Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

March 11, 2010

TO: Wayne Rew, Chair
Pat Modugno, Vice Chair
Esther L. Valadez, Commissioner
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner

FROM: Karen Simmons, Supervising Regional Planner KS
Ordinance Studies Section

SUBJECT: GREEN BUILDING PROGRAM IMPLEMENTATION TASK FORCE UPDATE ON REPORT TO THE BOARD

R2007-02984 – Low Impact Development (Lid) Ordinance
R2007-02985 – Drought-Tolerant Landscaping Ordinance
R2007-02988 – Green Building Ordinance

Agenda of March 24, 2010 Agenda Item No. 6

The County's Green Building Program became effective on January 1, 2009, requiring all new developments to comply with the Green Building, Low Impact Development, and Drought-tolerant Landscaping Ordinances.
On November 18, 2008, the Board directed the CEO to establish the Green Building Program Implementation Task Force (Task Force) to monitor the Program and make recommendations to improve it. The Board tasked the Task Force to report back by April, 2010 on the following items:

- The implementation of the Green Building Program ordinances;
- The effectiveness of the Drought-Tolerant Landscaping regulations and their implementation in residential projects; and
- Recommendations as to how requirements related to industrial and warehouse projects can be modified as third-party rating system standards evolve.

Attached are Task Force Committee reports that describe the work the committees have done to address these issues. Next week the Task Force will be voting on which of these issues should be included in the recommendations to the Board of Supervisors. Any comments the Regional Planning Commission provides can be included in the Task Force's report to the Board.

If you have questions prior to the discussion proceedings, please contact me at (213) 974-6432.

Attachment: Committee reports

GREEN BUILDING PROGRAM IMPLEMENTATION TASK FORCE COMMITTEE REPORT

This report provides information and updates related to the County's Green Building Program, its implementation, and recommendations for its improvement. Included in the report is background information regarding the Green Building Program and the Green Building Program Implementation Task Force. Also included are recommended changes to the Green Building, Low Impact Development, and Drought-tolerant Landscaping Ordinances. Each Committee of the Green Building Program Implementation Task Force has provided an update on work done to date and proposed future work.

Green Building Program Background

On January 16, 2007, the Los Angeles County Board of Supervisors (Board) instructed the Directors of the Departments of Regional Planning (DRP) and Public Works (DPW) to investigate and report back on opportunities to incorporate green building principles into the County's development standards for all appropriate industrial, commercial, and residential development. The requested report was presented to the Board on October 23, 2007.

The Board adopted the recommendations contained in the report and directed County staff to develop a Green Building Program (Program). The Board approved Program included Green Building, Low Impact Development, and Drought-Tolerant Landscaping Ordinances. Over the next year, DRP and DPW held public outreach meetings and conferred with stakeholder groups in drafting the ordinances, manuals and reference materials. DRP and DPW also consulted frequently with County Counsel. The resulting draft ordinances were then subject to public hearings at the Regional Planning Commission and Board of Supervisors. On November 18, 2008 the Board of Supervisors adopted the Green Building Program and its component ordinances.

The Program became effective on January 1, 2009, requiring all new developments to comply with the Green Building, Low Impact Development, and Drought-tolerant Landscaping Ordinances.

Green Building Program Implementation Task Force Background

On November 18, 2008, the Board directed the CEO to establish the Green Building Program Implementation Task Force (Task Force) to monitor the Program and make recommendations to improve it. The Board tasked the Task Force to report back by April, 2010 on the following items:

- The implementation of the Green Building Program ordinances;
- The effectiveness of the Drought-Tolerant Landscaping regulations and their implementation in residential projects;

- Recommendations as to how requirements related to industrial and warehouse projects can be modified as third-party rating system standards evolve.

The information requested above can be found in the Ordinance Amendment, Landscaping, and Monitoring Committee Reports.

The Task Force has 20 members from various County departments, industry associations, and non-profit organizations. Of the 20 members, eight are County staff from the Chief Executive Office, the Community Development Commission, the Energy and Environmental Policy Team, Fire and the Departments of Internal Services, Public Works, Regional Planning, and Parks and Recreation. The Task Force also includes members representing the local chapter of the American Institute of Architects (AIA), the Building Industry Association (BIA), the National Association of Industrial and Office Property Owners (NAIOP), the United States Green Building Council (USGBC), and the American Society of Landscape Architects (ASLA). There are also five representatives, one appointed by each Board office, who are local green activists. The membership of the Task Force is meant to be a representation of stakeholder and interest groups in the region, as well as County staff.

The Task Force has held seven meetings to date. Meetings have focused on housekeeping issues such as the establishment of Committees charged with various tasks and the drafting of procedures and a charter. The meetings have also provided Task Force members with information and updates related to various County environmental programs and initiatives. Presentations have been made by a County staff and a variety of topics, including:

- A comparison between the County Green Building Program and LA City's Green Building Program;

- An overview of pending climate change and sustainability-oriented State legislation;

- The County's Energy Efficiency and Conservation Block Grant and the programs it will fund;

- The development of a countywide AB 811 clean energy financing program;
  The most recent comprehensive update to State Title 24, Part 6 – California Energy Efficiency Standards;

- The County's approach to AB 1881 compliance and the Model Water Efficient Landscape Ordinance;

- The newly created County Office of Sustainability and its role.

COMMITTEE REPORTS

This section includes background information on the Green Building Program Implementation Task Force's Committees and reports from each Committee. These reports describe work done to date and future projects that each Committee hopes to undertake.

Committee Background

The Task Force includes five Committees charged with overseeing and making recommendations regarding the Green Building Program. The descriptions below outline the responsibilities and tasks for each Committee, as included in the Green Building Program Implementation Task Force Charter.

Ordinance Amendment

The Ordinance Amendment Committee shall provide the Task Force with recommended changes to the Green Building, Drought-Tolerant Landscaping, and Low Impact Development Ordinances and Manuals. The recommendations should serve to increase the effectiveness of the ordinances and improve the procedures for review and verification of compliance.

The Committee will review new third-party rating systems and standards, including the Leadership in Energy and Environmental Design – Neighborhood Development (LEED-ND) standards, and provide the Regional Planning Commission with recommendations related to the integration of these standards into the Program.

The Committee shall develop guidelines on the use of green building materials and drought-tolerant landscaping requirements for building remodels and additions for all project classifications. In addition, the Committee shall develop voluntary guidelines for incorporating green measures into existing projects for all classifications.

Working with the Monitoring Committee, the Ordinance Amendment Committee will analyze the feasibility of developing a sustainability system that is unique to Los Angeles County.

Landscaping

The Landscaping Committee shall develop and maintain landscaping-related information including general and technical information regarding drought-tolerant species, landscape irrigation requirements, and Frequently Asked Questions.

The Landscaping Committee shall also continue formulating the drought-tolerant plant list, and provide supplemental information related to the purpose and role of the list. The Committee will also develop procedures by which the plant list may be modified.

The Committee shall work with the Ordinance Amendment Committee to develop recommendations for any amendments to the Drought-Tolerant Landscaping Ordinance.

Outreach

The primary goal of the Outreach Committee is to provide information regarding the Green Building, Low Impact Development, and Drought-Tolerant Ordinances to residents and stakeholder groups within Los Angeles County. The Committee will develop outreach plans geared toward specific audiences throughout the County and work to ensure those programs are effectively implemented.

The Committee will work with staff from DRP and DPW to develop outreach and informational materials that addresses staff and applicant concerns and inquiries. These materials will be developed, whenever possible, to be accessible via the Green Building Program website.

The Outreach Committee shall assist DRP and DPW with the development and implementation of staff training and education.

Monitoring

The Monitoring Committee shall track and report on the implementation of the Green Building, Low Impact Development, and Drought-tolerant Landscaping Ordinances. The Committee will work with staff from DRP and DPW to identify and quantify any increase in the time need to review and approve projects, as well as the effectiveness of the current implementation procedures. The incorporation of landscaping requirements into residential projects will also be monitored.

The Committee will also track and report on the Green Building Ordinance requirements as they pertain to industrial and manufacturing projects. The Monitoring Committee shall work with the Ordinance Amendment Committee to determine how the provisions relating to warehouse buildings should be modified as third-party green building standards evolve.

Incentives

The Incentive Committee shall identify and explore incentive opportunities throughout the region. The Committee will track existing available State, Federal, and local incentives and rebates that could potentially benefit projects as they comply with the Program requirements. The Incentive Committee shall also research grants available to local jurisdictions for the provision of rebates, incentives, outreach, or trainings related to green building and sustainable development.

ORDINANCE AMENDMENT COMMITTEE REPORT

Prepared by Ron Takiguchi, Chair, Building and Safety Division, Department of Public Works

Committee Members
Carlo Gavina, SoCal Gas Company
Kevin Ivey, National Association of Industrial and Office Properties
Mark Lyum, NBC Universal
Stuart Magruder, American Institute of Architects
Raj Patel, County Department of Public Works
Lauren Rank, County Office of Sustainability, Internal Services Department
Holly Schroeder, Building Industry Association
Karen Simmons, County Department of Regional Planning
Brian Talbot, Community Development Commission
Melinda Taylor, American Society of Landscape Architects

Committee Advisors
Joe Cadelago, Building Industry Associations
Richard Clinton, County Department of Public Works
Josh Jordahl, Granada Hills North Neighborhood Council
Tom Mitchell, Pardee Homes
Adrienne Ng, County Department of Regional Planning
Ben Rocca, Building Industry Association

Meetings Held
May 6, 2009; May 27, 2009; June 10, 2009; July 8, 2009; July 22, 2009; August 5, 2009; September 2, 2009; September 16, 2009; September 23, 2009; October 7, 2009; October 21, 2009; November 4, 2009; December 2, 1009; December 15, 2009; January 13, 2010

Summary of Meetings
The focus of the Ordinance Amendment Committee's meetings was discussion of items from the Board Motions of October 7, 2008 on applications to the Green Building Program. At the Committee's inaugural meeting, Committee Goals were established with guidance from the Board Motions. By Committee approval, the Goals were agreed upon as general direction for the Committee's tasks.

Summary of Work

- Established goals for the Committee based on applicable Board Motion tasks to the Green Building Implementation Task Force.

- The Committee examined the Green Building Ordinance and provided suggested changes to the Ordinance. Suggestions ranged from editorial changes to improvements in requirements or allowances. Significant changes included:
  - Definition for "Project" changed from Title-22 to reference in Title-26 of the Los Angeles County Code.
  - Allows consideration for dual-flush toilets with average of 1.28 gallons per flush.
  - Elimination of requirement for retaining a LEED-AP on the project.
  - Exemption for unconditioned accessory-use buildings for residential occupancies.
  - Exemptions to include buildings that do not require a building permit by Title-26 of the Los Angeles County Code.
- Through a formulated sub-committee consisting of staff from Public Works Building and Safety Division, the Committee was provided with an update and recommendation to the 15% increased threshold for Title-24 Energy Compliance based on the 2005 State Energy Efficiency Standards. The sub-committee's recommendation for the 2008 Standards (effective January 1, 2010) was a non-increased threshold.
- The Committee recognized that the energy exemption in the Green Building Ordinance for warehouse/distribution buildings, refrigerated warehouses and industrial/manufacturing buildings will no longer apply as these buildings are required to comply with the 2008 Energy Efficiency Standards.
- The Committee provided a recommendation to and received approval from, the Implementation Task Force to examine and provide, updates to the Low Impact Development Ordinance.
- Recommendations to the Low Impact Development Ordinance included a major re-organization of Sections and clarification on plan review compliance. Significant changes included:
  - Clarification on requirements for plan review to demonstrate compliance with low impact development requirements.
  - Removal of plan review requirement by the Department of Regional Planning. Technical review to be performed by the Department of Public Works as part of development/construction process.
  - Exemption for plan review requirement for non-permitted grading projects and non-subdivision projects.
- In conjunction with the Landscaping Committee, the Committee examined and provided recommendations to the Drought Tolerant Landscaping Ordinance. Significant changes are indicated in the Landscaping Committee Report.
- Through information provided by Building and Safety's sub-committee, the Committee examined non-residential green building comparisons of Version 2.2 and Version 3.0 of the United States Green Building Council's Leadership in Energy and Environmental

Design standards. The Committee also examined these standards versus the 2008 California Green Building Standards Code.

- The Committee discussed the effect of covenant language in the Low Impact Development and Drought Tolerant Landscaping Ordinances on property and real estate transactions. The Committee agreed that it would consider equivalent alternatives to the covenant.
- Information was provided from the Los Angeles County Board of Realtors and the National Association of Interior Office Properties on forms used during real estate transactions as an alternate to the covenant.
- The Committee met with the Department of Public Works Road Maintenance Division on development of standards for low impact development for public ways.
- The Committee examined and analyzed green building standards for existing buildings including remodels and additions.

Future Work

- Continue to meet with stakeholder groups on modifications to the Green Building Program Ordinances.
- Continue to examine third-party ratings standard equivalency and applicability for warehouse/distribution buildings, refrigerated warehouses and industrial/manufacturing buildings.
- Analyze applicability of the 2010 California Green Building Standards Code and recommend standards in the County Green Building Ordinance as local amendments to the State Code.
- Analyze requirements in the International Code Council's International Green Construction Code as a possible green building standard for existing commercial buildings in Los Angeles County.
- Work with the Department of Public Works on public ways low impact development standards for incorporation into the Low Impact Development Ordinance.
- Examine proposal from the real estate professionals from the Los Angeles County Board of Realtors and the National Association of Interior Office Properties on equivalent alternates to the covenant.

LANDSCAPING COMMITTEE REPORT

Prepared by Lauren Rank, Chair, County Office of Sustainability, Internal Services Department

Committee Members and Advisors
Anne Eli Kershner, LA Coastal Prairie
Blake Warner, County Department of Parks and Recreation
Cassy Aoyagi, Form LA Inc.
Corey Harpole, Newhall Land and Farming
Dana Seelig, HRP Studios
Drew Ready, LA & San Gabriel Rivers Watershed Council
Frank Simpson, Landscape Architect
Jeff Juarez, County Department of Regional Planning
Jim Bazinet, County Department of Public Works
Jim Bell, County Department of Regional Planning
Keith Condon, County Fire Department
Kirk Aoyagi, Form LA Inc.
Kriss Keogh, K2 Group
Mark Carlos, HRP Studios
Melinda Taylor, American Society of Landscape Architects, LA Chapter
Mie Joness, County Department of Public Works
Mike Evans, Tree of Life Nursery
Nancy L.C. Steele, LA & San Gabriel Rivers Watershed Council
Patrick Larkin, Rancho Santa Ana Botanical Garden
Snowdy Dodson, CA Native Plant Society
Steve Hartman, CA Native Plant Society
Susan Jett, Rancho Santa Ana Botanical Garden
Susan Pearson, County Department of Parks and Recreation

Meetings Held
June 17, 2009; June 30, 2009; July 28, 2009; August 18, 2009; September 9, 2009; September 22, 2009; October 13, 2009; November 3, 2009; December 1, 2009; January 12, 2010; February 9, 2010

Summary of Work

- Reviewed and commented on the Drought-tolerant Plant List. The Committee recommended various technical corrections and other species for addition to the list. The Committee also recommended the inclusion of an introduction to provide more information related to the purpose of the Plant List and how it should be used.

- Drafted and refined Drought-tolerant Plant Criteria to aid in identifying species that can be used to achieve compliance. The criteria were created to guide the revision of the Plant List and further refine the species allowed for use in areas required to contain drought-tolerant species.
- Identified the various stakeholders that need to be accommodated when recommending changes to the ordinance language or implementation plan. These stakeholders include:
    - County staff from the DRP, DPW, and Fire Department who are responsible to review projects and verify compliance with these requirements;
    - Local landscape professionals who may be responsible to design and install landscaped areas that are compliant with the Drought-tolerant Landscaping Ordinance requirements;
    - Home- and business-owners who will be responsible to maintain the drought-tolerant landscape and who may be responsible for a portion or all of the design and install duties.
- Discussed the pros and cons of the use of a mandatory plant list with the ordinance. Various implementation options were discussed and weighed to identify the most efficient and effective approach. Final recommendations, which are included in more detail below, call for the phasing out of the plant list, in lieu of project-specific water use calculations and plant selections.
- Reviewed and discussed the Planting Zones map and each zone's description, as currently included in the Green Building Technical Manual. Various maps were analyzed including:
    - The Sunset Climate Zones
    - Water Use Classification of Landscape Species (WUCOLS) Regions
    - California Irrigation Management Information System (CIMIS) Zones
    - Various Department of Regional Planning maps, including:
        - Drought-tolerant Landscaping Planting Zones map
        - Average annual maximum, average annual minimum, and overall average temperature maps
        - Average annual rainfall map
    - A hybrid map, created by DPW staff, that overlays the Sunset Climate Zones, the WUCOLS Regions, and the current Drought-tolerant Landscaping Planting Zones map.

  Although many alternative approaches were discussed, it was decided that the current map, with potential minor alterations, would suffice until further direction was provided regarding potential amendments to the ordinance and its implementation plan.
- Identified the need to maintain and create efficient and effective review procedures. All stakeholders involved will benefit from the cost and time savings that streamlined

review processes can provide, so the Committee decided that improved efficiency would be a criterion for all recommendations made.

- Reviewed and commented on the current Drought-tolerant Landscaping Ordinance, as well as recommended changes from the Ordinance Amendment Committee.
    - The Committee suggested changes to the following sections:
        - Definitions (22.52.2210)
        - Drought-tolerant Landscaping Requirements (22.52.2230)
        - Site Plan Review (22.52.2240)
        - Exemptions (22.52.2260)
    - These changes were mainly to provide more clarity, to reorganize the ordinance in a more logical manner, and to provide more specificity to sections. Other recommended amendments, including those related to the Plant List, coordination with parallel efforts, and implementation, have been outlined in more detail in other sections of this report.
- Coordinated with staff at the Department of Public Works, Building and Safety Division, regarding the Water Efficient Landscape Ordinance required by Assembly Bill (AB) 1881. The Committee looked for opportunities to coordinate the new Water Efficient Landscape Ordinance with the Drought-tolerant Landscaping Ordinance. The Committee identified various approaches that would serve to streamline the review process, while still maintaining the objectives of both ordinances. The Committee recommended that, initially, the Drought-tolerant Landscaping Ordinance be amended to include a provision that allows for a self-certification process for projects that are compliant with the Water Efficient Landscape Ordinance.
- Investigated a "hybrid" approach to ordinance implementation that would maintain the plant list, but also allow for self-certification, by a licensed landscape architect, of landscape plans. This approach would allow projects that must comply with the Water Efficient Landscape Ordinance to certify plans as compliant and streamline through DRP's review of those plans. Under this approach, projects that will be reviewed for compliance with the Water Efficient Landscape Ordinance will not have an extensive and duplicative review at Planning, reducing the time and cost associated with verification.
- Explored alternative approaches to compliance that did not include a mandatory plant list and suggested the use of a calculations-based approach. The Committee reviewed and discussed site plans and forms, prepared by staff at Parks and Recreation and DPW, which utilizes simplified calculations similar to those included in the Water Efficient Landscape ordinance. These calculations were presented to DRP's Policy and Implementation Review Committee (PIRC) for feedback.

<u>Future Work</u>

- Coordinate further with the Ordinance Amendment Committee and staff from DPW and DRP to further refine the Drought-tolerant Landscaping Ordinance recommendations included above. The Committee is committed to identifying the most efficient approach to reducing water consumption in landscaped areas, while still accommodating the needs of various stakeholder groups. This collaboration would include identifying the most effective means of:
    - Coordinating the Drought-tolerant Landscaping Ordinance and its implementation with the Water Efficient Landscape Ordinance and its implementation. The Committee has developed three recommended approaches for creating a more cohesive landscape plan review process:
        - Amend the Drought-tolerant Landscaping Ordinance to no longer require projects that will be complying with the Water Efficient Landscape Ordinance to incorporate Drought-tolerant Landscaping Standards or be reviewed by DRP;
        - Combine both ordinances to create a Landscaping Standards Ordinance that would be implemented by one department;
        - Amend the Drought-tolerant Landscaping Ordinance applicability to only include projects that fall under the applicability threshold for the Water Efficient Landscape Ordinance.
    - Eliminating the mandatory Plant List in lieu of creating calculations-based regulations that would apply to all projects. These calculations would be consistent with the water budget and use calculations within the Water Efficient Landscape Ordinance, but would be simplified to accommodate the small-scale projects the standards would apply to;
    - Creating a streamlined review process for both the Drought-tolerant Landscaping and Water Efficient Landscape Ordinances that would eliminate duplicative or unnecessary review of landscape plans.
- Once draft amendments are completed, the Committee will work to:
    - Assist with public outreach by distributing the draft ordinance to colleagues and industry contacts;
    - Create forms and define submittal requirements;
    - Provide sample documents and training materials to staff, to ensure smooth implementation.

OUTREACH COMMITTEE REPORT

Prepared by Lauren Rank, Chair, County Office of Sustainability, Internal Services Department

Committee Members and Advisors
Ana Davila, County Office of Sustainability, Internal Services Department
Changmii Bae, County Department of Parks and Recreation
Glen Dake, 1st Supervisorial District Representative
Holly Shroeder, Building Industry Association
Howard Choy, County Office of Sustainability, Internal Services Department
Jim Smith, County Department of Parks and Recreation
Joe Cadelago, Building Industry Association
Josh Jordahl, Granada Hills North Neighborhood Council
Melinda Barrett, County Office of Sustainability, Internal Services Department
Ron Takiguchi, County Department of Public Works
Tony Lam, County Department of Public Works

Meetings Held
October 5, 2009; January 20, 2010

Summary of Work

- In September, 2009, the County was awarded more than $15 million in Energy Efficiency and Conservation Block Grant funds. A portion of that money was set aside to fund outreach and education associated with the Green Building Program.
- On December 14, 2009, two four hour training sessions were held at the Department of Public Works Headquarters. More than 160 staff persons from the Departments of Public Works and Regional Planning attended at least one session. The sessions focused on green building fundamentals and basic sustainable development principles.
- A statement of work for future trainings was drafted and is currently being reviewed by staff from DRP and DPW. When the statement of work is finalized, there will be a competitive solicitation to contract for training services. Future trainings will include a more detailed review of green building principles, a summary of review and verification procedures, and an analysis of the third-party standards approved for use under the Green Building Ordinance.
- The Committee discussed various types and formats for outreach related to the Program, including outreach to homeowners, residents, business-owners, contractors, design professionals, and developers. County staff informed Committee members of various outreach efforts currently underway and in development, including outreach related to the County's AB 811 Program and the Environmental Service Centers

(ESC). Within the context of other currently on-going outreach efforts, the Committee opted to initially focus on industry stakeholder outreach.

- The Committee identified industry stakeholder outreach as a valuable and effective means of informing the public about Program requirements. It was decided that a vendor would be hired to develop and oversee an industry-oriented outreach program and that the program would potentially include:
    - Outreach targeted to:
        - Contractors, architects, and other design professionals
        - Small- and mid- sized firms
        - Projects currently under review
        - Projects that have recently received Planning approval
    - Collaboration with:
        - Large-scale suppliers
        - Professional and trade organizations
        - Training organizations and schools
        - Non-profit groups
    - The use of:
        - Web-based outreach
        - Periodical updates or mailings
        - Attendance at trade shows and industry events
        - Trainings and informational sessions
- A statement of work for industry stakeholder outreach is currently being drafted and vetted by the Committee. Once finalized, it will be competitively solicited and a contractor will be hired to design, implement, and administer the program.

<u>Future Work</u>

- The Committee will continue to make recommendations on matters related to Program outreach and education. As the efforts described above move forward, the Committee will review documents, provide direction, and vet new and innovative proposals.
- The Committee will assist in developing outreach associated with ordinance amendments proposed in this report. The Committee will have the opportunity review County staff's outreach proposal and provide comments and recommendations.
- Once a contract is awarded for industry stakeholder outreach, the Committee will work with the County and the vendor to ensure the outreach program is developed and implemented in an effective manner. Periodically, the Committee will review the progress and results of the program and provide the vendor with feedback and recommendations.
- The Committee will also advise, when appropriate, on matters related to Environmental Service Centers and their development. As the ESCs are meant to be "one-stop shops" for programs related to the environment and sustainability throughout

the County, the Committee may provide direction on matters related Program outreach and marketing.

MONITORING COMMITTEE REPORT

Prepared by Karen Simmons, Chair, Department of Regional Planning (DRP)

Committee Members and Advisors
Alejandrina C. Baldwin, County Department of Regional Planning
Eric Berkheimer, Santa Catalina Island Company
Mark Child, County Department of Regional Planning
Annie Lin, County Department of Regional Planning
Maria Masis, County Department of Regional Planning
Nooshin Paidar, County Department of Regional Planning
Lauren Rank, County Office of Sustainability (formerly DRP)
Holly Schroeder, Building Industry Association
Susie Tae, County Department of Regional Planning
Melinda Taylor, American Society of Landscape Architects, LA Chapter

Meetings Held
June 9, 2009

Summary of Meeting
At the June 9, 2009 Monitoring Committee meeting the following items were discussed:

- The Task Force Charter and the definition and roles of the Committee were reviewed.
- The Departments/Divisions/Sections that implement the Green Building Ordinances (Green Building, Low Impact Development, and Drought-Tolerant Landscaping) and the processes they use to review the Ordinances were listed.
- Discussed assignments for the Committee, or ways the implementation of the Ordinances could be monitored.
- Asked Land Development Coordinating Center (LDCC), Field Offices, and Current Planning Sections to provide additional tasks required when reviewing plans.
- The Department of Public Works should also provide information on how their Department is implementing the ordinances.
- A suggestion was to develop a survey for the public to respond to the implementation of the Green Ordinance.
- The Committee decided DRP staff should meet internally as Ms. Simmons needs to work closely with staff to analyze their procedures.

Summary of Work

- Since the June 9th meeting, Ms. Simmons and DRP staff have meet numerous times monitoring how the ordinances are being implemented.

- Ms. Simmons worked with staff to develop a memo providing interpretation of sections of the Green Building Ordinance, Subdivision & Zoning Ordinance Interpretation No. 02-2009.
- DRP staff provided the additional steps and time required to check project plans for complying with the Green Building, Low Impact Development, and Drought-Tolerant Ordinances:

  LDCC & Field Offices
  Site plan, nondiscretionary review
  - Determine applicability
  - Add requirements to correction letters
  - Verifying that the approval and letter is correct and includes the review of the landscape plans
  - Explain the requirements to the applicant

  Additional time: 1 ½ hours (added to the 10 hours normally required to review a site plan)

  Case Processing (Zoning Permits, Special Projects and Subdivisions)
  Discretionary review
  - The steps outlined above in nondiscretionary review are required; however, discretionary permits involve multiple pages to review.
  - Conditions developed to include with approvals
  - Additional time required for applicability, particularly in subdivision cases.

  Additional time: 3 hours (there is no "typical" time to review discretionary cases, as there are many different types reviewed)

- DRP internal group met to review the ordinance revisions proposed by the Ordinance Amendment Committee and prepared a chart responding to their recommendations.
- DRP internal group made additional recommendations for revisions to the Green Building Ordinances.
- As requested by the Board's motion, staff discussed how the drought-tolerant landscape requirements are working for single-family residences. Staff felt the ordinance is not working as it was intended (to save water), and had the following concerns about the ordinance:
  - Usually the landscape information is put on the site plan as a correction. Many applicants still do not understand the Ordinance, so they don't automatically put the information on their plans.

- The submitted plans vary considerably. Some simply restate the Ordinance requirements; some plans are specific and some just state that they will comply.
- Although the requirement is not to place the actual plants selected for installation on the site plan, the plant list is confusing and overwhelming to applicants.
- If the plants are listed on the site plan, DRP staff does not verify that those plants are on the approved plant list (this is only done by DRP's Impact Analyses' Biologist for discretionary permits).
- Although the site plans show bubble diagrams of where the drought-tolerant landscaping will be placed, there is no verification that's how it was installed.
- There is no enforcement if applicants don't install their landscaping as depicted on the plan, or if the drought-tolerant plants were used at all.
- Although the plant list is extensive, applicants are unsure of what these plants are or where to buy them. If they can't find them they'll install what's available, that may or may not be drought tolerant.
- The Fire Department's work load has also increased, when reviewing fuel modification plans they now need to review other landscaping that's on the site plan.
- Applicants have complained they don't like the limitation of 5,000 square feet of turf on their property.
- Staff is familiar with AB1881 and the State Water Efficient Ordinance, which is based on maximum water permitted per project site. Although the State Law does not apply to single-family residences, staff feels a water calculation method would be a better way to address water conservation for single-family residences.

- LDCC and Field Offices have processed 1400 site plans and 1200 Zoning Conformance Reviews for 2009. Although most of these probably addressed the Green Ordinances, defining exactly how many would entail reviewing a detailed report of all projects.

<u>Future Work</u>

- As third-party requirements are effective January 1, 2010, this will entail new procedures and requirements for staff and the applicants. These procedures will need to be monitored to see if they're working as intended.
- DRP staff and the Committee will continue to monitor and make recommendations on matters related to implementing the Green Building Ordinances.

INCENTIVES COMMITTEE REPORT

Prepared by Brian Talbot, Chair, Community Development Commission (CDC)

Committee Members and Advisors
Lindy Coe-Juell, 4th Supervisorial District Representative
Paul Thomas, Southern California Edison
Roland A. Wiley, AIA, 2nd Supervisorial District Representative
Anthony Hernandez, Southern California Edison
Carlo Gavina, SoCal Gas Company
Michael.Schwonke, Southern California Edison
Rosa Kuo, RAW International (2nd Supervisorial District Back-up)
Ana Davila, County Office of Sustainability, Internal Services Department
Howard Choy, County Office of Sustainability, Internal Services Department
Bill McDonnell, Metropolitan Water District
Gary Tilkian, Metropolitan Water District
Josh Jordahl, Granada Hills North Neighborhood Council
Jeff Palmer, Building Industry Association
Kevin Ivey, National Association of Industrial and Office Properties (*resigned June 2009*)

Meetings Held
June 18, 2009; May 19, 2009; August 12, 2009

Summary of Work

- The Incentives Committee designed the County Incentive Program to be implemented concurrently in two (2) stages:
    - Stage 1 - The compilation of rebates and incentives that are currently being offered by various local utilities and retail businesses as well as through local, State, and Federal government resources. The forms and applications for incentives and rebates will be available to the public through the County Green Website; and
    - Stage 2 - Creation of new incentives to promote and support the County Green Building Program and assist all County sectors with compliance.
- The diverse background of the Committee Members, including those from the local utility providers is an advantage to this aspect of the program.
    - The Chair actively sought out public members and specialists to join the Committee and provide vital input.
- The scope of the County Incentive Program, at this point, covers energy efficiency and green building techniques in the unincorporated areas. However, there will be much

cross-over between the County's program and other Incentive Programs, such that residents from local jurisdictions will also benefit from the current incentives and rebates identified in the County Incentive Program. The Committee realizes that the County should combine resources whenever possible to maximize the success of all green building/sustainability programs.

- Many, although not all, incentives and rebates do not distinguish between new construction and building renovation/rehabilitation. Given that the County will eventually address the renovation/rehabilitation issue, the County Incentive Program will not distinguish between the two (2) categories.
- New incentives (Stage 2 of the Program) will focus on creating incentives for specific fields, such as Architects and Developers. It will also include items that are not currently incentivized by other programs. This would mainly apply to the Drought-Tolerant Landscaping and Low-Impact Development Ordinance requirements, as green building items are the most popular incentivized products.
- Being able to identify other funding programs on the website to combine with the County's resources (using AB 811 with CDBG, CDBG-R, State Weatherization, State Energy Program (SEP) Funds, EECBG) will exponentially increase the success of the County's efforts.
- The progress of the County Incentive Program will need to be monitored to ensure its success. In the future, the Program will need to consider deeper issues, such as what will motivate people to purchase energy efficiency products. This information will assist in the determination as to which products should be targeted in the Commercial Program (discussed below).
- The Incentives Committee must work closely with the Outreach Committee to disseminate the specifics of the County Incentive Program.
- The Committee acknowledges the opportunity to assist small business owners and combine resources with the groups and organizations currently assisting this business sector of the County.
- The Committee Chair requested from The Office of Sustainability the assistance of the green building consulting firm to compile and organize currently available incentives and rebates (Stage 1), which will be added to the County website, when available.
- Additional ideas that were discussed by the Committee Members for Stage 2, but require more information and research include:
    - Offer incentives for completion of a qualified job training program. The appropriate Local needs to be contacted to determine the current program being offered, based on trade (such as roofing, mechanical, etc.);
        - This item needs to be discussed with County CEO and the Community College District, as well;
    - Maintaining full-grown trees on sites proposed for new construction must be a priority incentive.

- Provide discounts to Home Energy Rating System (HERS) II program participants for housing rehabilitations, especially if involved with the County AB811 Program; the before and after testing calculations will provide the Board with tangible numbers of GHG emissions reductions.
- Establishment of a fee waiver from various County Departments involved in the construction-approval process (these fees could be substituted with EECBG funds or other funding sources to maintain County budget)
- Review the possibility of incentivizing a building's Commissioning process (perhaps using the fast track idea) for buildings that exceed the County's requirements.
- Incentives must be designed to appeal to the Architects and Developers as early in the process as possible. Developers are the group that starts the construction process. Members from the appropriate organizations will be asked to join the Incentives Committee to assist in this area. Information must be targeted to Contractors, as well.
  - This item should be coordinated with the Outreach Committee
  - The Savings By Design Program offered through Southern California Edison works closely with Architects and offered assistance to this Committee with doing the same.
- The Committee discussed the creation of training programs for Building Superintendents and staff for larger, existing buildings.
- Third-Party Certification, and the associated fees, should be incentivized, especially if a higher level of efficiency is met.

- Various popular incentives may not be a viable option for the County at this time:
  - Fast tracking projects through the Departments of Regional Planning and Public Works for those projects that exceed the County requirements.
  - Providing density bonuses to those projects that exceed the County requirements.
  - An 'item giveaway' program, where the County would need to purchase and store a large quantity of a particular item (albeit at a discounted price) to provide to verified unincorporated area residents, where the installation would need to completed by a verified source (perhaps by a member of the work-related Local).
  - A 'County Rebate (cash) Program' for a particular item is not an option at this point in time.
- There were not any grants identified by this Committee. If a grant was made available for use by the County, it was identified and submitted through the Internal Services Department.

<u>Future Work</u>

- Once collected and prepared, all of the Stage 1 information will be added to the Los Angeles County Energy and Environmental Efforts website, located at http://green.lacounty.gov/. Dozens of new web pages will be created to categorize the incentive/rebate information into the following groups: Single Family Residence, Multi-Family Buildings, Low-Income, Commercial, Industrial, Small Business, Renter or Owner Occupied, Agriculture, and Manufacturing. Items or programs that do not have eligibility requirements will be categorized by type (appliances, building materials, etc.) or listed on the "Resources" webpage (Forest Stewardship Council, Green Seal Program, etc.).
    - This work to the website should be included as a part of the Administrative Line Item of EECBG Funding to promote the County's Program.
- The website information will be updated when necessary as a result of new rebates/incentives that are identified, changes in requirements, new resources that are found or established, or for limited-time opportunities.
    - Maintenance of this kind will require close communication with Southern California Edison, Southern California Gas Company, and the applicable water districts in order to translate the different eligibility requirements (depending on the many programs) into something that can be added to the County website and easily understandable by the public.
- A County Commercial Program will be developed with retailers and various hardware stores to promote and provide additional discounts to identified products. A product signage program was proposed to highlight the energy efficient products in a participating store. These signs could be generic and given out to all participating stores and venues.
    - This program will need to be closely coordinated with the Outreach Committee, as this idea borders on being a public educational program.
    - Edison is already working on this type of Program and the County should considering partnering with them, and perhaps other jurisdictions who have established this type of program.
    - In working with retailers, the County website could highlight an item of the month (cool roofs, windows, etc.) for energy/water efficiency. Applying a County discount to the spotlighted generic product will promote its use.
    - Products that are manufactured locally should be targeted in the Program.
    - The costs for creating new display signage should be included as part of the Administrative Line Items of EECBG Funding to promote the Program.
- A pamphlet or a 1/3 sheet flyer will be created to describe the basic features of the Green Building Program and provide an overview of the available incentives and rebates. This document will mainly offer the website information and web address. The pamphlet will be distributed to all County locations that are designated as an Environmental Service Center (ESC) or as one of the ESC substations. It will also be provided to promote the County Program at locations that are already promoting

energy efficiency and conservation efforts. And, it will assist those residents who do not have Internet access. Upon final review, it may need to be designed and marketed for the different sectors of the County.

- This work should be included as part of the Administrative Line Item of EECBG Funding to promote the Program.