



City of Pittsburgh

Legislative File Number 2008-0027 (version 3)

..Title

Ordinance supplementing the Pittsburgh Code, Title Nine, Zoning, by adding a new sub section 915.06, entitled, "Sustainable Development for Publicly Financed Buildings."

..Body

Be it resolved that the Council of the City of Pittsburgh hereby enacts as follows:

Section 1. The Pittsburgh Code, Title Nine, Zoning, is hereby supplemented by adding a new sub section 915.06, entitled, "Sustainable Development for Publicly Financed Buildings," as follows:

915.06 Sustainable Development for Publicly Financed Buildings

915.06.A Purpose

The City of Pittsburgh is committed to building and supporting sustainable developments, to yield cost savings to the city taxpayers through reduced operating costs, to provide healthy and productive work environments for all residents and employees, and to contribute to the city's goals of protecting, conserving, and enhancing the region's environmental resources. Additionally, the city shall help to set a community standard of sustainable building.

915.06.B Applicability

1) The following development requirements apply to all new construction on City owned property of 10,000 gross square feet or greater or if the total project cost exceeds two million dollars, and renovations of City owned property where the total project cost exceeds two million dollars.

2) Any new construction or renovation project that receives Tax Increment Financing (TIF)

915.06.C Definitions

Construction Costs - shall mean the project's total hard and soft costs.

LEED Certified Building: shall mean a building certified, under the Leadership in Energy and Environmental Design (LEED) program of the United States Green Building Council, that meets LEED standards for either New Construction and Major Renovation Projects or Core and Shell Projects.

Hard Construction Costs - shall mean all costs with respect to the construction or

rehabilitation of the property/project, including, without limitation, demolition, excavation, proffers, and all other required on- and off-site work, furniture, fixtures and equipment, and all general conditions and general contractor or construction management fees and profit associated with such costs, if any. Soft Costs shall not be included in Hard Costs.

LEED Silver: shall mean a building certified, under the Leadership in Energy and Environmental Design (LEED) program of the United States Green Building Council, that meets LEED standards for either New Construction and Major Renovation Projects or Core and Shell Projects.

Soft Construction Costs - shall mean all architectural, engineering, consulting, accounting, legal and surveying costs, appraisals and inspections (unless related to the financing of the project), costs of licenses and permits, permit expenditures, tests and inspections, cost of bond or insurance premiums, real and personal property taxes, utilities, and title insurance costs, plus any leasing or brokerage fees. Soft Costs shall also include site acquisition costs and financing costs and all development fees. Hard Costs shall not be included in Soft Costs.

915.06.D Sustainable Development Requirements

All projects receiving Tax Increment Financing and all new construction on City owned property of 10,000 gross square feet or greater or if the total project cost exceeds two million dollars, and renovations of City owned property where the total project cost exceeds two million dollars must receive a LEED Silver rating level.

915.06.E Penalty

(1) Prior to the sale of any bonds associated with providing Tax Increment Financing (TIF), the Developer shall provide the City with satisfactory evidence of having completed the following steps in the process toward achieving LEED Silver certification:

- Registering the project with the U.S. Green Building Council for Leadership in Energy and Environmental Design (LEED) certification under USGBC Combined Design and Construction Review
- Hiring a LEED Accredited Professional (AP) as part of the Project team
- Documentation that the Project Team has submitted all Design Phase credits for consideration to USGBC

(2) If the project does not attain LEED Silver certification within three years of receiving its initial Certificate of Occupancy, then the Developer shall be subject to a fine equal to 1% of the construction costs. If the fine is not paid within thirty (30) days of the date it is imposed, then the City shall have the authority to revoke the Certificate of Occupancy for the building.

(3) All Penalties shall be deposited into the Green Building Trust Fund

