

Submitted by: Chair of the Assembly at the
Request of the Mayor

Prepared by: Department of Economic &
Community Development

For reading: July 29, 2008

ANCHORAGE, ALASKA

AO No. 2008-93

1 **AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE**
2 **CHAPTER 23.05 TO REQUIRE CONSTRUCTION AND RENOVATION OF**
3 **MUNICIPAL PUBLIC FACILITIES TO MEET A SUSTAINABLE BUILDING**
4 **STANDARD AND PROVIDING INCENTIVES FOR PUBLIC AND PRIVATELY**
5 **DEVELOPED FACILITIES.**

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7 **WHEREAS**, the Municipality of Anchorage is facing unprecedented increases in fuel
8 and electricity rates; and

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10 **WHEREAS**, in the United States, buildings account for 12.2% of freshwater use, 38% of
11 CO2 emissions, 40% of material use, and 39% of energy use; and

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13 **WHEREAS**, the Municipality desires to reduce building operating and maintenance
14 costs, provide a healthier and more productive indoor work environment for its
15 employees and residents, promote the community's ongoing economic vitality, and
16 support energy efficiency; and

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18 **WHEREAS**, the Municipality recognizes the practice of sustainability, as it relates to
19 buildings, is the use of key resources like energy, water, materials, and land in a more
20 efficient manner than simply constructing buildings to code, plus building sustainability
21 creates healthier work, learning, and living environments with more natural light and
22 cleaner air, contributing to improved employee and student health, comfort, and
23 productivity; and

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25 **WHEREAS**, the LEED (Leadership in Energy and Environmental Design) Rating
26 System is a third party certification system developed by the United States Green
27 Building Council. This system quantifies sustainable design (including residential) and
28 awards rankings based on achievement; and

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30 **WHEREAS**, the ICC (International Code Council)/NAHB (National Association of
31 Home Builders) National Green Building Standard (NGBS) is a third party certification
32 system developed by the ICC/NAHB. This system quantifies residential sustainable
33 design and awards rankings based on achievement; and

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35 **WHEREAS**, these third party certification systems are not expected to significantly
36 impact MOA staffing; and

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1 **WHEREAS**, Anchorage School District (ASD) facility plans and designs are subject to
2 ASD Design Guidelines and Standards; these mandated standards include elements of
3 sustainable design, and recognize and support principles of the U.S. Green Building
4 Council's LEED certification system, the Council of Educational Facility Planners
5 International (CEFPI) High Performing School standards, and the U.S. Department of
6 Energy and U.S. Environmental Protection Agency ENERGYSTAR label; and

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8 **WHEREAS**, government is ultimately responsible for leading by example and setting a
9 community standard for the sustainable planning, design, construction, renovation and
10 operation of buildings to support economic, social, and environmental sustainability;
11 now, therefore,

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13 **THE ANCHORAGE ASSEMBLY ORDAINS:**

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15 **Section 1.** Anchorage Municipal Code chapter 23.05 is amended to add a new section
16 to read as follows:

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18 **23.05.050 Sustainable building standards for construction and**
19 **renovation of buildings.**

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21 A. *New construction.* The Municipality shall construct its public facilities
22 and buildings to sustainable building standards through the use of the U.S.
23 Green Building Council's Leadership in Energy and Environmental
24 Design (LEED) rating system, and shall be responsible for ensuring public
25 facilities and buildings meet the requirements as set out in this section and
26 are operated accordingly.

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28 1. LEED shall be the quantitative measurement for how well
29 standards are met.

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31 2. All public facilities and buildings utilizing municipal funds (either
32 general or bonded), including new private construction for
33 Municipal leasing or renting, shall be constructed in such a fashion
34 as to achieve a minimum level of LEED Certified.

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36 a. Beginning July 1, 2012, the minimum level is increased
37 from LEED Certified to LEED Silver.

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39 B. *Renovation.* The Municipality shall renovate public facilities and
40 buildings, including private construction for Municipal leasing or renting,
41 to sustainable building standards where technically and economically
42 feasible.

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44 a. The U.S. Green Building Council's Leadership in Energy
45 and Environmental Design (LEED) rating system shall be
46 used as a reference guide for all renovation projects.

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- b. For all projects where sustainable building standards are appropriate, evaluation criteria for procurement of design services shall include experience with sustainable design.
- C. *Anchorage School District new construction or renovation.* The construction or renovation of Anchorage School District facilities shall meet the following criteria:
 - 1. The U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) rating system shall be used as a reference guide for all Anchorage School District capital improvement construction projects;
 - 2. For all projects where sustainable building standards are appropriate, evaluation criteria for procurement of design services shall include experience with sustainable design; and
 - 3. For projects over 20,000 square feet in size, LEED certification shall be required unless determined by the ASD to not be technically or economically feasible.
- D. *Application.* The sustainable building standards for municipal buildings and facilities, including Anchorage School District, shall apply to facilities and buildings where the principal use is regularly occupied space including, but not limited to, buildings occupied for office, retail, classroom or assembly purposes.
 - 1. As used in this section, occupied means a facility or building whose primary purpose is for people to work, assemble, or intended to remain within to perform functions (other than routine maintenance) of the principal use of the building. Industrial facilities, such as maintenance, warehouse, and vehicle storage, are excluded from this section.
- E. The Department of Development Services shall refund 100% of the expedited portion of building permitting fees for public and private projects designed to meet a minimum rating of LEED Certified (all development including residential), or NGBS Bronze (residential).
 - 1. The regular portion of building permitting fees for public and private development shall be refunded according to the following schedule:
 - a. LEED Certified/NGBS Bronze: 10% refund
 - b. LEED/ NGBS Silver: 15% refund

- c. LEED/ NGBS Gold: 22.5% refund
- d. LEED Platinum/ NGBS Emerald: 35% refund

F. For projects where refund of permit fees is accepted in return for minimum LEED certification, refunds for the project shall be based upon the final LEED certification level achieved.

- 1. Refunds shall be issued upon receipt of proof, satisfactory to the Municipality, of LEED certification.
- 2. A project without sufficient proof of certification, or failing to meet the minimum requirements for LEED certification shall receive no refund.

Section 2. The Department of Development Services shall review the fee structure biannually and submit an informational memorandum to the Assembly.

Section 3. This ordinance shall become effective on July 1, 2009. Existing projects with contracts for design services on the effective date shall be exempt from this ordinance.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2008.

Chair of the Assembly

ATTEST:

Municipal Clerk