NOT YET ADOPTED

ORDINANCE
ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALO
ALTO AMENDING TITLE 18 (ZONING) OF THE PALO ALTO
MUNICIPAL CODE TO ADD A NEW CHAPTER 18.44 (GREEN
BUILDING REGULATIONS)

WHEREAS, the City of Palo Alto’s (City) Comprehensive Plan sets forth goals for
preserving and improving the City’s natural and built environment, protecting the health of its
residents and visitors, conserving water and energy, and fostering its economy; and

WHEREAS, the City Council of the City of Palo Alto has identified Environmental
Protection as one of its top four goals, and green building is a key component of environmental
protection; and

WHEREAS, green building design, construction, restoration, operation, and
maintenance can have a significant positive effect on energy, water, and resource conservation,
waste management and pollution generation, and the health and productivity of a property’s
residents, workers, and visitors over the life of a building and/or site; and

WHEREAS, the provisions of California Assembly Bill 32 (Global Warming
Solutions Act) require actions on the part of State and local governments to significantly reduce
greenhouse gas (GHG) emissions such that statewide GHG emissions in 2020 are lowered to
1990 levels; and

WHEREAS, failure to address and significantly reduce greenhouse gas emissions
could result in rises in sea level, including in San Francisco Bay, that could put at risk Palo Alto
homes and businesses, public facilities, and Highway 101 (Bayshore Freeway); and

WHEREAS, green building regulations comprise an important component of a
whole systems approach to the City’s sustainability program related to building and land
development, other components of which include but are not limited to requirements for:
disposal of construction and demolition debris, storm water quality and flood protection, tree
protection, water conservation, recyclable materials storage, parking lot landscaping, and
transportation demand management.

Now, the Council of the city of Palo Alto does ORDAIN as follows:

SECTION 1. Findings. The City Council finds as follows:

A. The City’s Climate Protection Plan (CPP), adopted by the City Council on
December 3, 2007, identifies green building as an important approach to
reducing greenhouse gases generated in the Palo Alto community. The CPP
notes that building construction and maintenance accounts for approximately
38% of U.S. greenhouse gas emissions (U.S. Department of Energy) and approximately 40% of the energy use in the Palo Alto community. Buildings also account for much of the 14% of emissions that are generated by waste materials; and

B. Green building and landscape design, construction, operations and maintenance techniques are increasingly widespread in residential and commercial building construction, and green building benefits can be spread throughout the systems and features of a building, such that green buildings can include: the use of certified sustainable wood products and high-recycled content products; reuse of existing facilities and recycling and salvage; reduced demands on heating and cooling systems; increased energy efficiency; enhancement of indoor air quality; reduced per capita demand on water resources and infrastructure; and the installation of alternative and renewable energy systems; and

C. At the national and state levels, the U.S. Green Building Council has taken the lead in promoting and defining commercial green building by developing the Leadership in Energy and Environmental Design (LEED) Rating System™, and

D. At the state level, Build It Green has taken the lead in promoting and defining residential green building by developing the GreenPoint Rated Rating System™, and

E. Nothing in this ordinance is intended to duplicate, contradict, or infringe upon provisions of state law, including the California Building Standards Code. The ordinance and the associated checklists provide many opportunities to achieve required points and credits that do not impact areas where state law has established building standards.

F. On April 9, 2008, the Planning and Transportation Commission held a duly noticed public hearing and heard testimony regarding a green building ordinance, and recommended adoption of the green building ordinance to the City Council.

G. On May 12, 2008, the City Council held a duly noticed public hearing and heard testimony regarding the proposed green building ordinance.

H. Because the design, restoration, construction, and maintenance of buildings and structures within the City can have a significant impact on the City’s environment, greenhouse gas emissions, resource usage, energy efficiency, waste management and the health and productivity of residents, workers and visitors over the life of the building, requiring commercial and residential projects to incorporate green building measures is necessary and appropriate to achieve the public health and welfare benefits of green building.
NOT YET ADOPTED

SECTION 2. A new Chapter 18.44 (Green Building Regulations) of Title 18 (Zoning) of the Palo Alto Municipal Code is hereby added to read as follows:

Chapter 18.44

GREEN BUILDING REGULATIONS

Sections:

18.44.010 Purpose
18.44.020 Applicability
18.44.030 Definitions
18.44.040 Standards for Compliance
18.44.050 Incentives for Compliance
18.44.060 Administrative Procedures and Promulgation of Implementing Regulations
18.44.070 Hardship or Infeasibility Exemption
18.44.080 Appeal

18.44.010 Purpose.

The purpose of this Chapter is to enhance the public health and welfare by promoting the environmental and economic health of the City through the design, construction, maintenance, operation and deconstruction of buildings and other site development by incorporating green building practices into all development. The green building provisions referred to in this Chapter are designed to achieve the following goals:

(a) Increase energy efficiency in buildings;
(b) Encourage water and resource conservation;
(c) Reduce waste generated by construction projects;
(d) Provide durable buildings that are efficient and economical to own and operate;
(e) Promote the health and productivity of residents, workers, and visitors to the city; and
(f) Recognize and conserve the energy embodied in existing buildings.

18.44.020 Applicability

This ordinance applies to all projects defined as “Covered Projects,” as defined below, except that it shall not apply to any project for which a planning entitlement application (except for a preliminary architectural review application) or building permit application has been submitted prior to the effective date of this ordinance. However, commercial covered projects with planning applications submitted after December 3, 2007, but for which building permits...
NOT YET ADOPTED

have not yet been issued as of the effective date of this ordinance, shall be subject to compliance with this Chapter.

18.44.030 Definitions.

The following terms shall have the ascribed definition for the purposes of applying the criteria of this chapter. When the definition differs from a definition in Section 18.04 of this code, the provisions of this section shall apply.

(a) “Addition” means new construction square footage added to an existing structure.

(b) “Applicant” means any entity that applies to the city for the applicable permits to undertake any covered project within the city, or any subsequent owner of the site.

(c) “Compliance official” means the Director of Planning and Community Environment or his or her designee.

(d) “Compliance threshold” means the minimum number of points or rating level of a green building rating system that must be attained for a particular Covered Project, as outlined in the Standards for Compliance in Section 18.44.040.

(e) “Covered project” means any planning entitlement application(s) or building permit application(s) for commercial (nonresidential) new construction or renovations, or for any multi-family or single-family or two-family residential new construction or renovation subject to the Standards for Compliance outlined in Section 18.44.040.

(f) “Good faith effort” means a project that has not met the required compliance threshold, but for extenuating reasons or reasons beyond the control of the applicant, the Compliance Official has found the project meets the good faith effort provisions of Section 18.44.060.

(g) “Green building” means a whole systems approach to the design, construction and operation of buildings that substantially mitigates the environmental, economic, and social impacts of buildings. Green building practices recognize the relationship between the natural and built environments and seek to minimize the use of energy, water and other natural resources and provide a healthy, productive indoor environment.

(h) “Green building project checklist” means a checklist or scorecard developed for the purpose of calculating a green building rating.

(i) “Green building rating system” means the rating system associated with specific green building criteria and used to determine compliance thresholds, as outlined in the Standards of Compliance adopted by City Council resolution. Examples of rating systems include, but are not limited to, the LEED and GreenPoint Rated systems.
NOT YET ADOPTED

(j) “GreenPoint Rated” means a residential green building rating system developed by the Build It Green organization.

(k) “GreenPoint Rated_Verification” means verification of compliance by a certified GreenPoint Rater, resulting in green building certification by Build It Green including green points allocation across all of the resource categories.

(l) “LEED®” means the “Leadership in Energy and Environmental Design” green building rating system developed by the U.S. Green Building Council.

(m) “LEED®/USGBC Verification” means verification to meet the standards of the U.S. Green Building Council (USGBC) and resulting in LEED certification of the project by the USGBC.

(n) “Mixed use” means the construction of a building or buildings that include both commercial and residential uses.

(o) “Multi-family residential” means a building containing three or more attached dwelling units.

(p) “New construction, commercial (nonresidential)” means the construction of a new or replacement retail, office, industrial, warehouse, service, or similar building(s), or additions to such building(s).

(q) “New construction, residential” means the construction of a new or replacement single-family or two-family dwelling unit or of new or replacement multi-family residential building(s), or additions to such building(s).

(r) “Qualified green building professional” means a person trained through the USGBC as a LEED accredited professional or through Build It Green as a certified green building professional, or similar qualifications if acceptable to the Compliance Official. For projects requiring “self-verification,” the project architect or designer is considered a qualified green building professional.

(s) “Renovation” means any rehabilitation, repair, remodeling, change, or modification to an existing building, where changes to floor area and the footprint of the building are negligible. The valuation of renovation improvements shall be determined by the Director of Planning and Community Environment, upon recommendation of the Chief Building Official. The Chief Building Official may exclude from such valuation the cost of (a) seismic upgrades, (b) accessibility upgrades, or (c) photovoltaic panels or other solar energy or similar devices exterior to the building. Renovation valuation thresholds identified in the Standards for Compliance shall be adjusted annually to reflect changes in the City’s valuation per square foot for new construction in Palo Alto, using valuations in effect as of July 1, 2008, as the base index.
NOT YET ADOPTED

(i) "Self verification" means verification by the project architect, designer or a qualified green building professional certifying that the project has met the standards and has attained the compliance threshold as indicated for the Covered Project type as set forth in the Standards for Compliance outlined in Section 18.44.040.

(u) "Single-family or two-family residential" means a single detached dwelling unit or two units in a single building.

(v) "Square footage," for the purposes of calculating commercial, multi-family residential, and single-family and two-family new construction square footage, means all new and replacement square footage, including basement areas (7 feet or greater in height) and garages, except that unconditioned garage space shall only count as 50% of that square footage. Areas demolished shall not be deducted from the total new construction square footage.

(w) "Threshold Verification by LEED AP" means verification by a LEED accredited professional certifying that each LEED checklist point listed was verified to meet the requirements to achieve that point. The LEED AP shall provide supporting information from qualified professionals (e.g. civil engineer, electrical engineer, Title 24 consultant, commissioning agent, etc.) to certify compliance with each point on the checklist. Documentation of construction consistent with building plans calculated to achieve energy compliance is sufficient verification in lieu of post-construction commissioning.

18.44.040 Standards for Compliance.

The City Council shall establish by resolution, and shall periodically review and update as necessary, Green Building Standards for Compliance. The Standards for Compliance shall include, but are not limited to, the following:

(a) The types of projects subject to regulation (Covered Projects);
(b) The green building rating system to be applied to the various types of projects;
(c) Minimum thresholds of compliance for various types of projects; and
(d) Timing and methods of verification of compliance with these regulations.

The Standards for Compliance shall be approved after recommendation from the Director of Planning and Community Environment, who shall refer the Standards for recommendation by the Architectural Review Board, prior to Council action.

18.44.050 Incentives for Compliance.

(a) In addition to the required standards for compliance, the City Council may, through ordinance or resolution, enact financial, permit review process, or zoning incentives and/or award or recognition programs to further encourage higher levels of green building compliance for a project.
(b) For residential projects, the number of GreenPoint checklist points required shall be reduced by:

(1) 5 points for maintaining a minimum of 75% of existing walls, floors, and roof of a structure;

(2) 5 points (in addition to (1) above) for maintaining a minimum of 95% of existing walls, floors, and roof of a structure; and/or

(3) 10 points (in addition to (1) and/or (2) above) when applied to a structure that is designated on the City's Historic Inventory as a Category 1 or Category 2 historic structure as defined in Section 16.49.020 of this code or any contributing structure located within a locally designated historic district, and Category 3 and 4 historic structures on the local inventory and those structures eligible for the National Register of Historic Places, subject to determination by the Historic Resources Board that such additions and/or renovations are consistent with the Secretary of the Interior's Standards for Rehabilitation.

18.44.060 Administrative Procedures and Promulgation of Implementing Regulations.

(a) The Director of Planning and Community Environment shall promulgate any rules and regulations necessary or appropriate to achieve compliance with the requirements of this Chapter. The rules and regulations shall provide, at a minimum, for the incorporation of green building requirements of this Chapter into checklist submittals with planning entitlement and building permit applications, and supporting design, construction, or development documents to demonstrate compliance with this Chapter.

(b) The procedures for compliance documentation shall include, but not be limited to, the following:

(1) Preliminary Documentation. Applicants for a Covered Project are encouraged, but not required, to meet with the Compliance Official or his or her designated staff, in advance of submittal of an application, to determine required green building thresholds for compliance and to review the proposed green building program and details to achieve compliance.

(2) Discretionary Planning Entitlements. Upon submittal of an application for any discretionary planning entitlement for any Covered Project, including but not limited to Individual Review, Major or Minor Architectural Review, Site and Design, Planned Community, Conditional Use Permit, or Variance requests, application materials shall include the appropriate completed checklists, as required by the Standards for Compliance specified in Section 18.44.040, accompanied by a text description of the proposed green building program and expected measures and milestones for compliance. The Compliance Official may allow the use of alternative
checklists for historic buildings or for buildings that retain or re-use substantial portions of the existing structure.

(3) Building Plan Check Review. Upon submittal of an application for a building permit, building plans for any Covered Project shall include a checklist and green building program description, reflecting any changes proposed since the planning entitlement phase (if a planning entitlement was required). The checklist shall be incorporated onto a separate plan sheet included with the building plans. A qualified green building professional shall provide evidence of adequate green building compliance or documentation to the Compliance Official to satisfy the requirements of the Standards for Compliance outlined in Section 18.44.040, prior to issuance of a building permit.

(4) Final Building Inspection, Verification, and Occupancy. Prior to final building inspection and occupancy for any Covered Project, a qualified building professional shall provide evidence of adequate green building compliance or documentation to the Compliance Official to satisfy the requirements of the Standards for Compliance outlined in Section 18.44.040. This information shall include, but is not limited to:

i. Documentation that verifies incorporation of the design and construction related credits specified in the project approval for the Covered Project;

ii. A letter from the qualified green building professional that certifies that the Covered Project has been constructed in accordance with the approved green building project checklist;

iii. Any additional documentation that would be required by the LEED reference guide for LEED certification (if required), or by the GreenPoint Rated manuals for GreenPoint Rated certification (if required); and

iv. Any additional information that the applicant believes is relevant to determining that a good faith effort has been made to comply with this chapter.

(5) Final Determination of Compliance and Good Faith Effort to Comply. Prior to the scheduling of a final building inspection for a Covered Project, the Compliance Official shall review the documentation submitted by the applicant, and determine whether the applicant has achieved the required compliance threshold as set forth in the Standards for Compliance outlined in Section 18.44.040 and/or demonstrate that measures are in place to assure compliance not later than one year after approval of final building inspection. If the Compliance Official determines that the applicant has met the requirements of Section 18.44.040 for the project, the final building inspection may proceed, provided the Covered Project has
NOT YET ADOPTED

received approval of all other inspections required by the Chief Building Official. If the Compliance Official determines that the required green building rating has not been achieved, the Compliance Official shall find one of the following:

i. Good Faith Effort to Comply: When an applicant submits a request in writing to the Compliance Official for approval of a good faith effort to comply, the Compliance Official shall determine that the applicant has made a good faith effort to comply with this chapter when finding that either a) the cost for providing green building documentation or assuring compliance is disproportionate to the overall cost of the project, or b) the green building materials and technologies on the green building checklist are no longer available or not yet commercially available, or c) at least 80% of the required green point credits have been achieved, and measures are in place to assure full compliance not later than one year after approval of the final building inspection. Determination of a good faith effort to comply shall be made separately for each item on the green building project checklist. Granting of a good faith effort to comply for one item does not preclude the need for the applicant to comply with the other items on the green building checklist.

ii. Non-Compliant Project. If the Compliance Official determines that the applicant has not made a good faith effort to comply with this chapter, or if the applicant fails to submit the documentation required within the required time period, then the project shall be determined to be non-compliant, and the final inspection and approval for the project shall be withheld. A final inspection shall not take place until the applicant has implemented equivalent alternate measures approved by the Compliance Official or unless an exemption is granted for the project.

(6) Post Final Inspection Requirement. Not later than one year after approval of the final building inspection, the applicant or current owner shall submit to the Compliance Official documentation detailing compliance with the operation, efficiency, and conservation related credits from the approved checklist documentation for any Covered Project, if required by the Compliance Official. The applicant may also provide any additional information the applicant believes is relevant to determining its good faith efforts to comply with this chapter.

(7) Non-Compliance. If, as a result of any inspection, the City determines that the Covered Project does not or is unlikely to comply with the approved plans or green building checklist, a stop order shall be issued if the Compliance Official determines that continuation of construction activities will jeopardize the project's ability to meet the required compliance threshold. The stop order shall remain in effect until the Compliance
OFFICIAL determines that the project will be brought into compliance with the approved plans and/or checklist.

(8) Interim Compliance Effort. For residential projects initiating construction not later than two years after the effective date of this ordinance, a good faith effort shall be deemed to have been made when at least 75% of the required minimum total green points and the GPR allocation of minimum points across all resource categories have been achieved prior to final building inspection, and adequate remaining checklist points are outlined to demonstrate that at least 90% of the minimum points and GreenPoint certification will be achieved not later than one year after final inspection. If 75% of the required minimum green points are not achieved prior to the request for final building inspection, the final inspection shall be withheld unless an exemption is granted by the Compliance Official.

(9) Lack of Inspectors. If the Compliance Official determines that there is a lack of third party or City inspectors available to perform green building inspections within a timely manner, the Compliance Official may allow self-verification of the project and determine that green building requirements have been met.

The Compliance Official shall have the responsibility to administer and monitor compliance with the green building requirements set forth in this chapter and with any rules and regulations promulgated thereunder, and to grant exemptions from the requirements, where so authorized.

Compliance with the provisions of this chapter shall be listed as a condition of approval on any Architectural Review or other discretionary permit approval, and on the building plans for building permit approval, for any Covered Project.

18.44.070 **Hardship or Infeasibility Exemption.**

(a) Exemption. If an applicant for a Covered Project believes that circumstances exist that make it a hardship or infeasible to meet the requirements of this Chapter, the applicant may request an exemption as set forth below. In applying for an exemption, the burden is on the Applicant to show hardship or infeasibility.

(b) Application. If an applicant for a Covered Project believes such circumstances exist, the applicant may apply for an exemption at the time of application submittal. The applicant shall indicate the maximum threshold of compliance he or she believes is feasible for the covered project and the circumstances that he or she believes create a hardship or make it infeasible to fully comply with this Chapter. Circumstances that constitute hardship or infeasibility include, but are not limited to the following:

(1) There is conflict with the compatibility of the green building rating system with other City goals, such as those requiring historic preservation;
NOT YET ADOPTED

(2) There is conflict with the compatibility of the green building rating system and the California Building Standards Code;

(3) There is conflict with the compatibility of the green building rating system and the City’s Zoning Ordinance and/or Architectural Review criteria;

(4) The green building compliance standards do not include enough green building measures that are compatible with the scope of the covered project; and/or

(5) There is a lack of commercially available green building materials and technologies to comply with the green building rating system.

(c) Review by Architectural Review Board (ARB) and/or Historic Resources Board (HRB). For any covered project for which an exemption is requested and Architectural Review is required by the ARB, the ARB shall provide a recommendation to the Director regarding whether the exemption shall be granted or denied, along with its recommendation on the project. For any project for which an exemption is requested based on the historic character of the building or site, the Historic Resources Board (HRB) shall provide a recommendation to the Director regarding whether the exemption shall be granted or denied and shall determine whether the project is consistent with the Secretary of the Interior’s Standards for Historic Rehabilitation.

(d) Granting of Exemption. If the Director determines that it is a hardship or is infeasible for the applicant to fully meet the requirements of this chapter based on the information provided, the Director shall determine the maximum feasible threshold of compliance reasonably achievable for the project. The decision of the Director shall be provided to the applicant in writing. If an exemption is granted, the applicant shall be required to comply with this chapter in all other respects and shall be required to achieve, in accordance with this chapter, the threshold of compliance determined to be achievable by the Director.

(e) Denial of Exemption. If the Director determines that it is reasonably possible for the applicant to fully meet the requirements of this chapter, the request shall be denied and the Director shall so notify the applicant in writing. The project and compliance documentation shall be modified to comply with this chapter prior to further review of any pending planning or building application.

(f) Council Review of Exemption. For any covered project that requires review and action by the City Council, the Council shall act to grant or deny the exemption, based on the criteria outlined above, after recommendation by the Director.

18.44.080 Appeal.

(a) Any aggrieved Applicant or person may appeal the determination of the Director regarding: (1) the granting or denial of an exemption pursuant to Section 18.44.070; or (2) compliance with any other provision of this ordinance.
NOT YET ADOPTED

(b) Any appeal must be filed in writing with the Department of Planning and Community Environment not later than fourteen (14) days after the date of the determination by the Director. The appeal shall state the alleged error or reason for the appeal.

(c) The appeal shall be processed and considered by the City Council in accordance with the provisions of Section 18.77.070(e) of the City of Palo Alto Municipal Code.

SECTION 3. Not later than one year after the effective date of the ordinance, a report shall be prepared for presentation to the Architectural Review Board, Historic Resources Board, Planning and Transportation Commission, and City Council regarding the results of implementation of the ordinance. The report shall include, but is not limited to, documentation of the number and types of projects subject to the ordinance, explanation of whether and how compliance was achieved, identification of any problems arising from implementation, the costs of enforcement, and any recommendations for revisions to the ordinance or accompanying resolution and Standards for Compliance tables.

SECTION 4. Severability. If any section of this ordinance, or part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or unenforceable, such section, or part hereof, shall be deemed severable from the remaining sections of this ordinance and shall in no way affect the validity of the remaining sections hereof.

SECTION 5. The Council hereby finds this ordinance is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15308 of the CEQA Guidelines because it is an action taken by a regulatory agency for the protection of the environment.

SECTION 6. This ordinance shall be effective on the thirty-first day after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST: 

APPROVED:

12
NOT YET ADOPTED

City Clerk

APPROVED AS TO FORM:

Deputy City Attorney

Mayor

City Manager

Director of Planning and Community Environment
RESOLUTION NO. ______
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALO ALTO ADOPTING GREEN BUILDING STANDARDS FOR COMPLIANCE FOR PRIVATE DEVELOPMENT PROJECTS

WHEREAS, on May 12, 2008, the City Council considered regulations for the incorporation of green building techniques and materials in private residential and nonresidential development projects and introduced Ordinance No. ______; and

WHEREAS, the Ordinance specifies that green building standards for compliance shall be set forth by resolution of the City Council after recommendation from the Director of Planning and Community Environment and the Architectural Review Board. Such standards for compliance shall include the types of projects subject to regulation, green building rating systems to be applied to various types of projects, minimum thresholds for compliance and timing and methods of verification of compliance with green building regulations; and

WHEREAS, the Director of Planning and Community Environment and the Architectural Review Board does hereby recommend that the City Council approve the proposed green building standards for compliance for private development projects set forth in Table A and Table B attachments to this resolution.

NOW, THEREFORE, the Council of the City of Palo Alto does hereby approve the green building standards for compliance for private development projects as set forth in the Table A and Table B attachments to this resolution.
BE IT FURTHER RESOLVED by the Council of the City of Palo Alto that this resolution shall take effect upon the effective date of Ordinance No. _____.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

______________________________
City Clerk

APPROVED AS TO FORM:

______________________________
Deputy City Attorney

APPROVED:

______________________________
Mayor

______________________________
City Manager

______________________________
Director of Planning and Community Environment
Note: Applicants are advised to use this table only in conjunction with the entirety of requirements in Chapter 18.44 (Green Building Regulations)

Table A
City of Palo Alto
Green Building Standards for Compliance
for Private Development

Nonresidential Construction and Renovation

<table>
<thead>
<tr>
<th>Type of Project</th>
<th>Building Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Checklist Required</td>
</tr>
<tr>
<td>Nonresidential Construction and Renovation¹</td>
<td>LEED-NC Checklist</td>
</tr>
<tr>
<td>New construction ≥ 25,000 sf</td>
<td>LEED-NC Checklist</td>
</tr>
<tr>
<td>New construction ≥ 5,000 sf and &lt; 25,000 sf</td>
<td>LEED-NC Checklist</td>
</tr>
<tr>
<td>New construction ≥ 500 sf and &lt; 5,000 sf</td>
<td>LEED-NC Checklist</td>
</tr>
<tr>
<td>Renovation ≥ 5,000 sf and ≥ 50% valuation of building sf and ≥ $500,000⁶ valuation</td>
<td>LEED-NC Checklist</td>
</tr>
<tr>
<td>Other renovation ≥ $100,000⁶ valuation</td>
<td>LEED-CI Checklist</td>
</tr>
<tr>
<td>New construction &lt; 500 sf and renovation &lt; $100,000⁶ of valuation</td>
<td></td>
</tr>
</tbody>
</table>

Mixed Use or Other Development | Commercial and residential criteria as applicable⁴ |

¹ Cumulative new construction or renovations over any 2-year period following adoption of these requirements shall be considered as a single project, unless exempted by the Planning Director as impractical for compliance.
² Compliance with other LEED® checklists, including but not limited to LEED-CS (Core & Shell), LEED-CI (Commercial Interiors), or LEED-EB (Existing Buildings) may be substituted for the designated rating system deemed appropriate by the Planning Director, after recommendation by the Architectural Review Board (if ARB review is required).
³ Pro-rated formula = (new construction sf/5,000) x 33 points, but not less than 17 points.
⁴ To be determined by the Planning Director; generally the provisions of Table A will apply to the commercial portion of the development, and the provisions of Table B will apply to the residential portions of the development.
⁵ Exemptions and incentives may be available for historic structures, pursuant to Section 18.44.070 of the ordinance. The Compliance Official may allow the use of alternative checklists for historic buildings or for buildings that retain or re-use substantial portions of the existing structure.
⁶ To be adjusted annually to reflect changes to the City’s valuation per square foot of new construction.
Table B
City of Palo Alto
Green Building Standards for Compliance for Private Development
Residential Construction and Renovation

<table>
<thead>
<tr>
<th>Type of Project</th>
<th>Building Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Checklist Required</td>
</tr>
<tr>
<td>Multi-Family Residential&lt;sup&gt;1&lt;/sup&gt;</td>
<td></td>
</tr>
<tr>
<td>New construction of 3 or more (attached) units&lt;sup&gt;2&lt;/sup&gt;</td>
<td>Multifamily GreenPoint Checklist</td>
</tr>
<tr>
<td>Additions and/or renovations with permit valuation ( \geq $100,000 )&lt;sup&gt;5&lt;/sup&gt;</td>
<td>Multifamily GreenPoint Checklist</td>
</tr>
<tr>
<td>Additions and/or renovations with permit valuation (&lt; $100,000 )&lt;sup&gt;5&lt;/sup&gt;</td>
<td></td>
</tr>
<tr>
<td>Single-Family and Two-Family Residential&lt;sup&gt;1&lt;/sup&gt;</td>
<td></td>
</tr>
<tr>
<td>New construction of ( \geq 2,550 \text{ sf} )</td>
<td>Single-Family GreenPoint Checklist</td>
</tr>
<tr>
<td>New construction of ( \geq 1,250 \text{ sf and } (&lt; 2,550 \text{ sf} )</td>
<td>Single-Family GreenPoint Checklist</td>
</tr>
<tr>
<td>Additions (&lt;1,250 \text{ sf and/or renovations } \geq $75,000 )&lt;sup&gt;5&lt;/sup&gt;</td>
<td>Home Remodeling Green Building Checklist</td>
</tr>
<tr>
<td>Additions and/or renovations of (&lt;$75,000 \text{ permit valuation} )</td>
<td></td>
</tr>
<tr>
<td>Mixed Use or Other Development</td>
<td>Commercial and residential criteria as applicable&lt;sup&gt;3&lt;/sup&gt;</td>
</tr>
</tbody>
</table>

<sup>1</sup> Cumulative new construction or renovations over any 2-year period following adoption of these requirements shall be considered as a single project, unless exempted by the Planning Director as impractical for compliance.

<sup>2</sup> For any multi-family residential project with 30 or more new units proposed, a LEED-ND (Neighborhood Development) checklist shall also be completed and submitted with the application, for information only.

<sup>3</sup> To be determined by the Planning Director; generally the provisions of Table A will apply to the commercial portion of the development, and the provisions of Table B will apply to the residential portions of the development.

<sup>4</sup> Exemptions and incentives may be available for historic structures, pursuant to Section 18.44.070. The Compliance Official may allow the use of alternative checklists for historic buildings or for buildings that retain or re-use substantial portions of the existing structure, and may reduce the minimum threshold (points) required as outlined in Section 18.44.050.

<sup>5</sup> Points shall include GPR minimum points across all resource categories.