

Topic:	Green Buildings & Energy Efficiency
Resource Type:	Regulations
State:	Texas
Jurisdiction Type:	Municipal
Municipality:	City of El Paso
Year (adopted, written, etc.):	2008
Community Type - applicable to:	Urban; Suburban
Title:	City of El Paso Sustainable Development Design Standards & Green Building Grant Program Guidelines
Document Last Updated in Database:	August 27, 2016

Abstract

Under the El Paso, Texas sustainable development design standards, the City mandates that all city buildings meet green development standards and provides significant monetary incentives for private developers to do the same. El Paso has over 600,000 residents, and the climate is arid and warm with limited precipitation. The City recently started a sustainability campaign culminating in the "Green Summit 2009," which presented the sustainable development design standards.

El Paso mandates that all new city owned buildings over 5,000 sq. feet and future major renovations shall meet Leadership in Energy and Environmental Design (LEED) silver certification level. Under the program, no building permit for a city-owned building will be issued until the architect or designer has certified that LEED standards are being addressed in the plans or specifications.

Additionally, the City adopted an aggressive Green Building Grant Program to encourage the development of energy efficient buildings in the private sector. The City received substantial monetary damages from a court proceeding against a utility company in an electricity-rate case. El Paso then adopted the grant program to allocate the funds towards energy conservation in the community. Grants under the program range from \$50,000 to \$400,000, depending on the LEED certification level achieved and the size of the building.

Resource

ORDINANCE: EL PASO SUSTAINABLE DEVELOPMENT DESIGN STANDARDS

Passed: June 10, 2008

ORDINANCE NO. _____

**AN ORDINANCE ADOPTING SUSTAINABLE DEVELOPMENT DESIGN
STANDARDS.**

WHEREAS, development and construction practices are significant contributors to the depletion of natural resources and a major cause of air and water pollution, solid waste, deforestation, toxic wastes, health hazards, global warming, and other negative consequences; and

WHEREAS, the City of El Paso has resolved to participate has pledged to take a leadership role in promoting public awareness about the causes and impacts of climate change; and

WHEREAS, the City of El Paso finds that green building measures applied to the design, construction, and maintenance of buildings would achieve the following goals:

1. To encourage resource conservation;
2. To reduce the waste generated by construction projects;
3. To increase energy efficiency; and
4. To promote the health and productivity of residents, workers, and visitors to the City; and

WHEREAS, the City of El Paso recognizes that green building shall complement existing policies related to development and natural resource conservation; and

WHEREAS, the Leadership in Energy and Environmental Design (LEED™) Green Building Rating System and Certification is a nationally recognized standard for excellence in facility design and has multiple levels of certification; and

WHEREAS, green design and construction decisions made by the City in the construction and major remodeling of City buildings can result in significant cost savings to the City over the life of the buildings;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

- A. That the City of El Paso adopts the sustainable development design standards. This policy reflects the City's commitment to encouraging environmentally sensitive construction practices in the City of El Paso by adopting construction practices based on the Leadership in Energy and Environmental Design (LEED™) certification process or an equivalent rating standard.

- B. That all new City buildings over 5,000 square feet in size, will be designed, contracted and built to achieve the LEEDTM Silver certification level, and to strive for a higher level of certification (either Gold or Platinum) whenever project resources and conditions permit.
- C. That all future major renovations and non occupied City buildings will be designed, contracted and built to include as many principles of the LEEDTM program as are feasible.
- D. That no building permit for a city owned building shall be issued until an architect or designer has certified that the LEEDTM standards are being addressed in the plans or specifications. The certification shall be submitted to the Building Official for verification.
- E. That this ordinance shall take effect immediately from and after its passage. During a 6 month grace period bids for municipal projects shall include costs for non-LEEDTM construction, and LEEDTM Silver Certification.

THE CITY OF EL PASO'S GREEN BUILDING GRANT PROGRAM GUIDELINES

Objective

The goal of the City of El Paso's Green Building Grant Program is to encourage private sector builders to build sustainable buildings within the City of El Paso that will serve as examples for future projects to emulate. Providing incentives for the design of buildings certified under the U.S. Green Building Council's LEED Green Building Rating System underscores the City's commitment to improving the quality, cost effectiveness and safety of the built environment while conserving energy and reducing stress on the natural environment. The City of El Paso finds that the development and implementation of a grant program intended to increase the construction of sustainable buildings within the City of El Paso is a benefit to the environment and is therefore in the best interest of the public and will benefit the City of El Paso and its citizens. As such, the implementation of the City of El Paso's Green Building Grant Program constitutes an important public purpose or benefit to the City, for which the City is willing to expend its resources.

Possible Grant Award Amounts

Subject to these guidelines and the availability of funds, Green Building Grant awards may be awarded to successful applicants intending to construct, renovate or remodel commercial or mixed-use properties, in amounts not to exceed the following:

New or Existing Buildings

LEED Certified: \$50,000

Multistory Existing Building

LEED Certified: \$100,000

LEED Silver: \$100,000

LEED Silver: \$200,000

LEED Gold: \$150,000

LEED Gold: \$300,000

LEED Platinum: \$200,000

LEED Platinum: \$400,000

Grant Award Eligibility

All new construction or major remodels of commercial and mixed-use properties, as such terms are used within the El Paso City Code, are eligible for Green Building Grants. However, Multistory Existing Buildings are defined as those existing buildings that consist of a minimum of five (5) floors available for commercial or mixed-use occupancy, of which a minimum of fifty percent (50%) has been vacant for at least five (5) years prior to the submission of the Grant Application. Such construction or major remodel projects must be for a minimum construction cost of \$250,000.00 and at least two (2) times the value of the value of the Green Building Grant being applied for. Grants may be awarded up to the amounts referenced above, not to exceed the construction cost of the project and shall not include the cost of the land. Green Building Grant

Awards may not be awarded to employees of the City of El Paso or applicants owing any debts to the City of El Paso, including but not limited to taxes, fines and penalties.

Grants will be reviewed on a first-come, first-served basis pursuant to the submittal date of the completed Grant Application. City staff shall review all applications for completeness. The City shall reserve funds for any approved Grant Applications, subject to the availability of such funds.

However, Grantees will be required to provide verification of LEED registration (see below) and receive a Certificate of Occupancy before any grant funds are released. To be eligible for a grant, the project must: (i) include the construction, renovation or remodeling of a minimum of FIFTEEN THOUSAND (15,000) square feet; and (ii) also achieve a minimum of ten (10) of the seventeen (17) point requirement noted in the "Energy and Atmosphere" section of the LEED

Project Checklist, in addition to all other LEED Green Building Rating System requirements.

About the LEED Green Building Rating System

The U.S. Green Building Council (USGBC) identifies itself as a coalition of environmental leaders from across the building industry working to promote buildings that are environmentally responsible, profitable and healthy places to live and work. More information on the USGBC and its Leadership in Energy and Environmental Design Green Building Rating System (LEED) is available at www.usgbc.org. The USGBC created the LEED Green Building Rating System in order to:

- Define "green building" by establishing a common standard of measurement;

- Promote integrated, whole-building design practices;
- Recognize environmental leadership in the building industry;
- Stimulate green competition;
- Raise consumer awareness of green building benefits; and
- Transform the building market.

Requirements of Grant Recipients

In order to be eligible for the award of any Grant Funds, Grant Recipients shall, at a minimum, commit to the following:

- Provide verification to the City of all statements made in the Grant Application;
- Provide verification of project completion to the level specified in application by submitting LEED Certification and other documentation from the U.S. Green Building Council to the satisfaction of the City;
- Allow the City to evaluate the payback and performance of the building;
- Cooperate in the City's creation of educational materials, case studies, or photos; and,
- Agree to make the building available for green building tours, upon reasonable notice and request by the City in advance.

Application Requirements

Grant funds are reserved for projects with complete and accurate applications. Complete applications will consist of the following:

- Complete application form;
- Proof of LEED Registration; and
- Grant Application Review and Approval Process

Submit Application

Applications with all supporting documentation are to be submitted to the City's Economic Development Department. City staff shall review the application for completeness and shall return incomplete applications to the applicant for additional information.

Reservation of Grant Funds

Subject to availability of funds and upon verification of completeness, the City shall reserve grant funds for all projects that meet eligibility requirements on a first-come first-served basis. These funds will be placed in reserve until a Certificate of Occupancy is attained or the Reserve Period, as described below, expires.

Funding

Funds will be held in reserve for a maximum of eighteen (18) months from the date of the City's acceptance of a complete Grant Application. A grant will become void and those funds may be awarded to other grantee applicants if a Certificate of Occupancy is not issued within this Reserve Period. Extensions may be granted at the discretion of the City Council, upon grantee's presentation of a request and the Council's finding that such request is reasonable, provided the circumstances of the delay and the scope of the proposed project.

Grant Funds will be awarded when a Certificate of Occupancy is issued and all LEED credits have been verified.

Forfeiture of Funds

Funds must be refunded to the City of El Paso if the Certificate of Occupancy or LEED certification is revoked within one (1) year of issuance. Partial refunds to the City will be required if the building is not certified at the level applied for in the initial application.