LEED Certified building, the maximum floor area may exceed the floor area ratios specified for the applicable base zoning district, but shall not exceed an additional twenty (20) percent floor area. Also, in the event that a building or structure is determined, per [Section 915.04.E](#), to be a LEED Certified building, the maximum height of the building or structure may exceed the permitted height of the base zoning district, but shall not exceed an additional twenty (20) percent of the permitted height.

915.04.E Review Process

- 1) For all non-residential zoning districts, except the LNC Zoning District, the floor area and height bonus of this Section may be permitted as an Administrator's Exception.
- 2) In the LNC Zoning District, the approval of the floor area and height bonus of this Section shall require the approval of a Project Development Plan by the Planning Commission after a public hearing.

915.04.F Penalty

- (1) If a project is awarded a density bonus pursuant to this subsection, then the Developer shall provide the City with satisfactory evidence of having completed the following steps in the process toward achieving LEED Silver certification prior to obtaining a building permit for the project:
 - Registering the project with the U.S. Green Building Council for Leadership in Energy and Environmental Design (LEED) certification under USGBC Combined Design and Construction Review
 - Hiring a LEED Accredited Professional (AP) as part of the Project team
 - Documentation that the Project Team has submitted all Design Phase credits for consideration to USGBC
- (2) If the project does not attain LEED Silver certification within three (3) years of receiving its initial certificate of occupancy, then the developer shall be subject to a fine equal to one (1) percent of the construction costs. If the fine is not paid within thirty (30) days of the date it is imposed, then the City shall have the authority to revoke the certificate of occupancy for the building.

(Ord. No. 19-2009, § 1, eff. 7-31-09)

915.06 - Sustainable Development for Publicly Financed Buildings.

915.06.A Purpose

The City of Pittsburgh is committed to building and supporting sustainable developments, to yield cost savings to the city taxpayers through reduced operating costs, to provide healthy and productive work environments for all residents and employees, and to contribute to the city's goals of protecting, conserving, and enhancing the region's environmental resources. Additionally, the city shall help to set a community standard of sustainable building.

915.06.B Applicability

- 1) The following development requirements apply to all new construction on City owned property of ten thousand (10,000) gross square feet or greater or if the total project cost exceeds two million dollars (\$2,000,000.00), and renovations of City owned property where the total project cost exceeds two million dollars (\$2,000,000.00).

- 2) Any new construction or renovation project that receives Tax Increment Financing (TIF)

915.06.C Definitions

Construction Costs - shall mean the project's total hard and soft costs.

LEED Certified Building: shall mean a building certified, under the Leadership in Energy and Environmental Design (LEED) Program of the United States Green Building Council, that meets LEED standards for either New Construction and Major Renovation Projects or Core and Shell Projects.

Hard Construction Costs - shall mean all costs with respect to the construction or rehabilitation of the property/project, including, without limitation, demolition, excavation, proffers, and all other required on- and off-site work, furniture, fixtures and equipment, and all general conditions and general contractor or construction management fees and profit associated with such costs, if any. Soft Costs shall not be included in Hard Costs.

LEED Silver: shall mean a building certified, under the Leadership in Energy and Environmental Design (LEED) Program of the United States Green Building Council, that meets LEED standards for either New Construction and Major Renovation Projects or Core and Shell Projects.

Soft Construction Costs - shall mean all architectural, engineering, consulting, accounting, legal and surveying costs, appraisals and inspections (unless related to the financing of the project), costs of licenses and permits, permit expenditures, tests and inspections, cost of bond or insurance premiums, real and personal property taxes, utilities, and title insurance costs, plus any leasing or brokerage fees. Soft Costs shall also include site acquisition costs and financing costs and all development fees. Hard Costs shall not be included in Soft Costs.

915.06.D Sustainable Development Requirements

All projects receiving Tax Increment Financing and all new construction on City owned property of 10,000 gross square feet or greater or if the total project cost exceeds two million dollars, and renovations of City owned property where the total project cost exceeds two million dollars must receive a LEED Silver rating level.

915.06.E Penalty

(1) Prior to the sale of any bonds associated with providing Tax Increment Financing (TIF), the Developer shall provide the City with satisfactory evidence of having completed the following steps in the process toward achieving LEED Silver certification:

- Registering the project with the U.S. Green Building Council for Leadership in Energy and Environmental Design (LEED) certification under USGBC Combined Design and Construction Review
- Hiring a LEED Accredited Professional (AP) as part of the Project team
- Documentation that the Project Team has submitted all Design Phase credits for consideration to USGBC

(2) If the project does not attain LEED Silver certification within three (3) years of receiving its initial certificate of occupancy, then the developer shall be subject to a fine equal to one (1) percent of the construction costs. If the fine is not paid within thirty (30) days of the date it is imposed, then the City shall have the authority to revoke the certificate of occupancy for the building.

(3) All Penalties shall be deposited into the Green Building Trust Fund.

(Ord. No. 18-2009, § 1, eff. 7-31-09)

WEST HOLLYWOOD, CA

West Hollywood gives projects one allowance for reduced parking spaces or utilization of common space in exchange for reaching a minimum of 90 points from the West Hollywood Green Building Point System Table. The Green Building Point System is required for all new commercial development properties with three or more units. Projects choose from a points matrix to reach the 90-point threshold; points itemize compliance to a variety of efficiency measures and energy savings goals. If a project is certified LEED it is exempt from the point scale requirements and may still apply for incentives.

Ordinance Name/Number	Ordinance Web Location
Ordinance No. 17-1005	<p>https://qcode.us/codes/westhollywood/</p> <ul style="list-style-type: none"> • Choose Title 19 Zoning Ordinance • Choose Article 19-3 Site Planning and General Development Standards • Choose Chapter 19.20 General Property Development and Use Standards • Choose 19.20.060 Green Building

Municipal Code:

19.20.060 Green Building.

The green building standards in this section were established to conserve natural resources, increase energy efficiency, and improve indoor air quality.

A. *Green Building General Requirements.* All new development, remodels, and tenant improvements shall comply with the following requirements of the West Hollywood Municipal Code, as applicable. Where this section references another portion of the Municipal Code, the applicability provisions of that section shall be used to determine applicability. This section is to be used in conjunction with the Green Building Standards of the California Code of Regulations Title 24, Part 11. Where conflicts in language may exist between this section and the California Code of Regulations, Title 24, Part 11, the more restrictive green building provision shall prevail.

1. **Construction and Demolition Waste.** Projects shall divert a minimum of 80 percent of all construction and demolition waste away from landfills in accordance with the standards set by the Department of Transportation and Public Works.

2. **Storm Drains.** Storm drains in the public right-of-way adjacent to the project site shall be labeled in accordance with the standards set by the Department of Transportation and Public Works.

3. **Future Photovoltaic.** Projects shall provide a roof layout plan that illustrates how future installation of a photovoltaic system could be accommodated. Projects shall install a conduit from the roof to the electrical room, or electrical panels if no electrical room is provided, to accommodate future photovoltaic system installation. Tenant improvements are exempt from this requirement.

4. **Construction Air Quality Management Plan.** Projects shall provide a construction air quality management plan on the construction drawings that, at a minimum, includes protecting ducts during construction and changing the filters and vacuuming ducts prior to occupancy.

5. Interior Paints and Wood Finishes. Projects shall use interior paints and wood finishes with low volatile organic compound levels that do not exceed 50 grams per liter flat, or 150 grams per liter non-flat. This shall be noted on the approved plans.

6. Energy Star Appliances. Appliances provided in residential and mixed-use projects, and commercial projects as appropriate, shall be Energy Star qualified appliances.

7. Permeable Surfaces. Projects shall comply with all applicable requirements in Section 19.20.190 (Storm Drainage and Storm Water Runoff) and Section 19.36.280(B)(5) (Front Yard Paving).

8. Water Conservation. Projects shall comply with all applicable requirements in Section 19.26.060 (Plant Materials), Section 19.26.070 (Irrigation and Water Conservation), and Chapter 15.52 (Water Conservation Plan).

9. Storm Water Diversion. Projects shall comply with all the applicable requirements in Section 19.20.190 (Storm Drainage and Storm Water Runoff) and in Chapter 15.56 (Storm Water and Urban Runoff Pollution Control).

10. Alternative Transportation. Projects shall comply with all applicable requirements in Section 19.28.150 (Bicycle Parking and Support Facilities).

11. Water Saving Features. Projects shall comply with applicable requirements for utilizing low-flow showerheads, faucets and water closets as adopted by Section 13.12.030(i) and (j).

12. Recyclable Materials Storage. Projects shall comply with all applicable requirements in Section 19.20.180 (Solid Waste and Recyclable Materials Storage) and Section 19.36.280(B)(10) (Solid Waste Recycling).

13. Energy Efficient Outdoor Lighting. Projects shall comply with all applicable requirements in Section 19.20.100(A)(3) (Outdoor Lighting).

14. Parking Landscaping for Surface Parking Areas. Projects shall comply with all applicable requirements in Section 19.28.100(B) (Parking Area Landscaping Requirements).

15. Transportation Demand Management. Projects shall comply with all applicable provisions of Chapter 19.16 (Transportation Demand Management).

16. Construction Debris Control. Projects shall comply with all applicable requirements in Section 13.04.040 (Construction Debris Control).

17. Environmental Protection, Pollution, and Solid Waste. Projects shall comply with all applicable requirements in Chapter 15 (Environmental Protection, Pollution, and Solid Waste).

18. Energy Efficiency. Projects shall comply with all applicable provisions of the most recent editions of the Title 24 Energy Efficiency Standards, and most recent editions of the West Hollywood Building, Electrical, Mechanical and Plumbing Codes.

B. *Green Building Point System.* All new commercial development projects and all new residential development projects with three or more units, shall comply with the West Hollywood Green Building Program as outlined in the subsections below:

1. Green Building Application Requirements.

a. Preliminary Green Building Plan. A preliminary green building plan shall be submitted as part of an application for a discretionary land use or development permit. The plan shall indicate which points within the

West Hollywood Green Building Point System that the project will utilize, and indicate where compliance with each selected point is shown on the plans.

b. Final Green Building Plan. Following approval of the land use entitlement, a final green building plan shall be submitted as part of the application for a building permit. The final green building plan shall indicate which points that the project will utilize, and indicate where compliance with each selected point is shown on the plans. The applicant shall be required to implement all points shown in the final green building plan.

2. Number of Points Required. Projects shall select, and comply with, a minimum of 60 points from the West Hollywood Green Building Point System Table.

3. Exemption for LEED.

a. Projects that achieve a minimum rating of “Certified” with the United States Green Building Council’s Leadership in Energy and Environmental Design (LEED) Green Building Rating System shall be exempt from the point requirements of the West Hollywood Green Building Program.

b. LEED certified projects shall comply with the following:

1. Prior to the issuance of building permits, the applicant shall submit evidence satisfactory to the Director of Community Development that the services of a LEED accredited professional have been retained, and that the project has been registered with the LEED rating program.

2. A LEED checklist and supporting documentation indicating points that achieve a minimum LEED rating of “Certified” shall be incorporated into the documentation for building permit submittal. The LEED checklist shall be prepared, signed, and dated by the project LEED accredited professional.

3. All building documents shall indicate in the general notes and/or individual detail drawings, where feasible, the green building measures employed to attain the applicable LEED rating.

C. **Incentives for High-Achieving Projects.** Projects that select, and comply with, a minimum of 90 points from the West Hollywood Green Building Point System Table, and that do not include the demolition of a cultural resource, shall be permitted to select one of the following incentives:

1. In multi-family residential or mixed-use projects, 100 percent of the required common open space may be provided on the roof if the project installs and maintains a vegetated green roof for at least 50 percent of the roof area not occupied by mechanical equipment or access stairways. Noise attenuation features shall be incorporated into the projects design.

2. In multi-family residential or mixed-use projects, private open space may be transferred to and provided as common open space area, provided that 50 percent of the units provide a minimum of 50 square feet of private open space which has a minimum dimension of five feet in each direction. Alternately, the project may divide all common open space and add it to private open space areas. These incentives shall not be available to projects utilizing any courtyard design incentives.

3. In multi-family residential projects, the area in the side setbacks may be used to satisfy common and/or private open space area requirements. Noise attenuation features shall be incorporated into the project’s design.

4. In commercial or mixed-use projects, new restaurant tenant spaces under 1,200 square feet may provide parking at a ratio of 3.5 parking spaces per 1,000 square feet parking. This parking ratio may be used for a maximum of 2,400 square feet per project.

5. Commercial or mixed-use projects on commercially-zoned lots which are 40 feet or less in width and which have alley access may receive a 50 percent reduction in required parking spaces.

(Ord. 17-1005 § 5, 2017; Ord. 14-940 § 12, 2014; Ord. 12-882 § 7, 2012; Ord. 10-861 § 1, 2010; Ord. 07-762 § 6, 2007; Ord. 06-733 § 6, 2006)