

AN ORDINANCE BY CITY UTILITIES COMMITTEE TO AMEND CHAPTER 75, SUSTAINABLE DEVELOPMENT DESIGN STANDARDS, OF THE CITY OF ATLANTA CODE OF ORDINANCES TO PERMIT THIRD-PARTY CERTIFYING SYSTEMS FOR SUSTAINABLE DEVELOPMENT DESIGN OF BUILDINGS THAT ARE CONSIDERED EQUIVALENT TO LEED™ TO SATISFY THE CITY'S EXISTING REQUIREMENTS FOR LEED™ CERTIFICATION IN CHAPTER 75; AND FOR OTHER PURPOSES.

►(HELD 11/27/18 AT THE REQUEST OF THE OFFICE OF RESILIENCE FOR FURTHER REVIEW.)

WHEREAS, Chapter 75, Sustainable Development Design Standards, of the City of Atlanta Code of Ordinances sets out the requirements and procedures for the design and maintenance of City-owned buildings; and

WHEREAS, the Sustainable Development Design Standards require all City-owned facilities and buildings over 5,000 gross square feet of occupied space to achieve LEED™ Silver Certification; and

WHEREAS, the Sustainable Design Standards require facilities that are required to be audited and comply with retrocommissioning requirements per Part 8, Chapter 2, Article J of the City's Land Development Code, Part III of the City of Atlanta Code of Ordinances, to obtain LEED™ Existing Buildings: Operation & Maintenance Certification; and

WHEREAS, LEED™ is a third-party certifying system designed for rating new and existing commercial, institutional, and multi-family residential buildings; and

WHEREAS, alternative third-party certifying systems for sustainable development design of buildings exist that are equivalent to LEED™ and achieve sustainable design outcomes that align with the City of Atlanta's ("City") commitment to sustainable building; and

WHEREAS, it is desirable to authorize the use of alternative third-party certifying systems for sustainable development design of City-owned facilities when appropriate; and

WHEREAS, it is in the best interests of the City to revise Chapter 75, Sustainable Development Design Standards, of the City of Atlanta Code of Ordinances to permit third-party certifying systems for sustainable development design of buildings that are considered equivalent to LEED™ to satisfy the City's existing requirements for LEED™ Silver Certification and LEED™ Existing Buildings: Operation & Maintenance Certification.

NOW, THEREFORE THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

SECTION 1. Chapter 75 (Sustainable Development Design Standards), Article II, Section 75-19 (Policy and Goals) of the Code of Ordinances of the City of Atlanta, Georgia, which currently provides as follows:

Sec. 75-19 Policy and Goals

- (a) It is the policy of the City of Atlanta to finance, plan, design, construct, manage, renovate, maintain, and decommission its facilities and buildings using sustainable practices and means. This applies to new construction and renovations in which the total project square footage includes at least 5,000 gross square feet of occupied space.
- (b) The LEED™ rating system and Reference Guide shall be used as guidance for design and as a measuring tool to determine what constitutes sustainable building by national standards.
- (c) Facilities and buildings over 5,000 gross square feet of occupied space shall at a minimum incorporate sustainable design criterion as defined by this Article. Design and project management teams are required to achieve LEED™ Silver Certification.
- (d) At the time facilities are required to be audited and comply with retrocommissioning requirements per Part 8, Chapter 2, Article J of the City’s Land Development Code, Part III of the City of Atlanta Code of Ordinances, facilities shall obtain LEED™ Existing Buildings: Operation & Maintenance or the most recent equivalent.

Is hereby amended and modified as follows:

Sec. 75-19 Policy and Goals

- (a) It is the policy of the City of Atlanta to finance, plan, design, construct, manage, renovate, maintain, and decommission its facilities and buildings using sustainable practices and means. This applies to new construction and renovations in which the total project square footage includes at least 5,000 gross square feet of occupied space.
- (b) The LEED™ rating system and Reference Guide or equivalent third-party certifying system shall be used as guidance for design and as a measuring tool to determine what constitutes sustainable building by national standards.
- (c) Facilities and buildings over 5,000 gross square feet of occupied space shall at a minimum incorporate sustainable design criterion as defined by this Article. Design and project management teams are required to achieve LEED™ Silver Certification or equivalent third-party certifying system

for sustainable building design, as determined at the discretion of the Office of Buildings.

(d) At the time facilities are required to be audited and comply with retrocommissioning requirements per Part 8, Chapter 2, Article J of the City’s Land Development Code, Part III of the City of Atlanta Code of Ordinances, facilities shall obtain LEED™ Existing Buildings: Operation & Maintenance or equivalent third-party certifying system for sustainable operations and maintenance of existing buildings, as determined at the discretion of the Office of Buildings.

SECTION 2. Chapter 75 (Sustainable Development Design Standards), Article II, Section 75-20 (Procedures and Responsibilities) of the Code of Ordinances of the City of Atlanta, Georgia, which currently provides as follows:

Sec. 75-20 Procedures and Responsibilities

(a) The commissioners of all city departments or their designee(s) whose responsibilities include planning, designing, constructing or renovating city-owned, city-managed, and city-leased facilities are responsible for ensuring facilities and buildings comply with section 75-19.

(b) The manager office of buildings or designee is responsible for coordinating city departments any educational and technical resources available that support and promote sustainable design and construction of city facilities.

(c) The commissioners of all city departments or their designee(s) are responsible for completing LEED™ training.

Is hereby amended and modified as follows:

Sec. 75-20 Procedures and Responsibilities

(a) The commissioners of all city departments or their designee(s) whose responsibilities include planning, designing, constructing or renovating city-owned, city-managed, and city-leased facilities are responsible for ensuring facilities and buildings comply with section 75-19.

(b) The ~~manager~~ office of buildings or designee is responsible for coordinating city departments any educational and technical resources available that support and promote sustainable design and construction of city facilities.

(c) The commissioners of all city departments or their designee(s) are responsible for completing LEED™ training.

(d) The office of buildings is responsible for determining if a proposed third-party certifying system for sustainable building design or sustainable building operations and management qualifies as an equivalent to LEED™ Silver Certification for new construction and major renovation or LEED™ Existing Buildings: Operation & Maintenance.

SECTION 3. Chapter 75 (Sustainable Development Design Standards), Article II, Section 75-21 (Budgeting and Financing), of the Code of Ordinances of the City of Atlanta, Georgia, which currently provides as follows:

Sec. 75-21 Budgeting and Financing

All capital construction which falls under this policy is required to budget LEED™ design standards in the conceptual development of a City funded facility and/or the CDP/CIP process through the Department of Planning. Budget planning and life cycle cost analysis to achieve LEED™ Silver Certification, or equivalent 3rd-party verified green building certification, and LEED™ Existing Buildings: Operations & Maintenance Certification, or equivalent 3rd-party verified green building certification for existing buildings operation and maintenance, is required.

Is hereby amended and modified as follows:

Sec. 75-21 Budgeting and Financing

All capital construction which falls under this policy is required to budget LEED™ design standards in the conceptual development of a City funded facility and/or the CDP/CIP process through the Department of Planning. Budget planning and life cycle cost analysis to achieve LEED™ Silver Certification, or equivalent third-party certifying system for sustainable building design, and LEED™ Existing Buildings: Operations & Maintenance Certification, or equivalent third-party certifying system for sustainable operations and maintenance of existing buildings, is required.

SECTION 4. Chapter 75 (Sustainable Development Design Standards), Article II, 75-26 (Facility Design Prerequisites) of the Code of Ordinances of the City of Atlanta, Georgia, which currently provides as follows:

Sec. 75-26 Facility Design Prerequisites

All City departments and offices and their contractors responsible for financing, planning, designing, developing, constructing and managing City shall include the following prerequisites when designing a

facility (as consistent with the USGBC LEED™ Rating Standards):

- (1) Compliance with Atlanta Code of Ordinances, Article II, Section 74-35, Erosion and Sedimentation Control.
- (2) Fundamental Building Systems Commissioning: Verify and ensure that fundamental building elements and systems are designed, installed, and calibrated to operate as projected.
- (3) Minimum Energy Performance: Establish minimum energy performance for buildings and respective systems of buildings. Energy and water efficiency of those buildings and respective systems is to be measured, managed, and optimized on an ongoing basis.
- (4) CFC Reduction in HVAC&R Equipment: Reduce ozone depletion.
- (5) Recycling: Implement a comprehensive recycling program that reduces waste generated by building occupants.
- (6) Minimum Indoor Air Quality: Establish minimum indoor air quality (IAQ) performance to prevent the development of indoor air quality problems in buildings.
- (7) Environmental Tobacco Smoke (ETS) Control: Prevent exposure of building occupants and systems to ETS.
- (8) Education: Educate appropriate City Personnel responsible for operations and maintenance of those systems throughout the building's lifecycle.

Is hereby amended and modified as follows:

Sec. 75-26 Facility Design Prerequisites

All City departments and offices and their contractors responsible for financing, planning, designing, developing, constructing and managing City shall include the following prerequisites when designing a facility (as consistent with the USGBC LEED™ Rating Standards or equivalent third-party certifying system):

- (1) Compliance with Atlanta Code of Ordinances, Article II, Section 74-35, Erosion and Sedimentation Control.
- (2) Fundamental Building Systems Commissioning: Verify and ensure that fundamental building elements and systems are designed, installed, and calibrated to operate as projected.
- (3) Minimum Energy Performance: Establish minimum energy performance for buildings and respective systems of buildings. Energy and water efficiency of those buildings and respective systems is to be measured, managed, and optimized on an ongoing basis.
- (4) CFC Reduction in HVAC&R Equipment: Reduce ozone depletion.
- (5) Recycling: Implement a comprehensive recycling program that reduces waste generated by building occupants.
- (6) Minimum Indoor Air Quality: Establish minimum indoor air quality (IAQ) performance to prevent the development of indoor air quality problems in buildings.

- (7) Environmental Tobacco Smoke (ETS) Control: Prevent exposure of building occupants and systems to ETS.
- (8) Education: Educate appropriate City Personnel responsible for operations and maintenance of those systems throughout the building's lifecycle.

SECTION 5. All ordinances in conflict with this ordinance are hereby waived to the extent of the conflict.

**CITY COUNCIL
ATLANTA, GEORGIA**

18-O-1713

AN ORDINANCE BY CITY UTILITIES COMMITTEE TO AMEND CHAPTER 75, SUSTAINABLE DEVELOPMENT DESIGN STANDARDS, OF THE CITY OF ATLANTA CODE OF ORDINANCES TO PERMIT THIRD-PARTY CERTIFYING SYSTEMS FOR SUSTAINABLE DEVELOPMENT DESIGN OF BUILDINGS THAT ARE CONSIDERED EQUIVALENT TO LEED™ TO SATISFY THE CITY'S EXISTING REQUIREMENTS FOR LEED™ CERTIFICATION IN CHAPTER 75; AND FOR OTHER PURPOSES.▶(HELD 11/27/18 AT THE REQUEST OF THE OFFICE OF RESILIENCE FOR FURTHER REVIEW.)

Workflow List:

Carl L Christie	Completed	11/05/2018 9:40 AM
Michele Wynn	Completed	11/05/2018 10:01 AM
Finance	Completed	11/05/2018 10:02 AM
Roosevelt Council	Completed	11/05/2018 11:04 AM
Mayor's Office	Completed	11/05/2018 11:48 AM
Office of Research and Policy Analysis	Completed	11/05/2018 7:30 PM
City Utilities Committee	Completed	11/13/2018 9:30 AM
Atlanta City Council	Completed	11/19/2018 1:00 PM
City Utilities Committee	Completed	11/27/2018 9:30 AM
Atlanta City Council	Completed	12/03/2018 1:00 PM
City Utilities Committee	Completed	12/11/2018 9:30 AM
Atlanta City Council	Completed	01/07/2019 1:00 PM
City Utilities Committee	Completed	01/15/2019 9:30 AM
Atlanta City Council	Completed	01/22/2019 1:00 PM
Atlanta City Council	Completed	12/03/2018 1:00 PM
City Utilities Committee	Pending	01/29/2019 9:30 AM
Atlanta City Council	Completed	02/04/2019 1:00 PM
City Utilities Committee	Completed	02/12/2019 9:30 AM
Atlanta City Council	Completed	02/18/2019 1:00 PM
City Utilities Committee	Completed	02/26/2019 9:30 AM
Atlanta City Council	Completed	03/04/2019 1:00 PM
City Utilities Committee	Completed	03/12/2019 9:30 AM
Atlanta City Council	Completed	03/18/2019 1:00 PM
City Utilities Committee	Completed	03/26/2019 9:30 AM
Atlanta City Council	Completed	04/15/2019 1:00 PM
City Utilities Committee	Completed	04/23/2019 9:30 AM
Atlanta City Council	Completed	05/06/2019 1:00 PM
City Utilities Committee	Completed	05/14/2019 9:30 AM
Atlanta City Council	Completed	05/20/2019 1:00 PM
City Utilities Committee	Completed	05/28/2019 9:30 AM
Atlanta City Council	Completed	06/03/2019 1:00 PM
City Utilities Committee	Completed	06/11/2019 9:30 AM
Atlanta City Council	Completed	06/17/2019 1:00 PM
City Utilities Committee	Completed	06/25/2019 9:30 AM
Atlanta City Council	Completed	07/01/2019 1:00 PM
City Utilities Committee	Completed	07/09/2019 9:30 AM
Atlanta City Council	Completed	08/05/2019 1:00 PM
City Utilities Committee	Completed	08/13/2019 9:30 AM
Atlanta City Council	Completed	08/19/2019 1:00 PM

City Utilities Committee
Atlanta City Council
City Utilities Committee
Mayor's Office

Completed 08/27/2019 9:30 AM
Completed 09/03/2019 1:00 PM
Pending 09/10/2019 9:30 AM
Pending

HISTORY:

11/13/18 City Utilities Committee REFERRED TO COMMITTEE

TO BE REFERRED TO CITY UTILITIES COMMITTEE

RESULT:	REFERRED TO COMMITTEE [5 TO 0]	Next: 11/19/2018 1:00 PM
MOVER:	JP Matzigkeit, Chair	
SECONDER:	Howard Shook, District 7	
AYES:	Matzigkeit, Bond, Sheperd, Shook, Smith	
ABSENT:	Ivory Lee Young Jr.	
AWAY:	Cleta Winslow	

11/19/18 Atlanta City Council REFERRED TO COMMITTEE

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

RESULT:	REFERRED TO COMMITTEE [13 TO 0]	Next: 11/27/2018 9:30 AM
AYES:	Bond, Westmoreland, Dickens, Smith, Farokhi, Winslow, Archibong, Ide, Shook, Matzigkeit, Hillis, Boone, Overstreet	
EXCUSED:	Ivory Lee Young Jr.	
AWAY:	Joyce M Sheperd	

11/27/18 City Utilities Committee HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE [UNANIMOUS]	Next: 12/3/2018 1:00 PM
MOVER:	Carla Smith, District 1	
SECONDER:	Joyce M Sheperd, District 12	
AYES:	Matzigkeit, Sheperd, Shook, Smith, Winslow	
ABSENT:	Michael Julian Bond, Ivory Lee Young Jr.	

12/03/18 Atlanta City Council RETURNED AS HELD

RETURNED AS HELD TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

RESULT:	RETURNED AS HELD	Next: 12/11/2018 9:30 AM
----------------	-------------------------	---------------------------------

12/11/18 City Utilities Committee

01/07/19 Atlanta City Council RETURNED AS HELD

RETURNED AS HELD TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

RESULT:	RETURNED AS HELD	Next: 1/15/2019 9:30 AM
----------------	-------------------------	--------------------------------

01/15/19 City Utilities Committee HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE	Next: 1/22/2019 1:00 PM
----------------	--------------------------	--------------------------------

01/22/19 Atlanta City Council RETURNED AS HELD

RETURNED AS HELD TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

RESULT:	RETURNED AS HELD	Next: 1/29/2019 9:30 AM
----------------	-------------------------	--------------------------------

02/04/19 Atlanta City Council RETURNED AS HELD

RETURNED AS HELD TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

RESULT:	RETURNED AS HELD	Next: 2/12/2019 9:30 AM
02/12/19	City Utilities Committee	HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE	Next: 2/18/2019 1:00 PM
02/18/19	Atlanta City Council	RETURNED AS HELD

RETURNED AS HELD TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

RESULT:	RETURNED AS HELD	Next: 2/26/2019 9:30 AM
02/26/19	City Utilities Committee	HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE	Next: 3/4/2019 1:00 PM
03/04/19	Atlanta City Council	RETURNED AS HELD

RETURNED AS HELD TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

RESULT:	RETURNED AS HELD	Next: 3/12/2019 9:30 AM
03/12/19	City Utilities Committee	HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE	Next: 3/18/2019 1:00 PM
03/18/19	Atlanta City Council	RETURNED AS HELD

RETURNED AS HELD TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

RESULT:	RETURNED AS HELD	Next: 3/26/2019 9:30 AM
03/26/19	City Utilities Committee	HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE	Next: 4/15/2019 1:00 PM
04/15/19	Atlanta City Council	RETURNED AS HELD

RETURNED AS HELD TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

RESULT:	RETURNED AS HELD	Next: 4/23/2019 9:30 AM
04/23/19	City Utilities Committee	HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE	Next: 5/6/2019 1:00 PM
05/06/19	Atlanta City Council	RETURNED AS HELD

RETURNED AS HELD TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

RESULT:	RETURNED AS HELD	Next: 5/14/2019 9:30 AM
05/14/19	City Utilities Committee	HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE	Next: 5/20/2019 1:00 PM
05/20/19	Atlanta City Council	RETURNED AS HELD

RETURNED AS HELD TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

RESULT:	RETURNED AS HELD	Next: 5/28/2019 9:30 AM
05/28/19	City Utilities Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	Next: 6/3/2019 1:00 PM
06/03/19	Atlanta City Council	RETURNED AS HELD
<u>RETURNED AS HELD TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION</u>		
RESULT:	RETURNED AS HELD	Next: 6/11/2019 9:30 AM
06/11/19	City Utilities Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	Next: 6/17/2019 1:00 PM
06/17/19	Atlanta City Council	RETURNED AS HELD
<u>RETURNED AS HELD TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION</u>		
RESULT:	RETURNED AS HELD	Next: 6/25/2019 9:30 AM
06/25/19	City Utilities Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	Next: 7/1/2019 1:00 PM
07/01/19	Atlanta City Council	RETURNED AS HELD
<u>RETURNED AS HELD TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION</u>		
RESULT:	RETURNED AS HELD	Next: 7/9/2019 9:30 AM
07/09/19	City Utilities Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	Next: 8/5/2019 1:00 PM
08/05/19	Atlanta City Council	RETURNED AS HELD
<u>RETURNED AS HELD TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION</u>		
RESULT:	RETURNED AS HELD	Next: 8/13/2019 9:30 AM
08/13/19	City Utilities Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	Next: 8/19/2019 1:00 PM
08/19/19	Atlanta City Council	RETURNED AS HELD
<u>RETURNED AS HELD TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION</u>		
RESULT:	RETURNED AS HELD	Next: 8/27/2019 9:30 AM
08/27/19	City Utilities Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	Next: 9/3/2019 1:00 PM
09/03/19	Atlanta City Council	RETURNED AS HELD
<u>RETURNED AS HELD TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION</u>		

RESULT:

RETURNED AS HELD

Next: 9/10/2019 9:30 AM

AN ORDINANCE BY CITY UTILITIES COMMITTEE TO AMEND CHAPTER 75, SUSTAINABLE DEVELOPMENT DESIGN STANDARDS, OF THE CITY OF ATLANTA CODE OF ORDINANCES TO PERMIT THIRD-PARTY CERTIFYING SYSTEMS FOR SUSTAINABLE DEVELOPMENT DESIGN OF BUILDINGS THAT ARE CONSIDERED EQUIVALENT TO LEED™ TO SATISFY THE CITY'S EXISTING REQUIREMENTS FOR LEED™ CERTIFICATION IN CHAPTER 75; AND FOR OTHER PURPOSES.

Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	