

# ***Updated on Montgomery County Green Building Regulations***

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## Bill 17-06 “Green Building Mandate”

- Montgomery County passed one of the most aggressive Green Building Mandates in the Country
- Requires all “private sector” commercial/multi-family new construction projects and major renovations over 10,000 square feet to achieve certified under the LEED-NC or CS standard or equivalent (current at time of application)
- Requires all “public sector” new construction projects and major renovations over 10,000 square feet to achieve LEED silver or equivalent

## Certification Path – Three Choices

### Method 1

4.2 The first and preferred method to demonstrate compliance with the required standard is the USGBC certification process. Projects formally registered, submitted for review, and certified by the USGBC will be accepted as certified by the Department. The Department may review and inspect certified credits approved by the USGBC as necessary to ensure compliance with the Green Buildings Law.

### Method 2

4.3 The second method to demonstrate compliance with the required standard is the County certification process. Projects not submitted to the USGBC for formal review will undergo a complete review and inspection process via the Department, using the LEED rating system to document design, construction, and post-construction phase compliance. Submission of credit documentation under the Green Buildings Law for projects using the LEED rating system must be certified by a licensed engineer or architect.

### Method 3

4.4 The third method to demonstrate compliance with the required standard is an equivalent rating certification process. Consideration of projects using any equivalent rating system will be made via the **building code modification process** administered by the Department under Section 8-15 of the County Code. Submission of sufficient information regarding the proposed alternative rating system is required to allow the Director to determine whether it is an equivalent rating system. **Submission of credit documentation under the Green Buildings Law for projects using an equivalent rating system must be certified by a registered design professional**

# LEED Certified Projects

- 20 Have achieved certification
- Another 10 have been awarded enough points for certification
- One modification request using an alternative rating system (**Method 3**)

# Lessons Learned - Feedback

- LEED has been a great place to start, but developers generally consider the standard problematic and difficult.
- As written, the Green Building Regulation has not had a deep impact as it applies only to building of >10,000 gsf, many opportunities are being missed.
- Some developers consider the LEED process and mandate a little arbitrary and cumbersome
- Some preference to consider IGCC as a streamlined, code friendly opportunity. Also could apply to all buildings.

## **Bill 37-06 “Green Building Incentive”**

- Developed as a parallel program to add a carrot to the “stick” for buildings that exceed the regulatory minimum
- Provides a generous property tax incentive for private buildings that achieve high levels of LEED performance
- Tiered relative to the level of performance and benefits of the LEED rating system applied
- Includes LEED-NC, CS.....and EB
- Does not address some LEED rating systems (C&I, LEED-H)

## Incentive Levels:

### Building Covered Under Mandate

- Gold 25% for LEED NC/CS (5 years)
- Platinum 50% for LEED NC/CS (5 years)
- Gold 10% for LEED-EB (3 years)
- Platinum 50% for LEED-EB (3 years)

### Building Not Covered Under Mandate

- Silver 25% for LEED NC/CS (5 years)
- Gold 50% for LEED NC/CS (5 years)
- Platinum 75% for LEED NC/CS (5 years)
- Silver 10% for LEED EB (3 years)
- Gold 25% for LEED EB (3 years)
- Platinum 50% for LEED EB (3 years)
- Platinum 50% for LEED-EB (3 years)

# Property Tax Credit Uptake

Silver - **\$70,256.68**

- 1 LEED-EBOM

Gold - **\$1,001,466.88**

- 5 LEED-EBOM
- 5 LEED- CS
- 14 LEED-NC

Platinum - **\$827,886.97**

- 1 LEED CS
- 4 LEED-EBOM

Total out of all ratings = **\$1,899,610.53** (out of \$4 million available)

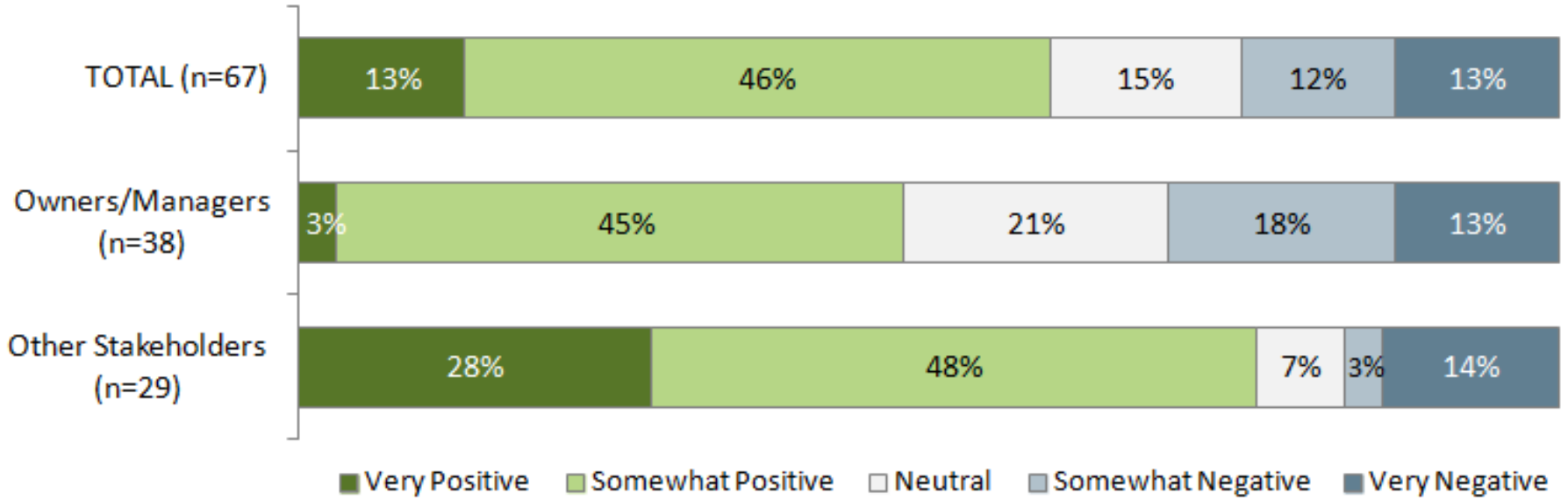


## **County New Construction Codes and Energy Conservation Goals**

- 2009 Climate Protection Plan recommended a 25% reduction in energy consumption by Commercial and Multi-Family sector.
- County needs to go well beyond LEED/IECC and others to achieve community energy conservation goals.
- LEED may not have as strong of energy benefits over the lifecycle of a building as expected at initial commissioning.
- Exploring coupling energy performance goals with tax credits.
- Need to develop metrics/reporting mechanism to track actual energy reductions.



# Commercial – Multi-Family Stakeholder Perceptions on Increased Code Stringency



**Questions:**

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