

April XX, 2010

To: Supervisor Gloria Molina, Chair
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

Richard Bruckner
Planning Director

Gail Farber
Director of Public Works

**GREEN BUILDING PROGRAM IMPLEMENTATION TASK FORCE STATUS REPORT NO. 1
(ITEM NO. 76, NOVEMBER 18, 2008 AGENDA)**

On November 18, 2008 your Board approved three ordinances - Drought Tolerant Landscaping, Low Impact Development (LID) and Green Building, collectively known as "Green Building Program". In addition, your Board instructed the Chief Executive Office (CEO), in coordination with the Departments of Public Works (DPW) and Regional Planning (DRP), to develop a Green Building Program Implementation Task Force (Task Force); and charged the Task Force with providing a report to the Board in April 2010 and annually every year thereafter, unless requested otherwise by the Board identifying implementation issues and enhancement opportunities for the Green Building Program and providing recommendations thereon.

The Board requested that the Task Force report also include summaries from each Task Force Committee, as well as providing recommendations to remediate any concerns or obstacles to green building development and/or innovations. The Board specifically requested the following of the Task Force:

- Recommend amendments to the ordinances which comprise the Green Building Program and recommend updates or amendments to the Green Building Technical Manual, the LID Manual, and other technical documents;
- Evaluate how effectively the landscaping guidelines are being incorporated into residential projects;
- Make recommendations regarding how the provisions relating to warehouse and industrial/manufacturing buildings should be modified as third-party green building standards evolve;
- Review newly published versions of the approved Third Party Green Building standards annually, or more often as needed, and make a recommendation as to whether to accept or

- deny the new requirements in their totality to the Regional Planning Commission, which shall then decide whether to adopt the Task Force's recommendation; and
- Review new versions of the California Energy Efficiency Standard (Title 24) and make a recommendation on how to integrate them into the Green Building Ordinance.

Attached are the Task Force Committee reports that discuss these issues. For brevity and clarity, we have categorized the Board's requests into three general questions.

1. *What amendments to the Green Building Program Ordinances and Technical Manuals are needed to add clarity and ease implementation?*

The implementation of the Green Building Program has been relatively routine in large part due to the downturn in construction and building activity. The amendments proposed by the Task Force are intended to clarify and streamline the processing of projects. The Task Force worked with Public Works and Regional Planning staff, developers and consultants to identify the areas of the Green Building Program with implementation issues.

Drought-Tolerant Landscaping Ordinance

The Board directed an evaluation of how effectively the Drought-Tolerant Landscaping Ordinance implementation guidelines are being incorporated into residential projects. The case processing sections at Regional Planning have reviewed how this Ordinance was working for single-family residences and report that the ordinance may not be meeting its goal to save water because of deficiencies and inconsistencies about what should be provided on the site plans, verification and enforcement. Specifically, Regional Planning staff noted the following implementation issues: confusion over how to use the plant list; no requirement or process to verify drought tolerant plant installation; no enforcement mechanism in cases where drought-tolerant plants aren't used as shown on the site plan; and an increase in staff time required to review the site plan.

The Water Conservation in Landscaping Act of 2006 (Assembly Bill 1881) required cities and counties to update and implement water conservation ordinances by January 1, 2010. Pursuant to this law, the California Department of Water Resources has prepared a Model Water Efficient Landscape Ordinance (Model Ordinance) for use by local agencies. All local agencies were required to adopt an AB 1881 compliant water conservation ordinance or begin implementation of the Model Ordinance no later than January 1, 2010. The County has opted to utilize the Model Ordinance while County staff further studies the applicability of AB 1881 and the Drought Tolerant Landscaping Ordinance. The Model Ordinance is based on a "water budget" that ensures landscape is allowed sufficient water, but will reduce irrigation runoff, and pollution of waterways, prevent property damage and conserve water resources.

Staff at DRP is familiar with AB 1881 and the Model Ordinance. Staff feels a water calculation method similar to the one contained in the Model Ordinance would be a better way to address water conservation for single-family residences. In addition, there would be consistency between how landscapes are reviewed for both large and small projects. The Task Force's Landscaping Committee and staff from Regional Planning, Public Works and Parks and Recreation are currently working on a simpler methodology for both large and small projects, and how these projects will be processed. The Landscaping Committee intends to present this concept to the Task Force in the summer of 2010.

Low Impact Development (LID) Ordinance

The primary concern over the LID Ordinance is the applicability section. We need to provide clarification of the LID applicability provisions regarding subdivision approvals both before and after the effective date of the LID ordinance.

The ordinance exempts development where a “complete discretionary or non-discretionary permit application was filed with LA County Department of Regional Planning, Public Works... prior to January 1, 2009.” The intent of the exemption was to ensure that projects that were in the pipeline were not forced into redesign. It is clear that any application submitted after the January 1, 2009 effective date is fully subject to the LID Ordinance.

The ordinance exempts complete subdivision applications submitted prior to January 1, 2009, which would also exempt pending Tentative Tract Maps (TTMs) applications, approved TTMs, and final subdivision maps. The Task Force recommends clarification of the exemption and applicability language, and the requirements for these subdivisions. The clarification would establish that new development is subject to requirements at either the sub-regional/regional scale or the lot scale, but not both. To accomplish this, the Task Force recommends that the ordinance establish requirements that subdivision projects in the pipeline (e.g., with a complete subdivision application, with an approved TTM, or a final subdivision map) comply with lot-level LID requirements (i.e., 2 BMPs) unless a sub-regional/regional stormwater facility is in place. The only exception is for a subdivision approved prior to the LID effective date that continues to enjoy two years of vesting rights after its final map records under the Subdivision Map Act. A subdivision approved prior to the LID effective date but built-out within two years after the subdivision's final map records would be vested under the ordinances in place when the subdivision map application was complete. Because under these facts, the complete-application date would have occurred prior to the LID effective date, LID would not apply to the construction of these residential units.

In addition, the Task Force is recommending streamlining the procedure for submitting LID plans for review and approval. Currently the Ordinance required the applicant to submit a site plan to DRP for approval. As planners are not engineers or qualified to approve a LID plan, the plans are marked with “In Concept Only”, with DPW actually approving the plans. Also, the Ordinance requires a second LID plan be submitted directly to Public Works. The Task Force is recommending the LID plan only be submitted to the DPW, streamlining the process for the applicant and avoiding any confusion between what DRP approves “In Concept Only”, and what DPW approves on the final LID plan.

Green Building Ordinance

Consistent with the duties of examining current and pending standards, the Task Force discussed the California Green Building Standards Code, commonly referred to as the 2010 CAL Green Code, for its application and effect on the County's Green Building Ordinance. The 2010 CAL Green Code is part of State Building Standards Law and is a required building standard with effectiveness on January 1, 2011. The discussions by the Task Force led to an agreement to further study the CAL Green Code to determine its level of sustainability when compared to the County's Green Building Ordinance.

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The Task Force expressed that the most critical direction of the County's Green Building Ordinance would be the further study of the CAL Green Code by staff at Public Works Building and Safety with a recommendation for replacement, retaining, or modification of the Green Building Ordinance. The Task Force recognized that a required State green building code together with a local ordinance may create confusion to the building industry and that duplicity must be strongly considered in the further study.

2. Evaluate specific implementation measures of the ordinances related to the processing of warehouse and industrial/manufacturing buildings pursuant to the Green Building Ordinance.

The Green Building Ordinance currently exempts warehouse/distribution buildings, refrigerated warehouses and industrial/manufacturing buildings from the energy threshold and third-party equivalency requirements. The Task Force examined the 2008 Energy Efficiency Standards of Title-24, Part 6 and determined that warehouse/distribution and industrial/manufacturing buildings require energy compliance by State law, and newly added Section 126 of the Standards contains requirements for refrigerated warehouses. The Task Force recommends removal of the energy exemption in order to maintain consistency with new State requirements.

The Task Force also recommended removal of the third-party equivalency exemption for warehouse and industrial/manufacturing buildings but recognized that the constructability and design features of these buildings may make third-party equivalency compliance difficult to achieve. The Task Force determined that third-party equivalency for these buildings shall be demonstrated by the applicant with any waivers to be determined on a case basis by the Director of the Department of Public Works. **3. Review new versions of standards, including third-party standards and the California Energy Efficiency Standard (Title 24) and State Green Building Standards and make a recommendation on how to integrate them into the Green Building Ordinance.**

Third-Party Standards

The inclusion of three (3) third-party rating systems within the Green Building Ordinance was effective on January 1, 2010, per Section 22.52.2130 of the Zoning Code (Title 22). The three systems are the United States Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED); Build It Green's GreenPoint Rated (GPR), which is a non-profit organization whose mission is to promote healthy, energy- and resource-efficient residential building practices in California; and California Green Builder (CGB), which is a green building rating system for residential construction, administered by the Building Industry Institute (BII). Since adoption of the Ordinance there have been revisions to two of the three rating systems.

The USGBC LEED-NC's Version 2.2 of the non-residential green building standards (currently in the Green Building Technical Manual) have been updated to the current Version 3.0. Advancements of the new LEED-NC Version 3.0 include: LEED prerequisite/credit alignment and harmonization, predictable development cycle, transparent environmental/human impact credit weighting, and regionalization. The credits have remained the same, although the 20% water reduction has become a prerequisite, and point allocation has changed. Credits have been weighted with emphasis given to their impact on greenhouse gases emissions, energy

efficiency and indoor environmental quality. The rating system has transitioned from the 69 point system to a 100 plus 10 point system. The plus 10 reflects the Innovation in Design and Regional Priority categories.

The GreenPoint Rated program is updated every three years in conjunction with changes to the California Building Energy Efficiency Standards. Updated GreenPoint Rated materials will be available for use in unison with the implementation of the 2008 Building Energy Efficiency Standards. GreenPoint Rated New Home, Single Family, Version series 3.0 and Multifamily Version series 1.0 have been updated to series 4.0 and 2.0 respectively. There were slight modifications made to the checklists, most notably, that the 15% above requirement now refers to the 2008 Title 24.

Since the adoption of this Ordinance BII has not revised their certification requirements, but has updated their informational forms and documents. The Task Force will be tracking this system for any modifications to ensure that the program is consistent with the 2008 Energy Efficiency Standards and the CAL Green Code in order for continued inclusion in the Green Building Program.

The Task Force recommends approving the new version (3.0) of LEED-NC and the versions of GreenPoint Rated New Home, Single Family, Version Series 4.0, and Multi Family Version, Series 2.0, and requests the Regional Planning Commission hold a public hearing with this recommendation. The Task Force will continue to monitor the California Green Builder Program for appropriate modifications and will recommend approval of those update at the appropriate time. The Task Force recommends that projects that have applied to the US Green Building Council for LEED-NC Certification under Version 2.2 be allowed to continue meeting compliance with this Version.

Energy Efficiency Standards

Currently the Green Building Ordinance requires that all projects be designed to consume at least fifteen percent less energy than allowed under the 2005 Energy Efficient Standards (Standards). However, as of January 1, 2010 State Law requires projects to comply with the 2008 Energy Efficiency Standards. Based on the findings of the California Energy Commission, the increase in the percentage of energy savings from the 2005 Standards to the 2008 Standards is approximately 17 to 21 percent for residential and 7 to 9 percent for non-residential. DPW is concerned that requiring additional thresholds would be difficult to achieve in each of the five Climate Zones (Climate Zones 6, 8, 9, 14, 16) represented in the County of Los Angeles without impacting design and construction costs. Per Public Resource Code Section 25402.1(h)(2) and Section 10-106 of the Building Energy Efficiency Standards, it should be noted that higher thresholds to the Energy Efficiency Standards must be justified and submitted to the California Energy Commission. Meeting the criterion for higher thresholds may cause an unreasonable increase in project cost or difficulty in meeting compliance. The effects of increased threshold above the 2008 Standards are being analyzed by staff at DPW using modeling parameters as required in the Standards. DPW may require the procurement of consultant services to complete the analysis. The recommendations for additional threshold

compliance will be provided to the Task Force with subsequent recommendations in an addendum report.

California Green Building Standards Code

The 2010 California Green Building Standards Code (CAL Green) was adopted by the State on January 12, 2010. All local jurisdictions in the State of California are required to incorporate the CAL Green Code into local building codes with an effective date of January 1, 2011. Because of the mandated nature of CAL Green Code for newly constructed buildings after January 1, 2011, the Task Force evaluated potential conflicts with the County's Green Building Ordinance. The Task Force found that the CAL Green Code may be more stringent than the County's Green Building Ordinance in several categories and is recommending further study of the CAL Green Code. The in-depth analysis of the CAL Green Code is currently being conducted by staff at DPW Building and Safety Division to determine the specific differences and impacts to the County's Green Building Ordinance with concern for duplication between the two documents. This analysis will be completed in conjunction with ordinance preparation for the 2011 County Building Code adoption.

CONCLUSION

State law and other circumstances impacting the County's Green Building Program have changed significantly since the Program's adoption in 2008. Most notably, the Task Force recommends modifying the Program to utilize the new State Green Building Code, (CAL Green) and the Energy Efficiency Standards. This will be accomplished through ordinance and public hearing procedures as part of the Building Code adoption process. In addition, the State's adoption of AB 1881 and the Model Water Efficiency Landscape Ordinance modifies how best to calculate water conservation in landscaping.

The Task Force's Ordinance Amendment, Monitoring, and Landscaping Committees have primarily been focused on implementing and proposing amendments to the Green Building Ordinances. The Outreach and Incentives Committees, however, have had a different focus since the adoption of the Green Building Program.

The Outreach Committee has focused on developing training and public outreach programs related to the Green Building Program. The Outreach Committee worked to identify various stakeholder groups that would benefit from outreach and education related to the Green Building Program, including industry professionals, residents, property owners, building material suppliers, and trade associations. The Committee also evaluated various formats for outreach and education, including web-based curriculum, the provision of written materials, in-person seminars, and attendance at community events and trade conventions. Committee members worked to find an approach to outreach that would clarify the Green Building Program's requirements and ensure the ordinances are appropriately implemented. Pursuant to these discussions, the Committee created a scope of work for an industry stakeholder outreach and education program that will serve to provide professionals who are responsible for compliance with the Green Building Program ordinances valuable training and guidance related to Program requirements. The statement of work for this training and outreach program is currently being finalized and will be competitively solicited. Once a contractor is hired, the Committee will

actively participate in the design and implementation of this program. Details of the Outreach Committee's activities can be found in their Committee Report (attached).

The Incentives Committee is in the process of creating the County Incentive Program. The program will coordinate current rebate and incentive information, as well as newly created incentives, through the County Green website. Pamphlets will be distributed to various County locations directing residents, stakeholders, and other interested parties to the website, where detailed information and rebate applications will also be available.

The Task Force outlined recommendations for modifications to the Green Building Program Ordinances, their implementation, and the supporting documents that accompany them. The Task Force requests the Board:

- Instruct the Task Force to work with DPW and DRP to develop amendments to the Ordinances as outlined above;
- Instruct DPW, DRP and County Counsel to review the recommendations and draft specific amendments to the Ordinances as required; and
- Present proposed amendments to the Regional Planning Commission and then to the Board of Supervisors.

cc: Regional Planning Commission

Attachment: Task Force Committee Report

April 2010

GREEN BUILDING PROGRAM IMPLEMENTATION TASK FORCE REPORT

INTRODUCTION

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 which are collectively known as the Green Building Program. 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.

ORDINANCE AMENDMENT RECOMMENDATIONS

The Ordinance Amendment Committee, in conjunction with the Landscaping and Monitoring Committees and staff from DPW and DRP, has developed recommendations for amendments to the Low Impact Development (LID), Green Building and Drought-Tolerant Landscaping Ordinances. These recommendations impact both the ordinances and implementation manuals. Specifically amendments are recommended to increase clarity in the ordinance language, provide more guidance to applicants, and to clearly describe the review process associated with each ordinance.

The overview below outlines the Task Force's recommended changes to each ordinance; however, specific amendments are not yet formally prepared. These recommendations will need to be thoroughly reviewed by public stakeholders, implementation staff, and County Counsel before they will be presented as ordinance amendments. Over the coming months, staff will take the necessary steps to vet these recommendations, hold public outreach meetings, and respond to any additional direction from the Board or RPC. Once this process is complete, amendments will be recommended to improve the clarity, effectiveness, and specificity of the Green Building Ordinances.

Drought-Tolerant Landscaping Ordinance

- Some of the definitions are confusing or inaccurate. Clarifying the language in the definitions will better convey the intent of the ordinance.
- The ordinance currently contains definitions for terms that are not found within the ordinance. In order to create a streamlined and user-friendly ordinance, definitions of terms not found within the ordinance should be removed.
- Include an additional, optional set of standards that allows projects to fulfill the requirements of the State Water Efficient Landscape Ordinance (Chapter 2.7, Division 2, Title 23, California Code of Regulations), in lieu of the requirements of the County Drought-Tolerant Landscaping Ordinance requirements. The State Water Efficient Landscape Ordinance went into effect on January 1, 2010. The State Ordinance requires intensive soils testing, irrigation planning, water budget and consumption calculations, and other documentation to ensure that projects are conserving water in landscaped areas.

Under the current County Drought-Tolerant Landscaping Ordinance requirements, certain projects must comply with the requirements of both the State Water Efficient Landscape and the County Drought-Tolerant Landscaping Ordinances. The requirements of the State Water Efficient Landscape Ordinance are more stringent than those of the County Drought-Tolerant Landscaping Ordinance; dual compliance would be onerous and unnecessary.

- Reorganize the exception section and include an exception for rear and side yards of single-family residences to the requirements of 22.52.2230.A.1. The inclusion of this exception will serve to more clearly describe the requirements as they relate to rear and side yards of single-family residences. The current definitions of "landscaped area" and "total landscaped area" are problematic; the exception for single-family residential rear and side yards should

be contained in the Drought-Tolerant Landscaping Ordinance requirements, in lieu of its inclusion in the definition of “total landscaped area.”

- Include an alternate review process for projects that will fulfill the requirements of the State Water Efficient Landscape Ordinance. Allow these projects to “self-certify,” by requiring a Landscape Architect to prepare and certify that the plans meet the minimum requirements and intent of the Ordinance.

DPW is responsible for the implementation of the State Water Efficient Landscape Ordinance. Under the current Drought-Tolerant Landscaping Ordinance requirements, certain projects are subject to landscape plan reviews at both the DRP and DPW. Duplicative review is onerous and unnecessary. Therefore, an amendment to the County Drought-Tolerant Landscape Ordinance is proposed to specify that projects reviewed for compliance with the State Water Efficient Landscape Ordinance by DPW need not be reviewed for compliance with the Drought-Tolerant Landscaping Ordinance by DRP.

- Remove exemptions for public recreation lawns and cemeteries. These projects are not exempted from the State Water Efficient Landscape Ordinance; they will be able to comply through the alternate compliance standards and procedure. Removing this exemption makes the Drought-Tolerant Landscaping Ordinance consistent with the Water Efficient Landscape Ordinance.
- Include an exemption for public botanic garden collections. Botanic garden collections provide a public amenity and should be exempted from the ordinance requirements. As many botanic gardens include exotic or tropical plants, it may not always be feasible to meet the Drought-tolerant Landscaping Requirements.

Low Impact Development (LID) Ordinance

- Clarify wording to reflect the purpose of the Low Impact Development Ordinance to be (*add information*). The word “every” should be removed to avoid conflicts with definitions of site features such as buildings and structures. The purpose of LID can encompass various Best Management Practices as technology and research allows as will be determined and approved by the Department of Public Works.
- Low Impact Development fundamental goals include the capture of the first three-quarters inch rain storm, or the water quality design storm event. The Standards for LID now reflect this goal with this clarification. To clarify the goal of minimizing the impacts due to hydro modification, the 50-year capital design storm event should be an added reference to reflect the Standards of impact minimization.
- Expand definition of the Director of Public Works to include “or her designee” to allow approval of plans by staff designated by the Director.
- Add complete identification for Municipal Separate Storm Sewer System Permit to reflect correct technical term.

- Modify words in applicability section related to public road and flood infrastructure to clarify that DPW's design standards are to include LID principals for public road and flood infrastructure projects.
- Modify Ordinance language to provide clarity and more understandable reading as follows: For sub-regional facilities, clarify to allow alternate strategies as approved by the Department of Public Works. Further clarification should be added for the water quality design storm event with treatment of the pollutants of concern. Clarify hydro modification as a requirement for sub-regional facilities.
- Modify the covenant filing requirements to provide that the LID covenant filing will be concurrent with the final map, which is more consistent with actual procedures rather than the requirement of filing "prior to".
- Modify procedures and responsible Department for verifying LID documents and plans. Section modification to reflect procedures consistent with current County practice and technical review.
- Add LID plan review exemptions to eliminate small projects and those that have negligible impacts on LID.

Note: The Ordinance-Amendment Committee discussed and agreed that clarification in the Applicability Section was needed for projects where a complete application was filed prior to the effective date of the Green Building Program. The Committee deferred this clarification to the Departments of Regional Planning, Public Works and County Counsel.

Green Building Ordinance

- Applicability to be clarified to mean **new** construction and not remodels; the project definition Green Building Requirements chart should also be amended. Whether the ordinance applies to only new construction has been a question from many applicants.
- Change single-family residence to single-family unit and "multi-family building" to "each residential lot with more than one dwelling unit". This wording is consistent with Title 22 and clarifies how dwelling units are classified.
- Change "for every 5,000 square feet of developed area" to "for every 5,000 square feet of lot area". The existing wording has caused interpretation problems of what developed area means. If the applicant feels this request is unreasonable due to their large lot size, they can request a Waiver of Modifications under 22.52.215.
- Allow the installation of dual-flush toilets to fulfill the Indoor Water Conservation requirements, so long as the average water usage is 1.28 gallons per flush. Adding dual-flush toilets allows consumer choice for compliance based on market and product availability.
- Remove the requirement to retain a LEED Accredited Professional on the project team, in lieu of requiring a generic green building professional as part of the project team. The

Green Building Ordinance allows compliance with the equivalency of LEED and not actual LEED certification. Therefore, the retaining of a LEED accredited professional is not always necessary and could be burdensome and costly to the developer. As LEED measures would be verified by staff at Public Works, a green building professional who is familiar with green building measures, techniques and procedures can be determined to be qualified by the Director of Public Works or her designee.

- Remove the section that permits the planting of the required trees off-site as well as the procedures for planting trees off-site shall in the Green Building Technical Manual. This off-site program has not been developed and therefore its reference should be deleted.
- Remove the requirement that DRP reviews plans in “concept only.” This review should only be done by DPW. The submittal that green notations are required on the plans is not consistently done by applicants and is a correction on the site plans.

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 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

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
Jim Leahy, US Green Building Council, Los Angeles Chapter
Richard Ludt, Internal Removal Specialists
Mark Lyum, NBC Universal
Stuart Magruder, American Institute of Architects
Jeff Palmer, Building Industry Association
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
Bruce Hamamoto, County Department of Public Works
Amir Ibrahim, County Department of Public Works
Josh Jordahl, Granada Hills North Neighborhood Council
Mitch Miller, County Department of Public Works
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 overview to the 2008 State Energy Efficiency Standards with the goal of providing a recommendation for increased energy savings threshold to the 2008 Standards. Building and Safety's sub-committee is continuing their analysis of increased thresholds and will provide a recommendation to the Task Force by Fall 2010.
- 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

- Work with staff from DPW's Building and Safety Division on the applicability of the 2010 California Green Building Standards Code to the County's Green Building Ordinance.
- Work with staff from DPW's Building and Safety Division on the recommendation of the level of increased threshold for the 2008 Energy Efficiency Standards.
- Continue analysis and applicability of green building standards to existing buildings and remodels and additions.
- 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.
- 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 for the Low Impact Development and Drought Tolerant Landscaping Ordinances.

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.

Future Work

- 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;

Green Building Program Implementation Task Force Report

- 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.

Future Work

- 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 met 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.

Future Work

- 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 be 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.

Future Work

- 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.
- 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 be 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.

Future Work

- 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.

EXECUTIVE SUMMARY

GREEN BUILDING PROGRAM IMPLEMENTATION TASK FORCE RECOMMENDATIONS

In this informational memo to the Board, and the attached Committee reports, the Task Force outlined recommendations for modifications to the Green Building Program Ordinances, their implementation, and the supporting documents that accompany them. The Task Force makes the following recommendations to Board:

- Instruct the Task Force to work with DPW and DRP to develop amendments to the Ordinances as outlined within the Green Building Program Implementation Task Force Report, and specifically:

Drought-Tolerant Landscape Ordinance

○ **Coordination with AB 1881 and the Model Water Efficient Landscape Ordinance**

The Task Force is recommending that staff continue to coordinate to identify opportunities to integrate the current Drought-tolerant Landscaping Ordinance with the State's Model Water Efficient Landscape Ordinance (Model Ordinance), which must be implemented by the County, per Assembly Bill (AB) 1881. Staff from the Departments of Public Works and Regional Planning have formed a committee to further study the effects of both the Model Water Efficient Landscape Ordinance (AB 1881) and the Drought-tolerant Landscaping Ordinance.

○ **Effectiveness of Ordinance on single-family residential projects**

Staff and the Landscaping Committee have identified a calculations-base approach as the best means to ensuring water conservation in landscaped areas. A simplified set of calculations will be drafted by County staff and presented to the Landscaping Committee for inclusion in the revised Drought-tolerant Landscaping Ordinance.

Low Impact Development Ordinance

○ **Applicability for subdivisions**

The Task Force is recommending that the language of the LID ordinance be amended to clarify the applicability of LID standards for subdivisions. For subdivisions approved prior to the LID Ordinance effective date, but built-out after the effective date, the ordinance will be clarified to not require sub-regional LID features be installed on the project, but LID Best Management Practices (BMPs) must be installed on each single lot where a residence will be constructed. For subdivisions approved after the LID Ordinance effective date that install sub-regional LID features, the ordinance will be clarified to not require BMPs to be installed on the lot level.

○ **Streamline review procedure**

The Task Force is recommending changing the submittal procedures for the LID ordinance to streamline the review of projects. Under the revised procedure, staff from the Department of Regional Planning would no longer be responsible to review projects for LID compliance. The Department of Public Works would be responsible to review and approve LID compliance for all projects.

Green Building Ordinance

o Energy Efficiency Standards for Manufacturing and Industrial Buildings

The Task Force examined the 2008 Energy Efficiency Standards of Title-24, Part 6 and determined that warehouse/distribution and industrial/manufacturing buildings required energy compliance by State law, and newly added Section 126 of the Standards contains requirements for refrigerated warehouses.

o Energy Efficiency Standards (Title 24)

The Task Force recommends that further study of the 2008 Title 24 Energy Standards occur prior to a final decision by the Task Force related to the Energy Efficiency requirement contained within the Green Building Ordinance. The Department of Public Works will present analysis to the Task Force at a later date and that data will be considered when final recommendations are made. Public Works will likely require the consulting services of an energy expert to provide the final report which includes cost analysis.

o CAL Green

The Task Force recommends that County staff continue to investigate opportunities to utilize the CAL Green Code in coordination with the Green Building Ordinance. As the CAL Green Code also includes voluntary measures, staff is identifying ways to integrate those measures into the Green Building Ordinance.

- These proposed Task Force recommendations will need to be thoroughly reviewed by public stakeholders, implementation staff, and County Counsel before they will be presented as ordinance amendments. Over the coming months, staff shall take the necessary steps to vet these recommendations, hold public outreach meetings, and respond to any additional direction from the Board or RPC.
- Review of third-party systems. The three systems currently within our Zoning Ordinance are LEED, GreenPoint Rated, and California Green Builder. Since adoption of the Ordinance there have been revisions to these systems documentation.

o LEED

Since the Green Building Program was adopted, LEED standards for new construction have been updated, from LEED version 2.2 to LEED 3.0. The Task Force recommends

the inclusion of LEED 3.0 into the Green Building Manual for use on all new construction projects subject to third-party equivalency requirements.

- GreenPoint Rated

The GreenPoint Rated system has also been revised since the adoption of the Green Building Program. The Task Force recommends the inclusion of GreenPoint Rated New Home, Single Family 4.0 and Multifamily 2.0 into the Green Building Manual for use on all new residential projects subject to third-party equivalency requirements.

- California Green Builder

The California Green Builder system has not been significantly updated since the adoption of the Green Building Program. The Task Force recommends that the existing version of this system remain in the Green Building Manual for use on new residential projects subject to third-party equivalency requirements.

The Task Force recommends County staff and representatives from each organization present their modifications to the Regional Planning Commission during a public hearing for their review and approval.

- Instruct DPW, DRP and County Counsel to review the recommendations and draft specific amendments to the Ordinances as required; and
- Present proposed amendments to the Regional Planning Commission and then to the Board of Supervisors.
- The Task Force recommends the Implementation Task Force continues as currently operating, and continue to work on their Future Work programs as identified in each Committee Report.

cc: Regional Planning Commission