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2
3 4. At the national level, the U.S. Green Building Council (USGBC),
4 developer of the Leadership in Energy and Environmental Design
5 (LEED®) Green Building Rating System, has become a leader in
6 promoting and developing green building practices and the
7 Florida Green Building Coalition has become a leader in
8 promoting and developing green building practices in Florida;
9
10 5. Requiring City-funded projects to utilize appropriate and feasible
11 USGBC and Florida Green Building coalition green building
12 standards is necessary and appropriate to achieve the benefits of
13 green buildings;
14
15 6. Providing incentives to the private sector to incorporate green
16 building standards is necessary and appropriate to achieve the
17 benefits of green buildings.
18

19 **WHEREAS**, the City of Tampa desires to continue to be recognized as a
20 diverse, progressive city celebrated as the most desirable place to live, learn, work, and
21 play;
22

23 **WHEREAS**, Green Building and Sustainability is an evolving, systematic
24 process that is and will continue to be of ongoing importance;
25

26 **WHEREAS**, this process must continuously adapt and improve itself as we
27 increase our scientific knowledge and more is learned about achieving and improving
28 upon local sustainability;
29

30 **WHEREAS**, government has a greater responsibility to lead by example and
31 create a sustainable City;
32

33 **WHEREAS**, Mayor Iorio has publicly declared our City's commitment to the
34 reduction of global warming pollutants by signing the U.S. Mayor's Climate Protection
35 Agreement;
36

37 **WHEREAS**, the City is committed to lead by demonstrating sustainable
38 stewardship that will yield cost savings to taxpayers by reducing City operating costs,
39 provide a healthy work environment for City staff and visitors, protect, conserve and
40 enhance the City's resources, and establish community standards of sustainable living
41 practices;
42

43 **WHEREAS**, the City is a member of the United States Green Building Council
44 (USGBC) and the Florida Green Building Coalition (FGBC); and

1 NOW, THEREFORE,
2

3 BE IT ORDAINED BY THE CITY COUNCIL
4 OF THE CITY OF TAMPA, FLORIDA:
5

6 Section 1. That “Article VII. The City of Tampa Sustainability Ordinance”
7 is created as follows:
8

9 “ARTICLE VII. THE CITY OF TAMPA SUSTAINABILITY ORDINANCE”
10

11 Section 2. That “Sec. 17.5-201. Short Title.” is created as follows:
12

13 “Sec. 17.5-201. Short Title.

14 This section shall be known as the City of Tampa Sustainability Ordinance.”
15

16 Section 3. That “Sec. 17.5-202. Definitions.” is created as follows:
17

18 “Sec. 17.5-202. Definitions.

19 *Best Practices.* Best practices are defined as the techniques, methodologies, processes,
20 practices, and systems identified by public and private organizations that performed
21 exceptionally well utilizing available and appropriate resources. They are widely
22 recognized as continuously improving an organization's performance and efficiency in
23 specific areas that, through experience and research, have proven to reliably lead to a
24 desired result.
25

26 *Green building.* Any building which increases the efficiency with which it uses
27 resources, such as energy, water, and materials, while reducing a buildings negative
28 impact on human health and the environment, through better siting, design, construction,
29 operation, maintenance, and removal, completing building life cycle.
30

31 *Demolition.* The act of razing, dismantling or removal of a building or structure, or
32 portion thereof, to the ground level.
33

34 *Administration.* The mayor of the City of Tampa or his or her designee.
35

36 *Permit.* An official document authorizing performance of a specific activity regulated
37 by this chapter.
38

39 *Structure.* For the purposes of this chapter, means any principal and/or accessory
40 building constructed or erected which requires a fixed location on the ground or
41 attachment to something having a fixed location on the ground.
42
43
44

1 Building: Any structure designed or intended for the support, enclosure, shelter or
2 protection of persons, animals, chattels or property.

3 Building, accessory: A subordinate building detached from, but located on the same lot
4 as the principal building, the use of which is incidental and accessory to that of the
5 principal building.

6
7 Building, principal: A building or, where the context so indicates, a group of
8 buildings, in which is conducted the principal use of the lot on which such building is
9 located.

10
11 Major renovation: Any construction, reconstruction, structural alteration, expansion,
12 enlargement or remodeling conducted within any two-year period, the total cost of
13 which exceeds fifty-one (51) percent of the assessed value of the property.

14
15 New construction: The erection of a building or structure or the addition to a building
16 or structure of greater than fifty (50) percent of the existing building size in square feet.

17
18 CGO is defined as the City’s Green Officer.

19
20 FGBC is defined as the Florida Green Building Coalition.

21
22 USGBC is defined as the United States Green Building Council.”

23
24 **Section 4. That “Sec. 17.5-203. City Funded Construction and Renovation**
25 **of Structures to Comply with LEED Silver Standard.” is created as follows:**

26
27 **“Sec. 17-5-203. City Funded Construction and Renovation of Structures to**
28 **Comply with LEED Silver Standard.**

29
30 a. All new construction of municipal buildings, regardless of the source of the funds, in
31 excess of 5000 square feet of air conditioned space, shall be built to satisfy, at a
32 minimum, the most current USGBC LEED Silver standard.

33
34 b. For any renovation of existing municipal buildings, all building materials replaced
35 shall be done so with consideration of their energy efficiency ratings as recognized by
36 the USGBC for their sustainable qualities, and with recycled products whenever
37 available and appropriate.

38
39 c. In the event that it is determined by the Administration that it is not feasible to
40 construct or renovate a building or structure to this standard, compliance with this
41 section shall not be required and the CGO will identify the project in his/her report to
42 City Council.”

1 Section 5. That “Sec. 17.5-204. Incentives to Encourage Sustainable
2 Construction and Redevelopment.” is created as follows:

3
4 “Sec. 17-5-204. Incentives to Encourage Sustainable Construction and
5 Redevelopment.

6
7 a. As of October 1, 2008, a process will be instituted by the City for providing a grant
8 which would provide a partial rebate of permit fees, if funds are made available through
9 the budget process on a yearly basis. Property owners who receive a permit for single
10 family or multi family homes or for commercial projects, after the date which this
11 program is instituted, may be eligible if the structure constructed is appropriately
12 certified as a green structure by the USGBC or FGBC.

13
14 1. For newly constructed single family residential construction
15 or for major renovation of an existing single family home, the
16 structure must be built and satisfy all the requirements of the
17 current Green Home Designation Standards of the Florida
18 Green Building Coalition. Upon receipt of evidence of this
19 certification, the City will rebate 50% of the building permit
20 fees paid.

21
22 2. For newly constructed commercial and multifamily
23 construction or for major renovations of such existing
24 structures, the structure must be built and satisfy all the
25 requirements of the most current (USGBC LEED (Leadership
26 in Energy and Environmental Design) standard. Upon receipt
27 of evidence of this certification of the structure, the City will
28 rebate a percentage of the building permit fees paid as
29 follows:

- 30
31 a. LEED Platinum Certified – 80%
32 b. LEED Gold Certified – 60%
33 c. LEED Silver Certified – 40%
34 d. LEED Certified – 20%

35
36 3. The City will designate within its budget a specific amount
37 per year for residential projects and a specific amount per
38 year for commercial projects. Grants will be awarded on a
39 first-come-first-served basis as the funds allow.”

40
41 Section 6. That “Sec. 17.5-205. Green Building Initiatives for Affordable
42 Housing .” is created as follows:

43
44 “Sec. 17-5-205. Green Building Initiatives for Affordable Housing.
45

1 All multifamily and single family homes constructed after October 1, 2008, through any
2 of the City's affordable housing programs will be encouraged to utilize the Florida
3 Green Building Coalition's specifications for green building certification, Florida
4 Energy Star and Florida Water Star appliances and principles. When evaluating the
5 extent to which these specifications, appliances and principles can be used,
6 consideration of federal and state rules, regulations, funding and programs will be
7 included in the evaluation. If the Administration determines that compliance with these
8 specifications, appliances, and principles is not feasible for the affordable housing
9 structure to attain, the Administration may waive compliance with this section. The
10 CGO will identify the project in his/her report to City Council."
11

12 **Section 7.** That should a court of competent jurisdiction declare any part of
13 this Ordinance invalid the remaining parts hereof shall not, in any way, be affected by
14 such determination as to the invalid part.
15

16 **Section 8.** That all ordinances or parts of ordinances in conflict herewith are
17 hereby repealed to the extent of any conflict.
18

19 **Section 9.** That this ordinance shall take effect immediately upon becoming a
20 law.
21

22
23 PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF
24 TAMPA, FLORIDA, ON _____.
25

26 ATTEST:

27
28 _____
29 CHAIRMAN/CHAIRMAN PRO-TEM
30 CITY COUNCIL
31

32
33 _____
34 CITY CLERK/DEPUTY CITY CLERK
35

36 APPROVED BY ME ON _____
37

38
39 _____
40 PAM IORIO, MAYOR
41

42 APPROVED AS TO LEGAL
43 SUFFICIENCY BY:
44

45 _____ E/S _____
46

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4

JULIA MANDELL COLE
SENIOR ASSISTANT CITY ATTORNEY

K:/Debbie/Chapter17.5/Ordinance-Section 17.5-201.205