AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE
CHAPTER 23.05 TO REQUIRE CONSTRUCTION AND RENOVATION OF
MUNICIPAL PUBLIC FACILITIES TO MEET A SUSTAINABLE BUILDING
STANDARD AND TO PROVIDE INCENTIVES FOR PUBLIC AND PRIVATELY
DEVELOPED FACILITIES.

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

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

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

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

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

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

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

ANCHORAGE, ALASKA
AO No. 2008-93

For reading: July 29, 2008
WHEREAS, Anchorage School District (ASD) facility plans and designs are subject to ASD Design Guidelines and Standards; these mandated standards include elements of sustainable design, and recognize and support principles of the U.S. Green Building Council’s LEED certification system, the Council of Educational Facility Planners International (CEFPI) High Performing School standards, and the U.S. Department of Energy and U.S. Environmental Protection Agency ENERGYSTAR label; and

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

THE ANCHORAGE ASSEMBLY ORDAINS:

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

Sustainable building standards for construction and renovation of buildings.

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

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

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

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

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

a. 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 renovation projects.
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
Sustainable Building Standards

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