

Howard County Goes Green



Green Buildings: Why Investing in “Green” leads to an environmentally progressive and economically stable future





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Project Overview

Pollution and global warming are threatening the earth and its natural ecosystems. The reality of melting ice caps, depleting natural resources, and degradation of air and water quality are garnering the attention of governments, employees, and employers. More people have become conscious of these environmental issues affecting the planet and the potential crisis is beginning to take center stage around the globe.

“Going green” has emerged as an important matter facing today’s corporate leaders as more and more businesses come under scrutiny regarding their environmental practices. Companies are expected to set examples in economic, social, and environmental management. Business leaders are realizing that making environmentally sound choices not only helps the earth, but can also reduce a company’s bottom line costs and can give businesses a competitive edge.

Howard County has recognized its role in encouraging businesses to change their environmental practices for the better. Addressing these current and future issues have moved to the forefront of the minds of the citizens, government, and business leaders in Howard County.

In July 2007, the County Executive introduced “**The Howard County Green Buildings Law**” (Attachment I) that the County Council approved. This legislation established green building standards for public and private buildings in the county. Effective July 1, 2008, most new publicly funded buildings larger than 10,000 square feet must attain a LEED Silver rating. Also, most new private buildings larger than 50,000 square feet must attain a LEED Certified rating.

Green buildings are designed to be more efficient in their use of energy, water, and building materials. As the costs of natural resources and product inputs rise, so will the desire and the need for green buildings. They promote the use of renewable resources, reduce waste and pollution, improve air quality, and thus lessen their impact on the environment.

Contribution to Economic Development Best Practices

“Industrial users can no longer be wasteful. They must start minimizing waste and re-using waste products in order to save money.”

- Stan Sersen, CEO, EnviroCenter and Board President, Green Building Institute

There are many benefits to this new way of building and doing business. The companies occupying the buildings will reduce long-term costs as a result of decreased material and energy consumption. A decrease in consumption and waste in production processes can increase production and profits.



Green buildings can offer higher quality working environments for employees. For example, state of the art HVAC systems and low-VOC, odor free glues and paints can be used to improve the air quality in buildings. With improvements in the workplace environment, companies can expect the productivity of employees to increase. This also contributes to a better quality of life in the community making it easier for businesses to attract and retain a qualified and motivated workforce.

Coordination of Partnerships

“The individuals on this Commission [on the Environment and Sustainability] represent the best environmental experts in the County, and I look forward to their assistance in making Howard County a true model green community. The Commission will be looking to identify the best environmental practices for integration into county government operations and into all aspects of every day life in Howard County.”

- Ken Ulman, Howard County Executive

Recognizing the importance of being good stewards of the earth, County Executive Ken Ulman has created the Commission on the Environment and Sustainability with the purpose of making Howard County a **greener environment**. The Commission is a collection of county government officials, residents, and business leaders that is studying ways for Howard County to decrease its “carbon footprint.” With this campaign, the County Executive has opened the door for Howard County to take a bold and innovative step towards protecting the environment.

Howard County worked with area developers, business owners, executives, and citizens to help gather information on the green building process. These partners included the US Green Building Institute, Alan and Sheriff, Howard County Conservancy, Corporate Office Properties Trust (COPT), Columbia Foundation, BCS Inc., Manekin LLC, Merritt Properties LLC, and others.

As a result of this fact-finding, Howard County set green building in motion permanently with the **“Howard County Green Buildings Law.”**

Leverage of Resources

The objective of sustainable green policies is to implement “design and construction practices that significantly reduce or eliminate the negative impact of buildings on the environment and occupants that address: Sustainable site planning, Safeguarding water and water efficiency, energy efficiency, conservation of materials and resources and indoor environmental quality.”

- U.S. Green Building Council, Technical Review Workshop Manual



County Executive Ken Ulman introduced and the County Council approved several pieces of legislation that address both commercial and residential green building construction mandates and incentives.

Buildings are classified as green by the LEED (Leadership in Energy and Environmental Design) system from the U.S. Green Building Council. LEED certification provides independent, third-party verification that a building project meets the highest green building and performance measures. Candidate buildings must go through an application and rating process. All certified projects receive a LEED plaque, which is the nationally recognized symbol demonstrating that a building is environmentally responsible, profitable, and a healthy place to live or work.

Although the long term benefits are astounding, many businesses find out that in the short term going green can be more expensive. To offset the additional costs, some county and state governments have created special monetary incentives for green buildings.

For example, Howard County is offering tax credits to developers to help soften the upfront costs. The county's commercial real estate market is relatively tight, allowing owners to absorb some of the costs associated with green building. Nonetheless, the county felt it necessary to offer some financial incentives in order to make it economically feasible and desirable for developers to incorporate as many green aspects as possible into new or renovated properties.

To encourage higher LEED certification levels within Howard County, any new construction can receive a five-year property tax credit. There is a 25% tax credit for LEED-Silver, 50% for LEED-Gold, and 75% for LEED-Platinum which is the highest LEED rating. Any existing building can receive a three-year property tax credit. There is a 10% tax credit for LEED-Silver, 25% for LEED-Gold, and 50% for LEED-Platinum. Buildings can receive the three-year tax credit after the completion of the five-year credit, if the building is re-commissioned and receives a LEED-Existing Building certification

Howard County also offers a three-year property tax credit for an energy conservation device that receives a LEED credit and is used in a LEED-certified structure, if that structure is not eligible to receive green building property tax credits. This County tax credit ranges from 14% to 20% of the eligible cost, based on the LEED certification of the building.



Buildings within Howard County Registered for LEED Certification. Businesses in Howard County recognize the importance of building green. The following buildings have already been registered to become LEED certified (See Attachment II).

Developer	Building	Address
Corporate Office Properties Trust	Columbia Gateway III	6731 Columbia Gateway Dr., Columbia
	COPT Headquarters	6711 Columbia Gateway Dr., Columbia
	Rivers Corporate Park	7200 Riverwood Dr., Columbia
	Southridge I	Columbia Gateway Dr. & Samuel Morse Dr., Columbia
	Southridge II	Columbia Gateway Dr., & Samuel Morse Dr., Columbia
Emory Hill	Emerson One	1000 Sterling Dr., Hanover
EnviroCenter	EnviroCenter	7761 Waterloo Rd., Jessup
Howard County Government	Howard County Government Complex - Courthouse	3430 Courthouse Dr., Ellicott City
	Howard County Government Office Complex	3430 Courthouse Dr., Ellicott City
	Robinson Nature Center	Cedar Ln. & Harriet Tubman Ln., Columbia
Lancaster Foods	Lancaster Foods Headquarters	7540 Assateague Dr., Jessup
Liberty Property Company	Highpoint 100 Building B	7361 Coca Cola Dr., Hanover
Manekin	Manekin LLC Headquarters	8601 Robert Fulton Dr., Columbia
Merritt Properties	Meadowridge 95 Corporate Park	6518 Meadowridge Rd., Elkridge
MetroVentures USA	Meridian Square	5901 Stevens Forest Rd., Columbia
University of Maryland	Central Maryland Research and Education Center	Folly Quarter Rd & Homewood Rd., Jessup

Innovation and Creativity

“Green building and environmental product design will be the next ‘Industrial Revolution.’”

- Stan Sersen, CEO, EnviroCenter and Board President, Green Building Institute

In order to reduce excessive consumption of resources by buildings, Howard County has introduced sustainable environmental requirements such as LEED standards for future buildings. For existing buildings, Howard County is encouraging businesses to be more efficient by recommending these following steps:

- ▶ using more energy-efficient appliances
- ▶ installing motion sensors for lighting controls
- ▶ building energy management systems
- ▶ setting up waterless urinals and low flow toilets

Howard County will begin to see some of the best green technology put to use in new buildings in 2008. In future years the county can expect to see better and better green building technology; such as, increased usage of solar energies, wind, heat pumps, geothermal heating, and cooling systems to reduce energy consumption. Also, non toxic build-



ing materials will be used to promote better indoor air quality. The county may also see local development and use of brand new green technologies.

Significance of Impact on Employment and Expansion of Tax Base

“As companies become active participants in energy conservation and sensitive to providing a healthy work environment, they are choosing LEED buildings. By doing so, they are attracting and retaining a high level work force.”

- Catherine M. Ward, Senior Vice President, Asset Management, Corporate Office Properties Trust

Based on the economies of scale and localization, businesses rooted in similar practices tend to congregate together. What does this all mean? If you build it, they will come. Businesses usually gravitate around common services or support functions. This enables them to pool support for one another in dealing with environmental improvements, compliances, and issues.

Currently, business schools across the country are incorporating the environmental and social costs of doing business into their curriculum. The need to understand the interconnection between business and the environment will be cost effective for businesses in the future.

The county can expect to see an increased presence of green building architects, engineers, developers, realtors, contractors, urban designers, environmental consultants, building product manufacturers and marketers in Howard County.

Diversification of Area’s Economy

“Green design will be present in the design of all types of buildings, from homes to schools to offices to plants and warehouses. The flood gates of environmental awareness are opening. With that awareness comes a market shift, a shift in consumer spending.”

- Stan Sersen, CEO, EnviroCenter and Board President, Green Building Institute

Green building is not confined to class A office space. Green technologies will also be incorporated into class B office, flex, warehouse, and industrial buildings. This will allow Howard County to continue to expand and attract a diverse commercial tax base.

As the green movement becomes increasingly prominent, understanding the interrelationships between economic development strategies and environmental practices will improve the overall business climate. With more businesses investing in positive environmental practices, the county can expect a direct correlation of improvement to be shown in other areas of the community.

Green building is just the start of environmental improvement in Howard County. Consumer demands will continue to change as humanity develops an understanding of its impact on the environment. This will change people’s everyday habits such as shopping, eating, and recreating. To cater to this market shift, green grocers, green dentist, green retailers, green car dealers, and countless other product and service providers will find their way into our economy and into our lives.

As the shift to constructing more eco-friendly buildings is on the rise, “going green” continues to make its mark in the business world of Howard County.



On the cover (clockwise from top left): Green Buildings in Howard County, Maryland: Gateway Exchange III, Meridian Square, EnviroCenter, Southridge, Emerson One, Manekin Headquarters, Highpoint 100, and Meadowridge 95.

Attachment I: Howard County Council Bill Bill No. 47 - 2007

Attachment II: Map of Buildings within Howard County Registered for LEED Certification.

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2007 Legislative Session

Legislative Day No. 9

Bill No. 47 -2007

Introduced by: The Chairperson at the request of the County Executive

AN ACT requiring certain buildings to achieve certain standards relating to energy efficiency and environmental design under certain conditions; requiring certain applicants to submit certain documentation; requiring compliance as a condition of certain approvals; defining certain terms; ~~requiring certain sureties~~; providing for certain waivers; creating a certain fund; providing for enforcement; providing that the Act shall apply to certain buildings for which certain plans have been filed after a certain date; and generally relating to energy efficiency and environmental design.

Introduced and read first time _____, 2007. Ordered posted and hearing scheduled.

By order _____
Sheila M. Tolliver, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2007.

By order _____
Sheila M. Tolliver, Administrator

This Bill was read the third time on _____, 2007 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Sheila M. Tolliver, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____ day of _____, 2007 at ____ a.m./p.m.

By order _____
Sheila M. Tolliver, Administrator

Approved/Vetoed by the County Executive _____, 2007

Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 *Section 1. Be It Enacted by the County Council of Howard County, Maryland, that new*
2 *Subtitle 10 “Energy efficiency and environmental design” is added to Title 3 “Buildings”*
3 *of the Howard County Code to read as follows:*

4
5 **Title 3. Buildings.**

6 **SUBTITLE 10. ENERGY EFFICIENCY AND ENVIRONMENTAL DESIGN.**

7
8 **SECTION 3.1000. SHORT TITLE.**

9 THIS SUBTITLE MAY BE CITED AS THE HOWARD COUNTY GREEN
10 BUILDINGS LAW.

11
12 **SECTION 3.1001. STATEMENT OF PURPOSE AND POLICY.**

13 THE PURPOSE OF THIS SUBTITLE IS TO PROTECT THE PUBLIC HEALTH AND
14 WELFARE BY INCORPORATING MEASURES INTO THE PLANNING, DESIGN,
15 CONSTRUCTION, AND OPERATION OF CERTAIN BUILDINGS AND THE
16 BUILDING’S SITE IN ORDER TO MITIGATE THE ENERGY AND
17 ENVIRONMENTAL IMPACTS OF THE BUILDING SO THAT THE BUILDING IS
18 ENERGY EFFICIENT, SUSTAINABLE, COST-EFFECTIVE, ACCESSIBLE,
19 FUNCTIONAL, PRODUCTIVE, GENERATES LESS WASTE, AND IMPROVES THE
20 HEALTH AND PRODUCTIVITY OF THE BUILDING’S OCCUPANTS.

21
22 **SECTION 3.1002. DEFINITIONS.**

23 UNLESS SPECIFICALLY DEFINED IN THIS SECTION, TERMS USED IN THIS
24 SUBTITLE HAVE THE MEANINGS SET FORTH IN THE HOWARD COUNTY
25 BUILDING CODE ADOPTED IN SUBTITLE 1 OF THIS TITLE.

26 ~~(A) COMMISSIONING TEAM. A GROUP COMPOSED OF THE OWNER,~~
27 ~~OCCUPANTS, OPERATIONS AND MAINTENANCE STAFF, DESIGN~~
28 ~~PROFESSIONALS AND CONTRACTORS THAT IS RESPONSIBLE FOR~~
29 ~~ENSURING, THROUGH DOCUMENTED VERIFICATION, THAT ALL NEW~~
30 ~~BUILDING SYSTEMS PERFORM AND INTERACT ACCORDING TO ORIGINAL~~
31 ~~DESIGN DOCUMENTS AND THE OWNER'S OPERATION NEEDS.~~

1 (A) COMMISSIONING TEAM. A GROUP THAT IS:

2 (1) MADE OF UP SOME OR ALL OF THE FOLLOWING:

3 (I) THE OWNER;

4 (II) OCCUPANTS;

5 (III) OPERATIONS AND MAINTENANCE STAFF;

6 (IV) DESIGN PROFESSIONALS; AND

7 (V) CONTRACTORS; AND

8 (2) RESPONSIBLE FOR ENSURING, THROUGH DOCUMENTED
9 VERIFICATION, THAT ALL NEW BUILDING SYSTEMS PERFORM
10 AND INTERACT ACCORDING TO ORIGINAL DESIGN
11 DOCUMENTS AND THE OWNER'S OPERATION NEEDS.

12 (B) *DEPARTMENT*. THE DEPARTMENT OF INSPECTIONS, LICENSES AND
13 PERMITS.

14 (C) *DIRECTOR*. THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS,
15 LICENSES AND PERMITS OR THE DIRECTOR'S DESIGNEE.

16 (D) *GREEN BUILDING COUNCIL*. THE U.S. GREEN BUILDING COUNCIL ~~OR~~
17 ~~ANY SUCCESSOR ORGANIZATION~~ THAT IMPLEMENTS THE LEED RATING
18 SYSTEM.

19 (E) *LEED*. THE SERIES OF LEADERSHIP IN ENERGY AND ENVIRONMENTAL
20 DESIGN RATING SYSTEMS AS DEVELOPED BY THE GREEN BUILDING
21 COUNCIL.

22 (F) *LEED ACCREDITED PROFESSIONAL*. A ~~PERSON~~ LICENSED PROFESSIONAL
23 ENGINEER, LICENSED ARCHITECT, OR REGISTERED LANDSCAPE
24 ARCHITECT WHO IS ACCREDITED BY THE GREEN BUILDING COUNCIL AS
25 HAVING THE KNOWLEDGE AND SKILLS NECESSARY TO PARTICIPATE IN
26 THE DESIGN PROCESS, TO SUPPORT AND ENCOURAGE INTEGRATED
27 DESIGN, AND TO STREAMLINE THE LEADERSHIP IN ENERGY AND
28 ENVIRONMENTAL DESIGN PROJECT APPLICATION AND CERTIFICATION
29 PROCESS.

30 (G) *LEED CHECKLIST*. THE CHECKLIST APPROVED BY THE GREEN
31 BUILDING COUNCIL THAT SETS FORTH THE CREDIT AND POINT SYSTEM

1 FOR THE LEED RATING SYSTEM.

2 (H) *LEED RATING SYSTEM*. THE LEADERSHIP IN ENERGY AND
3 ENVIRONMENTAL DESIGN RATING SYSTEM AS MAY BE ADOPTED AND
4 AMENDED FROM TIME TO TIME AND MAY INCLUDE, WITHOUT
5 LIMITATION, THE FOLLOWING:

6 (1) LEED-NC FOR NEW CONSTRUCTION; AND

7 (2) LEED-CS FOR CORE AND SHELL.

8 (I) *NEW CONSTRUCTION*. CONSTRUCTION OF A BUILDING THAT REQUIRES
9 A HOWARD COUNTY BUILDING PERMIT OR AN ADDITION TO AN EXISTING
10 BUILDING. NEW CONSTRUCTION DOES NOT INCLUDE THE RENOVATION
11 OF AN EXISTING STRUCTURE THAT DOES NOT CHANGE THE GROSS FLOOR
12 AREA OF THE EXISTING STRUCTURE.

13 (J) *PUBLICLY FUNDED BUILDING*. A BUILDING FOR WHICH THE COUNTY
14 FINANCES AT LEAST 30% OF THE COST OF:

15 (1) NEW CONSTRUCTION; OR

16 (2) A LEASE FOR THE USE OF NEW CONSTRUCTION, INCLUSIVE OF
17 OPTIONS, FOR A PERIOD OF GREATER THAN 20 YEARS.

18

19 **SECTION 3.1003. APPLICABILITY; EXCEPTIONS.**

20 (A) *APPLICABILITY*. EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS
21 SECTION, THE FOLLOWING NEW CONSTRUCTION SHALL COMPLY WITH
22 THE REQUIREMENTS OF THIS SUBTITLE:

23 (1) NEW CONSTRUCTION OF A PUBLICLY FUNDED BUILDING
24 WITH 10,000 SQUARE FEET OR MORE OF GROSS FLOOR AREA;
25 AND

26 (2) NEW CONSTRUCTION OF BUILDINGS THAT ARE NOT
27 PUBLICLY FUNDED AND HAVE ~~20,000~~ 50,000 SQUARE FEET OR
28 MORE OF GROSS FLOOR AREA IN THE FOLLOWING
29 OCCUPANCY CATEGORIES:

30 (I) ASSEMBLY GROUP A;

31 (II) BUSINESS GROUP B;

- 1 (III) INSTITUTIONAL GROUP I;
- 2 (IV) MERCANTILE GROUP M;
- 3 ~~(V) MIXED OCCUPANCIES IF A MAJORITY OF THE USE IS AN~~
- 4 ~~OCCUPANCY INCLUDED IN THIS SUBSECTION; AND~~
- 5 (V) MIXED OCCUPANCIES IF:
- 6 A. A MAJORITY OF THE USE IS AN OCCUPANCY
- 7 INCLUDED IN THIS SUBSECTION; AND
- 8 B. THE BUILDING IS TWO STORIES OR MORE; AND
- 9 (VI) THE FOLLOWING RESIDENTIAL OCCUPANCIES:
- 10 A. RESIDENTIAL R-1; AND
- 11 B. RESIDENTIAL R-2.

12 (B) *EXCEPTIONS*. THE REQUIREMENTS OF THIS SUBTITLE SHALL NOT
13 APPLY TO:

- 14 (1) NEW CONSTRUCTION OF A PUBLICLY FUNDED BUILDING IN
- 15 THE E OR I-3 OCCUPANCY CATEGORIES;
- 16 (2) NEW CONSTRUCTION OF A NON-PUBLICLY FUNDED BUILDING
- 17 IN THE R-2 OCCUPANCY THAT IS:
- 18 (I) MADE UP OF ONLY RESIDENTIAL DWELLING UNITS;
- 19 AND
- 20 (II) LESS THAN 4 5 STORIES IN HEIGHT;
- 21 (3) NEW CONSTRUCTION OF A BUILDING THAT DOES NOT HAVE
- 22 AN HVAC SYSTEM; AND
- 23 (4) OTHER NEW CONSTRUCTION AS MAY BE SET FORTH BY
- 24 REGULATION OF THE DIRECTOR.

25
26 **SECTION 3.1004. STANDARDS FOR COMPLIANCE.**

27 (A) *PUBLICLY FUNDED BUILDINGS*. NEW CONSTRUCTION OF A PUBLICLY
28 FUNDED BUILDING THAT IS SUBJECT TO THIS SUBTITLE SHALL:

- 29 (1) ACHIEVE A CERTIFICATION FROM THE GREEN BUILDING
- 30 COUNCIL OF A SILVER-LEVEL RATING OR HIGHER IN ONE OF
- 31 THE FOLLOWING LEED RATING SYSTEMS ~~ADOPTED AT THE~~

1 ~~TIME THE APPLICANT REGISTERS FOR LEED:~~

2 (I) NEW CONSTRUCTION VERSION 2.2; OR

3 (II) CORE AND SHELL VERSION 2.0; OR

4 (2) COMPLY WITH ENERGY AND ENVIRONMENTAL DESIGN
5 STANDARDS THAT THE DIRECTOR MAY ~~IDENTIFY~~ ADOPT BY
6 REGULATION AS EQUIVALENT TO A SILVER-LEVEL RATING IN
7 THE APPROPRIATE LEED RATING SYSTEM.

8 (B) *OTHER BUILDINGS*. NEW CONSTRUCTION OF A NON-PUBLICLY FUNDED
9 BUILDING THAT IS SUBJECT TO THIS SUBTITLE SHALL:

10 (1) ACHIEVE A CERTIFICATION FROM THE GREEN BUILDING
11 COUNCIL OF CERTIFIED-LEVEL RATING OR HIGHER IN ONE OF
12 THE FOLLOWING LEED RATING SYSTEMS ~~ADOPTED AT THE~~
13 ~~TIME THE APPLICANT REGISTERS FOR LEED:~~

14 (I) NEW CONSTRUCTION VERSION 2.2; OR

15 (II) CORE AND SHELL VERSION 2.0; OR

16 (2) COMPLY WITH ENERGY AND ENVIRONMENTAL DESIGN
17 STANDARDS THAT THE DIRECTOR MAY ~~IDENTIFY~~ ADOPT BY
18 REGULATION AS EQUIVALENT TO A CERTIFIED-LEVEL
19 RATING IN THE APPROPRIATE LEED RATING SYSTEM.

20 **SECTION 3.1005. REQUIRED SUBMISSIONS; CONDITION OF APPROVAL;**
21 **CERTIFICATE OF USE AND OCCUPANCY.**

22 (A) *REQUIRED SUBMISSIONS- SITE DEVELOPMENT PLAN APPLICATION*. IN
23 ADDITION TO OTHER DOCUMENTS REQUIRED TO BE SUBMITTED WITH A
24 SITE DEVELOPMENT PLAN APPLICATION IN ACCORDANCE WITH SECTION
25 16.156 OF THIS CODE, AN APPLICANT FOR NEW CONSTRUCTION SUBJECT
26 TO THIS SUBTITLE SHALL SUBMIT TO THE DIRECTOR OF THE DEPARTMENT
27 OF PLANNING AND ZONING:

28 (1) DOCUMENTATION SHOWING THAT THE PROJECT:

29 (I) HAS BEEN REGISTERED WITH THE GREEN BUILDING
30 COUNCIL AND THAT THE APPLICABLE LEED

31 REGISTRATION FEE HAS BEEN PAID; OR

- 1 (II) MEETS ENERGY AND ENVIRONMENTAL DESIGN
2 STANDARDS THAT THE DIRECTOR MAY IDENTIFY
3 ADOPT BY REGULATION AS EQUIVALENT TO THE
4 APPROPRIATE LEED RATING SYSTEM; AND
- 5 (2) A CHECKLIST THAT:
- 6 (I) SHALL BE PREPARED, SIGNED, AND DATED BY THE
7 PROJECT LEED ACCREDITED PROFESSIONAL; OR
- 8 (II) IF THE DIRECTOR HAS ADOPTED EQUIVALENT
9 STANDARDS BY REGULATION, IS APPROVED BY THE
10 DIRECTOR AS DEMONSTRATING THAT THE APPLICANT
11 MEETS THE EQUIVALENT STANDARDS.

12 (B) *REQUIRED SUBMISSIONS- BUILDING PERMIT APPLICATION.* IN ADDITION
13 TO OTHER DOCUMENTS REQUIRED TO BE SUBMITTED WITH A BUILDING
14 ~~PERMIT APPLICATION, AN APPLICANT SHALL SUBMIT THE FOLLOWING~~
15 ~~DOCUMENTATION TO THE DIRECTOR:~~

- 16 ~~(1) DOCUMENTATION SHOWING THAT THE PROJECT HAS BEEN~~
17 ~~REGISTERED WITH THE GREEN BUILDING COUNCIL;~~
- 18 ~~(2) AN UPDATED LEED CHECKLIST THAT SHALL BE PREPARED,~~
19 ~~SIGNED, AND DATED BY THE PROJECT LEED ACCREDITED~~
20 ~~PROFESSIONAL OR, IF THE DIRECTOR HAS ADOPTED~~
21 ~~EQUIVALENT STANDARDS BY REGULATION, AN UPDATED~~
22 ~~CHECKLIST THAT IS APPROVED BY THE DIRECTOR AS~~
23 ~~DEMONSTRATING THAT THE APPLICANT MEETS THE~~
24 ~~EQUIVALENT STANDARDS;~~

25 PERMIT APPLICATION, AN APPLICANT FOR NEW CONSTRUCTION SUBJECT
26 TO THIS SUBTITLE SHALL SUBMIT TO THE DIRECTOR:

- 27 (1) (I) DOCUMENTATION SHOWING THAT THE PROJECT HAS
28 BEEN REGISTERED WITH THE GREEN BUILDING COUNCIL
29 AND AN UPDATED LEED CHECKLIST THAT SHALL BE
30 PREPARED, SIGNED, AND DATED BY THE PROJECT LEED
31 ACCREDITED PROFESSIONAL; OR

1 (II) IF THE DIRECTOR HAS ADOPTED EQUIVALENT
2 STANDARDS BY REGULATION, AN UPDATED CHECKLIST
3 THAT IS APPROVED BY THE DIRECTOR AS
4 DEMONSTRATING THAT THE APPLICANT MEETS THE
5 EQUIVALENT STANDARDS;

6 (3 2) ANY OTHER DOCUMENT OR INFORMATION THE DIRECTOR
7 FINDS NECESSARY TO DETERMINE WHETHER THE BUILDING
8 WILL ACHIEVE THE APPLICABLE STANDARD UNDER SECTION
9 3.1004 OF THIS SUBTITLE;

10 (4 3) IF APPLICABLE, DOCUMENTATION THAT THE LEED DESIGN
11 FEATURES AND SPECIFICATIONS HAVE BEEN REVIEWED AND
12 APPROVED BY THE PROJECT'S LEED ACCREDITED
13 PROFESSIONAL; AND

14 (5 4) GENERAL NOTES OR INDIVIDUAL DETAIL DRAWINGS ON ALL
15 CONSTRUCTION DOCUMENTS SHOWING OR EXPLAINING THE
16 GREEN BUILDING MEASURES USED TO ATTAIN THE
17 APPLICABLE LEED RATING.

18 (C) *REQUIRED SUBMISSIONS – USE AND OCCUPANCY PERMIT.* PRIOR TO
19 ISSUANCE OF A USE AND OCCUPANCY PERMIT, AN APPLICANT FOR NEW
20 CONSTRUCTION SUBJECT TO THIS SUBTITLE SHALL SUBMIT DOCUMENTS
21 DEMONSTRATING THAT THE BUILDING DESIGN AND SUBMITTAL
22 REQUIREMENTS HAVE BEEN REVIEWED BY A COMMISSIONING TEAM.

23 (D) *CONDITION OF APPROVAL.* THE REQUIREMENTS OF THIS SECTION
24 SHALL BE A CONDITION OF APPROVAL SET FORTH ON THE SITE
25 DEVELOPMENT PLAN AND THE BUILDING PERMIT.

26 ~~(E) *FOLLOWING RECEIPT OF A CERTIFICATE OF USE AND OCCUPANCY.*~~

27 (E) *TWELVE MONTHS AFTER RECEIPT OF A CERTIFICATE OF USE AND*
28 *OCCUPANCY.* WITHIN 12 MONTHS OF RECEIPT OF A CERTIFICATE OF USE
29 AND OCCUPANCY, AN APPLICANT FOR NEW CONSTRUCTION SUBJECT TO
30 THIS SUBTITLE SHALL APPLY TO THE GREEN BUILDING COUNCIL FOR
31 CERTIFICATION.

1 (F) THIRTY-SIX MONTHS AFTER RECEIPT OF A CERTIFICATE OF USE AND
2 OCCUPANCY. WITHIN 36 MONTHS OF RECEIPT OF A CERTIFICATE OF USE
3 AND OCCUPANCY, THE APPLICANT FOR NEW CONSTRUCTION SUBJECT TO
4 THIS SUBTITLE SHALL PROVIDE PROOF TO THE DIRECTOR THAT THE
5 REQUIRED LEED-LEVEL RATING OR AN EQUIVALENT STANDARD AS MAY
6 BE ~~DETERMINED~~ ADOPTED BY REGULATION OF THE DIRECTOR WAS
7 OBTAINED.

8
9 **3.1006. SURETY.**

10 ~~(A) REQUIRED. PRIOR TO ISSUANCE OF A BUILDING PERMIT, THE~~
11 ~~APPLICANT SHALL PROVIDE SURETY IN THE FORM OF CASH, BOND, OR~~
12 ~~LETTER OF CREDIT TO GUARANTEE ACHIEVEMENT OF THE REQUIRED~~
13 ~~CERTIFICATION.~~

14 ~~(B) RELEASE OF SURETY. THE SURETY REQUIRED BY THIS SECTION SHALL~~
15 ~~BE RELEASED UPON INDEPENDENT VERIFICATION BY THE DIRECTOR~~
16 ~~THAT THE CERTIFICATIONS REQUIRED BY THIS SUBTITLE HAVE BEEN~~
17 ~~ACHIEVED.~~

18 ~~(C) FORFEITURE OF SURETY. THE SURETY SHALL BE FORFEITED AND~~
19 ~~PLACED IN THE GENERAL FUND IF THE APPLICANT FAILS TO OBTAIN THE~~
20 ~~CERTIFICATION REQUIRED BY THIS SUBTITLE:~~

21 (1) ~~— WITHIN 36 MONTHS OF APPROVAL OF A USE AND OCCUPANCY~~
22 ~~PERMIT FOR THE BUILDING; OR~~

23 (2) ~~— WHEN THE GREEN BUILDING COUNCIL ISSUES A FINAL~~
24 ~~DETERMINATION, INCLUDING THE RESOLUTION OF ANY~~
25 ~~APPEAL, TO DENY THE CERTIFICATION.~~

26 ~~(D) AMOUNT OF SURETY. THE SURETY SHALL BE COMPUTED BASED ON A~~
27 ~~SQUARE FOOT BASIS AT A RATE ESTABLISHED IN A FEE SCHEDULE~~
28 ~~ADOPTED BY RESOLUTION OF THE COUNTY COUNCIL.~~

29
30 **3.1007 SECTION 3.1006. EXPEDITED REVIEW.**

31 FOR A BUILDING THAT QUALIFIES FOR LEED GOLD OR PLATINUM LEVEL

1 ~~RATING OR AN EQUIVALENT STANDARD AS MAY BE DETERMINED BY~~
2 ~~REGULATION OF THE DIRECTOR, AN APPLICATION FOR A BUILDING~~
3 ~~PERMIT SHALL RECEIVE EXPEDITED REVIEW BY THE DEPARTMENT. AN~~
4 APPLICATION FOR A BUILDING PERMIT SHALL RECEIVE EXPEDITED
5 REVIEW BY THE DEPARTMENT IF THE CHECKLIST SUBMITTED WITH THE
6 BUILDING PERMIT APPLICATION INDICATES THAT THE APPLICANT IS
7 SEEKING CERTIFICATION AT THE GOLD OR PLATINUM-LEVEL RATING OR
8 AN EQUIVALENT STANDARD AS MAY BE ADOPTED BY REGULATION OF
9 THE DIRECTOR.

10
11 **3.1008 SECTION 3.1007. WAIVERS; FEE-IN-LIEU.**

12 (A) *WAIVERS; STANDARDS FOR GRANTING.* THE DIRECTOR MAY GRANT A
13 WAIVER TO THE REQUIREMENTS OF THIS SUBTITLE WHERE, BY REASON
14 OF UNIQUE PHYSICAL CHARACTERISTICS OF THE PROPERTY INCLUDING
15 EXCEPTIONAL TOPOGRAPHIC CONDITIONS OR THE SIZE OR SHAPE OF THE
16 PROPERTY, STRICT COMPLIANCE WITH THE REQUIREMENTS OF THIS
17 SUBTITLE WOULD RESULT IN AN UNWARRANTED HARDSHIP TO AN
18 APPLICANT FOR A BUILDING PERMIT. FOR PURPOSES OF THIS SECTION,
19 UNWARRANTED HARDSHIP DOES NOT INCLUDE FINANCIAL HARDSHIP.

20 (B) *REQUEST.* A REQUEST TO WAIVE THE REQUIREMENTS OF THIS
21 SUBTITLE SHALL:

- 22 (1) BE IN WRITING IN A FORM REQUIRED BY THE DIRECTOR;
- 23 (2) BE ACCOMPANIED BY SUPPORTING INFORMATION THAT
24 JUSTIFIES THE REQUEST INCLUDING LETTERS, STATEMENTS,
25 OR TEST RESULTS; AND
- 26 (3) INCLUDE, WHERE APPLICABLE, TECHNICAL DOCUMENTATION
27 TO DEMONSTRATE THAT COMPLIANCE CANNOT BE
28 ACHIEVED.

29 (C) *FEE-IN-LIEU.* EXCEPT FOR A PUBLICLY-FUNDED BUILDING, AN
30 APPLICANT WHO IS GRANTED A WAIVER SHALL BE REQUIRED TO PAY A
31 FEE-IN-LIEU INTO THE GREEN BUILDING FUND THAT IS:

- 1 (1) CALCULATED ON A SQUARE-FOOT BASIS AT A RATE
2 ESTABLISHED IN A FEE SCHEDULE ADOPTED BY RESOLUTION
3 OF THE COUNTY COUNCIL; AND
4 (2) DUE BEFORE THE BUILDING PERMIT IS GRANTED.
5

6 **SECTION ~~3.1009~~ 3.1008. GREEN BUILDING FUND.**

7 (A) *FUND ESTABLISHED.* THE DIRECTOR OF FINANCE SHALL ESTABLISH
8 AN ACCOUNT TO BE KNOWN AS THE GREEN BUILDING FUND AND NO
9 MONIES DEPOSITED IN THIS ACCOUNT MAY REVERT TO THE GENERAL
10 FUND.

11 (B) *SOURCE OF MONIES IN FUND.* THE GREEN BUILDING FUND SHALL
12 CONTAIN:

- 13 (1) FEES-IN-LIEU AS REQUIRED BY SECTION 3.1008 OF THIS
14 SUBTITLE; AND
15 (2) ALL INTEREST EARNED ON MONEY IN THE FUND.

16 (C) *USE OF THE GREEN BUILDING FUND.* MONIES IN THE GREEN BUILDING
17 FUND MAY BE USED BY THE COUNTY FOR THE PURPOSE OF:

- 18 (1) FINDING WAYS TO REDUCE ENERGY CONSUMPTION;
19 ~~(2) COVERING STAFFING AND OPERATIONAL COSTS TO PROVIDE~~
20 ~~TECHNICAL ASSISTANCE, PLAN REVIEW, AND MONITORING~~
21 ~~OF BUILDINGS SUBJECT TO THIS SUBTITLE; AND~~
22 (2) PROVIDING TECHNICAL ASSISTANCE TO THE FOLLOWING
23 BUILDING OWNERS SEEKING TO ACHIEVE CERTIFICATION
24 FROM THE GREEN BUILDING COUNCIL OF CERTIFIED-LEVEL
25 RATING OR HIGHER:
26 (I) BUILDING OWNERS RETROFITTING EXISTING
27 COMMERCIAL BUILDINGS TO THE LEED FOR EXISTING
28 BUILDINGS, VERSION 2.0 STANDARD; OR
29 (II) BUILDING OWNERS DEVELOPING NEWLY
30 CONSTRUCTED COMMERCIAL BUILDINGS WITH LESS

1 THAN 50,000 GROSS SQUARE FEET TO THE FOLLOWING
2 LEED STANDARDS:

3 (a) NEW CONSTRUCTION, VERSION 2.2; OR

4 (b) CORE AND SHELL STANDARD; AND

- 5 (3) PROVIDING EDUCATION, TRAINING, AND OUTREACH TO THE
6 PUBLIC AND PRIVATE SECTORS IN GREEN BUILDING
7 PRACTICES.

8
9 **SECTION ~~3.1010~~ 3.1009. RULES AND REGULATIONS.**

10 THE DEPARTMENT MAY ADOPT RULES AND REGULATIONS TO
11 ADMINISTER THIS SUBTITLE.

12
13 **SECTION ~~3.1011~~ 3.1010. REPORT.**

14 (A) *CONTENT OF REPORT*. THE DIRECTOR SHALL SUBMIT TO THE COUNTY
15 EXECUTIVE AND THE COUNTY COUNCIL A REPORT THAT LISTS, BASED ON
16 THE PRECEDING CALENDAR YEAR:

- 17 (1) FOR BUILDINGS THAT WERE REQUIRED TO COMPLY WITH
18 THIS SUBTITLE:

19 (I) THE NUMBER AND TYPES OF BUILDINGS; AND

20 (II) THE LEVEL OF CERTIFICATION OBTAINED;

- 21 (2) FOR BUILDINGS THAT WERE EXEMPT FROM THIS SUBTITLE:

22 (I) THE NUMBER AND TYPES OF BUILDINGS; AND

23 (II) THE REASON FOR THE EXEMPTION; AND

- 24 (3) THE NUMBER OF WAIVERS TO THE REQUIREMENTS OF THIS
25 SUBTITLE THAT THE DIRECTOR APPROVED INCLUDING:

26 (I) THE REASON FOR THE WAIVER; AND

27 (II) ANY CONDITION ATTACHED TO THE WAIVER, SUCH AS
28 A FEE-IN-LIEU.

29 (B) *TIMING OF REPORT*. THE REPORT IS DUE NOT LATER THAN MARCH 1 OF
30 EACH YEAR.

31

1 **3.1012 SECTION 3.1011. ENFORCEMENT.**

2 ~~(A) BUILDING CODE. THIS SUBTITLE MAY BE ENFORCED IN ACCORDANCE~~
3 ~~THE HOWARD COUNTY BUILDING CODE AS ADOPTED IN SUBTITLE 1 OF~~
4 ~~THIS TITLE.~~

5 ~~(B) CIVIL PENALTIES. THE DIRECTOR MAY INSTITUTE ANY ACTION AT LAW~~
6 ~~OR EQUITY, INCLUDING INJUNCTION OR MANDAMUS, TO ENFORCE THE~~
7 ~~PROVISIONS OF THIS SUBTITLE. ALTERNATIVELY, AND IN ADDITION TO~~
8 ~~AND CONCURRENT WITH ALL OTHER REMEDIES, THE DIRECTOR MAY~~
9 ~~ENFORCE SECTION 3.1005 OF THIS SUBTITLE WITH CIVIL PENALTIES IN~~
10 ~~ACCORDANCE WITH TITLE 24 OF THE HOWARD COUNTY CODE. A FIRST~~
11 ~~VIOLATION OF SECTION 3.1005 IS A CLASS C OFFENSE. A SUBSEQUENT~~
12 ~~VIOLATION IS A CLASS B OFFENSE. EACH DAY THAT A VIOLATION~~
13 ~~CONTINUES IS A SEPARATE OFFENSE.~~

14 ~~(A) BUILDING CODE. EXCEPT FOR VIOLATIONS OF SECTION 3.1004 OF THIS~~
15 ~~SUBTITLE, THIS SUBTITLE MAY BE ENFORCED IN ACCORDANCE WITH THE~~
16 ~~HOWARD COUNTY BUILDING CODE AS ADOPTED IN SUBTITLE 1 OF THIS~~
17 ~~TITLE.~~

18 ~~(B) CIVIL PENALTIES. EXCEPT FOR NEW CONSTRUCTION OF PUBLICLY~~
19 ~~FUNDED BUILDINGS THAT ARE SUBJECT TO THIS SUBTITLE, THE~~
20 ~~DIRECTOR MAY INSTITUTE THE FOLLOWING ALTERNATIVE AND~~
21 ~~CONCURRENT REMEDIES:~~

22 ~~(1) THE DIRECTOR MAY INSTITUTE ANY ACTION AT LAW OR~~
23 ~~EQUITY, INCLUDING INJUNCTION OR MANDAMUS, TO~~
24 ~~ENFORCE SECTION 3.1005(E) OF THIS SUBTITLE;~~

25 ~~(2) THE DIRECTOR MAY ENFORCE SECTION 3.1005(E) OF THIS~~
26 ~~SUBTITLE WITH CIVIL PENALTIES IN ACCORDANCE WITH~~
27 ~~TITLE 24 OF THIS CODE AND A VIOLATION OF SECTION~~
28 ~~3.1005(E) IS A CLASS A OFFENSE; AND~~

29 ~~(3) EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE~~
30 ~~OFFENSE.~~

31

1 ~~3.1013~~ **SECTION 3.1012. SEVERABILITY.**

2 IF ANY PART OF THIS SUBTITLE IS HELD INVALID, THE INVALIDITY SHALL
3 NOT AFFECT THE OTHER PARTS.

4
5 *Section 2. And Be It Further Enacted by the County Council of Howard County,*
6 *Maryland, that new subsection (u) is added to Section 16.144 “General procedures*
7 *regarding the subdivision process” of Article IV “Procedures for filing and processing*
8 *subdivision applications” of paragraph (4) is added to subsection (b) of Section 16.156*
9 *“Procedures” of Article V “Procedures for filing and processing site development plan*
10 *applications” of Subtitle 1 “Subdivision and Land Development Regulations” of Title 16*
11 *“Planning, Zoning and Subdivisions and Land Development Regulations” of the Howard*
12 *County Code to read as follows:*

13
14 **Title 16. Planning, Zoning and Subdivisions and Land Development Regulations.**

15 **Subtitle 1. Subdivisions and Land Development Regulations.**

16 **~~Article IV. Procedures for Filing and Processing Subdivision Applications.~~**

17 **Article V. Procedures for Filing and Processing Site Development Plan Applications.**

18 **~~Section 16.144. General procedures regarding the subdivision process.~~**

19 ~~(U) COMPLIANCE WITH GREEN BUILDING LAW. A SITE DEVELOPMENT~~
20 ~~PLAN APPLICATION FOR A PROJECT THAT IS REQUIRED TO COMPLY~~
21 ~~WITH THE HOWARD COUNTY GREEN BUILDINGS LAW, SET FORTH~~
22 ~~IN SUBTITLE 10 OF TITLE 3 OF THIS CODE, SHALL COMPLY WITH~~
23 ~~SECTION 3.1005 OF THIS CODE PRIOR TO APPROVAL OF THE PLAN.~~

24 **Section 16.156. Procedures.**

25 (b) Application: The applicant for a site development plan shall submit the following to
26 the Department of Planning and Zoning:

27 (4) COMPLIANCE WITH GREEN BUILDINGS LAW. A SITE DEVELOPMENT
28 PLAN APPLICATION FOR A PROJECT THAT IS REQUIRED TO COMPLY
29 WITH THE HOWARD COUNTY GREEN BUILDINGS LAW, SET FORTH IN
30 TITLE 3, SUBTITLE 10 OF THIS CODE, SHALL COMPLY WITH SECTION
31 3.1005(A) OF THIS CODE PRIOR TO APPROVAL OF THE PLAN.

1

2 **Section 3. And Be it Further Enacted** by the County Council of Howard County,
3 Maryland that this Act shall apply to a site development plan for new construction that is
4 filed with the Department of Planning and Zoning on or after July 1, 2008.

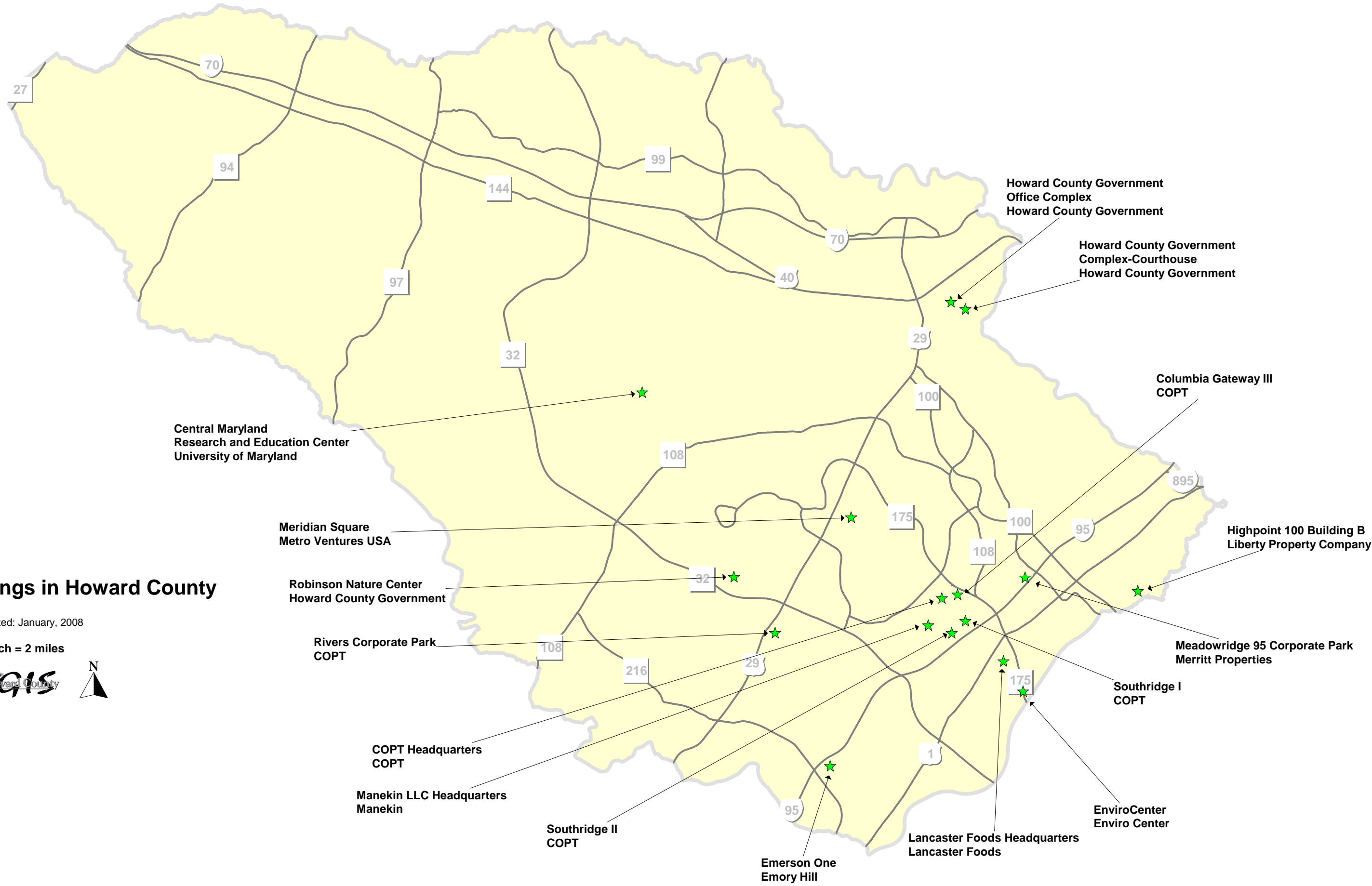
5

6 **Section 4. And Be It Further Enacted** by the County Council of Howard County,
7 Maryland, that this Act shall become effective 61 days after its enactment.

Green Buildings in Howard County

Created: January, 2008

1 inch = 2 miles



Howard County Government
Office Complex
Howard County Government

Howard County Government
Complex-Courthouse
Howard County Government

Columbia Gateway III
COPT

Central Maryland
Research and Education Center
University of Maryland

Meridian Square
Metro Ventures USA

Highpoint 100 Building B
Liberty Property Company

Robinson Nature Center
Howard County Government

Meadowridge 95 Corporate Park
Merritt Properties

Rivers Corporate Park
COPT

Southridge I
COPT

COPT Headquarters
COPT

Manekin LLC Headquarters
Manekin

Southridge II
COPT

Emerson One
Emory Hill

Lancaster Foods Headquarters
Lancaster Foods

EnviroCenter
Enviro Center

*This is a temporary draft. Not for actual production.