

RESOLUTION NO. 2009-186

A RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, ESTABLISHING THE VOLUSIA COUNTY GREEN BUILDING PROGRAM; PROVIDING FOR DEFINITIONS, STANDARDS AND PROCEDURES; PROVIDING FOR INCENTIVES FOR CERTIFIED PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCORPORATION OF GREEN STANDARDS INTO SPECIFIED COUNTY PROJECTS AND ANALYSIS WHEN PROPOSED TO THE COUNTY COUNCIL; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the County of Volusia ("county") hereby establishes a Green Building Program to promote and incentivize the utilization of green standards in residential and commercial development;

WHEREAS, the county encourages voluntary green building through this program; and

WHEREAS, the county considers environmental design and construction to be a priority in order to ensure the future property and resource independence of the community.

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, IN OPEN MEETING DULY ASSEMBLED IN THE COUNCIL CHAMBERS OF THE THOMAS C. KELLY ADMINISTRATION CENTER, 123 WEST INDIANA AVENUE, DELAND, FLORIDA, THIS 17TH DAY OF DECEMBER 2009 AS FOLLOWS:

SECTION I. Volusia County Green Building Program.

A. Definitions. The words found in this resolution shall have the meanings ascribed to them in the Code of Ordinances, County of Volusia, except where the context clearly indicates a different meaning or defined below:

1. "County-owned civic or office construction project" means county owned buildings which provide a public gathering place or office facilities.
2. "Construction" means any project associated with the creation, development, or erection of any building eligible for the program.
3. "FGBC" means the Florida Green Building Coalition.
4. "GBI" means the Green Building Initiative.
5. "Green building" means the designation given to buildings that have achieved the requirements of a green building rating system provided by this resolution.
6. "Green Globes" means the U.S. commercial/institutional building rating system of the Green Building Initiative.
7. "GHDS" means the Green Home Designation Standard of the Florida Green Building Coalition.
8. "LEED" means the Leadership in Energy and Environmental Design Green Building Rating System, of the United States Green Building Council.
9. "Land development" means a project subject to Article III, Chapter 72 of the Code for which an application fee is set forth by resolution of the council.
10. "NAHB" means the National Association of Home Builders.
11. "Program" means the Volusia County Green Building Program.
12. "Program participant" means any person or entity seeking certification for a project.

13. "Project" means construction associated with the creation, development, or erection of any building eligible for the program.;
14. "USGBC" means the United States Green Building Council.

B. Purpose. The purpose of the program shall be to provide the unincorporated area with a voluntary certification-based "green building" program and promote sustainable and environmentally-friendly design and construction practices.

C. Administration. The program shall be administered by the county manager or designee, whom shall:

1. Fund the program through annual funds budgeted and appropriated by the council;
2. Market the program; and
3. Develop application procedures and forms.

D. Categories of construction and standards. A program participant seeking certification shall satisfy the following requirements in effect at the time of application:

1. New residential construction shall be subject to the GHDS, LEED for Homes program, the NAHB National Green Home program, or the GBI new home designation;
2. Residential retrofitting and/or remodeling shall be subject to GHDS, LEED for Homes program, the NAHB National Green Home program, or the GBI. The project shall meet the requirements for "remodeling" or "existing home" of the designation;
3. New commercial or institutional construction, excluding expansion or remodeling of existing buildings, shall be subject to the Green

Commercial Designation Standard of the FGBC, LEED for New Construction or derived USGBC LEED rating system, or the Green Globes environmental assessment system for new designs;

4. Commercial or institutional retrofitting and/or remodeling shall be subject to the Green Commercial Designation Standard of the FGBC, LEED for existing buildings or derived USGBC LEED rating system, or the Green Globes environmental assessment system for existing designs; and
5. Land development projects shall be subject to the Green Development Designation Standard of the FGBC, LEED for Neighborhoods and Developments rating system program or the NAHB development designation.

E. Incentives. The county shall offer the following incentives to program participants upon proof of certification and completion of the project:

1. *Permitting; applications:*
 - a) expedited permitting for building permits;
 - b) a rebate of fifty percent of the applicable building permit fees established by resolution 2005-191 and land development application fees established by resolution 2003-59, as subsequently amended, not to exceed: i) \$300 for a residential building permit; ii) \$1,000 for a commercial building permit; and iii) \$2,500 for a land development application, per project. A multi-family dwelling or similarly clustered or multi-unit structure shall

constitute one project. Any rebate shall be subject to the availability of funds;

- c) no program participant shall receive more than \$5,000 in rebates provided by paragraph E(1)(b);
- d) a maximum of \$50,000 in rebates provided by E(1)(b) shall occur; and
- e) final project designation by the county.

2. *Marketing.* The following marketing incentives shall be made available to program participants:

- a) inclusion of program participants on a County webpage dedicated to the program;
- b) creation of promotional packages, such as program logo for a program participant's advertisements or brochures; and
- c) press release.

F. Certification. A project shall be subject to certification by a third-party who is authorized to certify whether the requirements of the standard designated for a particular project have been satisfied.

G. Training. The county shall conduct at least one training workshop annually to educate potential or current program participants about the program.

H. Review. The county manager or designee shall provide a report to the council on the status of the program within one year of the effective date of this resolution, or as soon thereafter as practicable.

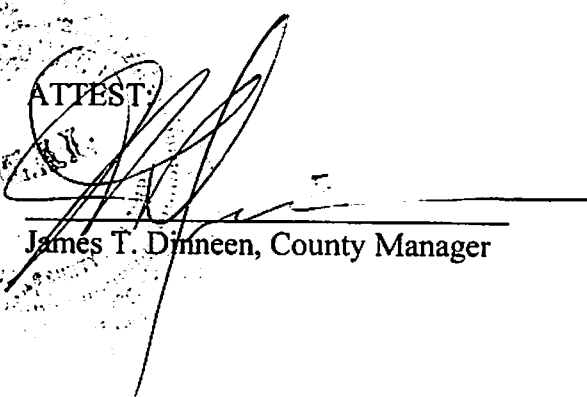
I. County projects. The county manager or designee shall incorporate Green Commercial Designation Standard of the FBGC, LEED for the New Construction or derived USGBC LEED rating system, the Green Globes environmental assessments for new designs, Energy Star, or other approved green building program into building and site development specifications of each county-owned civic or office construction project proposed to the council and include a cost-benefit analysis relating to the utilization of the standards.

J. Sunset. With the exception of paragraph I, the program shall terminate and terms of this resolution shall be rendered null and void on October 26, 2012 or upon issuance of \$50,000 in rebates in accordance with paragraph E(1)(b), whichever occurs first in time.

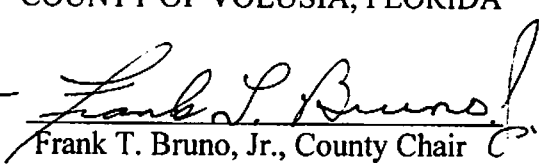
SECTION II. EFFECTIVE DATE. This resolution shall take effect immediately upon adoption by the council.

DONE AND ORDERED IN OPEN MEETING.

ATTEST:


James T. Dineen, County Manager

COUNTY COUNCIL
COUNTY OF VOLUSIA, FLORIDA


Frank T. Bruno, Jr., County Chair