

**CITY OF NEWARK
DELAWARE**

**PLANNING COMMISSION
GREEN BUILDING CODE WORK GROUP
MEETING MINUTES**

June 25, 2019

3:30 p.m.

Present at the 3:30 p.m. meeting:

Chairman: Will Hurd

Members Present: Jeremy Firestone
Tim Poole
Ben Prettyman
Reid Rowlands

Members Absent: George Irvine
Rob Jadick
Stacy McNatt
Vacancy (Conservation Advisory Commission)

Staff Present: Derek Alford, Planning and Development Intern
Nicholas Lewis, Planning and Development Intern

Mr. Will Hurd called the Green Building Code Work Group meeting to order at 3:36 p.m.

1. INTRODUCTIONS

Mr. Will Hurd: Are we recording? We are recording. Alright. Well, let's get this rolling. We'll go around the table first, just for the record. Will Hurd, Planning Commissioner.

Mr. Reid Rowlands: Reid Rowlands, citizen of a different state.

Mr. Jeremy Firestone: Jeremy Firestone, University of Delaware professor and former member of the Planning Commission.

Mr. Tim Poole: Tim Poole, Code Enforcement.

Mr. Nicholas Lewis: Nicholas Lewis, Planning Intern, City of Newark.

Mr. Derek Alford: Derek Alford, Planning Intern, City of Newark.

Mr. Hurd: Do you like Nick or Nicholas?

Mr. Lewis: Nicholas.

Mr. Hurd: Okay.

2. CHAIR'S REMARKS

Mr. Hurd: My only thing for Chair's Remarks is we're going to try to wrap up at 5:00 so . . .

Mr. Rowlands: Don't stop for me. You guys can keep going.

Mr. Firestone: Well, we may not have a quorum.

Mr. Hurd: We may not have a quorum . . . well, let's aim to wrap up at 5:00 and we'll see how we're doing.

3. MINUTES OF THE MAY 21, 2019 GREEN BUILDING CODE WORK GROUP MEETING

[Secretary's Note: The minutes of the May 21, 2019 Green Building Code Work Group meeting were not yet transcribed as of June 25, 2019 and therefore were not available for the Work Group's review and approval.]

Mr. Hurd: Alright, we have no minutes to approve, so those will come later.

4. ASSIGNMENT OF POINTS AND REVIEWING CRITERIA FOR COMMERCIAL PROJECTS

Mr. Hurd: What I'd like to do is to spend let's say 25 minutes, no more, going through the commercial projects list. I'm sorry that it's much smaller than I planned. I had kind of cleaned up and condensed it to try to make it easier to look at all the stuff together and then it got kind of tiny, so we'll try to bump it back up in font.

Mr. Rowlands: And bring me up to speed on color coding.

Mr. Hurd: The blue is energy, the green is resources, the orange is indoor environmental quality, and the green is site.

Mr. Rowlands: And yellow?

Mr. Hurd: The yellow is things that we think need some more attention. And red is things that are undone still.

Mr. Poole: I thought yellow was . . .

Mr. Hurd: Or changes from the . . .

Mr. Poole: Changes.

Mr. Hurd: Changes, thank you.

Mr. Rowlands: Oh, changes from the previous time.

Mr. Poole: And red is stuff that we think still needs work.

Mr. Rowlands: Okay.

Mr. Hurd: And some of these yellows may have been yellow last time and then we edited them, so we haven't reset the colors on them yet.

What I wanted to just sort of bring people up to speed on, when I went through this, I went through, Tim had made some of the edits from the meeting, I tweaked some things, added some criteria stuff, I didn't flag anything as changed because I forgot that yellow means changed, and I started working the points. I ran into an issue which is partly why I wanted to spend some time working through this, but I think it will be a useful conversation because it will inform the residential list as well.

We had been talking back and forth, in a general term, about 50 points as the baseline. So, what I did was for instance for the energy, we said, okay, there's a documented reduction of 20% of the energy usage of the building, that's 30 points. Or . . . and this is where I got into it . . . you pick up credits in envelope, service water heating, lighting controls, and renewable energy

equal to 30 points. That I thought felt balanced. It didn't feel like you said, well, you get 30 points for doing the thing or you get 25 for doing the other way, because we're trying to reach the same point. You know, the same goal is reduction in energy usage.

Mr. Rowlands: And that's fine for wording and then we assign points to make it more or less difficult to do that.

Mr. Hurd: Right. So, that was where things like renewable energy . . . so the first column here, the bold number, that's the number of points available in the category. The second column would be the minimum required for that category. So, what I was thinking was that renewable energy, at the first level, we can ask them for like two things, like the capacity and then a photovoltaic system or purchasing some power or an EV vehicle gives you 2 points and you're done. When I started thinking about that, when I got down to the site category, the site selection and development, this is where we've been having a lot of conversation around it, and this is, I think, a sticking point when we've been looking at these credits in conjunction with like the site plan development approval process and such. It kept feeling like these aren't credits attached to the building, as part of the building permit, but these should be credits part of the site plan approval process. Partly because the site plan approval process, one of the elements that they can try to achieve is, you know, basically improve energy performance using LEED certified as a baseline.

Mr. Poole: So, someone who follows the Zoning Code gets no points for site work?

Mr. Hurd: At the moment. This is part of the conversation. I'm just telling you how I came to here.

Mr. Rowlands: Isn't it supposed to be that way throughout? That this is a more stringent, if they go through this process . . .

Mr. Hurd: So, some of these are checklist items that are in the current Code. Correct?

Mr. Poole: Correct. Well, similar.

Mr. Rowlands: So, maybe they shouldn't get a point for doing nothing more than what's required.

Mr. Hurd: And that was part of the conversation was that there were some points that felt like that's something that they should be doing or they're going to get by default, like location near a bus line. It's almost, you know, there were some that felt like almost gimme points.

Mr. Rowlands: Right.

Mr. Hurd: So, there was an issue about should we be giving them or not. So, what I'm sort of putting on the table for us to talk about is to say, okay, 50 points when you're going for a building permit, 75 points when you're going for the site plan approval process, which is the 50 points already in the building permit plan, plus another 25 that come in resource conservation, indoor environmental air quality, renewable energy, and then a big chunk of them came in the site selection and development.

Mr. Rowlands: Forgive me if I misunderstood, I thought this only kicked in when someone went through site plan approval?

Mr. Hurd: No.

Mr. Rowlands: This is just building permit?

Mr. Hurd: Building permit.

Mr. Poole: No, this is a building permit for a building larger than currently 25,000 square feet. We had discussions of reducing it to 5,000 square feet or 10,000.

Mr. Hurd: And we're still talking here about commercial.

Mr. Rowlands: Yeah, yeah,

Mr. Hurd: That is commercial buildings or high-rise residential over three stories or multi-family kind of things. But, yes, if they come in for a building permit, they have to . . .

Mr. Rowlands: They have to go through this.

Mr. Hurd: Yeah, boom, boom, boom, boom, boom.

Mr. Rowlands: Okay. I was way off.

Mr. Hurd: Sorry if that wasn't clear.

Mr. Rowlands: But I like it.

Mr. Hurd: Okay.

Mr. Rowlands: So, yeah, the different point whether it's . . .

Mr. Hurd: So, that was part of the thinking was to say if I'm going to ask for 25 points, what should we be pushing up? And one of the things was renewable energy should be pushed harder. Resources should be pushed harder. Indoor environmental air quality because, again, it's likely to be things like townhome developments on Benny. So, it's going to be more likely to be a rental or developed property. So, occupant comfort is going to be important and now site selection is going to be a piece of it because you say, well, if you're coming for site plan approval, it's a development, it's not a single building, so now we're going to be looking at things like increased percentage of open space or preservation of natural, of existing, you know, plants and such.

Mr. Rowlands: Could you have two columns for points?

Mr. Hurd; That's what I've got. So . . .

Mr. Rowlands: One is building permit and one is site plan.

Mr. Hurd: In the white section, the first while column after the colored lines, that's required minimum points and it's totaled up. So, for envelope there's 10 minimum points.

Ben.

Mr. Ben Prettyman: Hey.

Mr. Hurd: Ben just joined the meeting.

Mr. Rowlands: Is Ben leaving the meeting at 5:00 p.m. also?

Mr. Prettyman: Yeah.

Mr. Hurd: Where is everybody . . .

Mr. Rowlands: The walk.

Mr. Prettyman: Is that today? I might not be able to make that.

Mr. Hurd: Alright, so like mechanical systems is 10, service water heating is 3, lighting and controls is 5, minimum, renewable energy is 2 for the building permit and it's 5 for the site plan approval. Because 5 points means, alright, you put in capacity for the things, maybe you put an EV station, and then you've got three, you've got 30 kilowatts, or you've purchased 20 kilowatts of green energy. Or 60 kilowatts.

Mr. Firestone: Can you explain the, I guess the rationale for the groupings of points. So, you know, 2 for renewable energy versus 10 for building [inaudible] reuse of materials, resource conservation . . .

Mr. Hurd: Do you mean the minimums?

Mr. Firestone: Yeah, the minimums. So, are we doing the right . . .

Mr. Rowlands: I don't think we've finalized how many each section is worth point-wise yet.

Mr. Hurd: I don't know that this was something that came out of the conversation or I think that may have been something that I had done, and it was partly because I still had 50 as the minimum number of points. And so, I couldn't put too many into renewable energy or it would be over 50. And that's another part of this conversation, too.

Mr. Poole: My question is, with this, you're being very specific and limiting flexibility.

Mr. Hurd: I understand. And I think one of the first things, I'm just trying to sort of explain what's in front of you here that I sort of worked up. I will say that one of the challenges is that 50 points kind of stopped things early. So, like resource conservation, there's 53 points available depending on what you do, but to balance the numbers, you know, it's like do 10. It's a very small number and a small piece of it. I was mostly trying to look at it where like indoor air environmental quality, there's 19 points available so I said let's do, basically, a little more than half as the minimum number. So, 10 points would be the required minimum and then 15 if you're doing the site plan approval.

Mr. Firestone: I mean I guess part of the question is whether every subcategory should have a minimum or whether there should just be minimums on a couple of things and then provide electives which provides little more flexibility.

Mr. Hurd: Yeah, we've had that conversation back and forth and I felt that the general feeling of the committee was that if we didn't put some minimums on categories, then categories would be completely excluded. And this is partly based on how it's been used, that people will obviously go for the easiest points until they get there and then they're done. And this was a way to kind of spread that load to say we really do want you to put some effort into energy and material and resources and indoor air quality so that things don't get skipped.

Mr. Firestone: Right, but by the way I count it now, and maybe my math is wrong, if you take all the category points you get 50, so that no one could put extra emphasis on any category. I mean the minimums are actually the maximums . . .

Mr. Hurd: Right, right . . .

Mr. Firestone: The way you've got it.

Mr. Hurd: And that's, you've caught the first problem I ran into, which was 50 points quickly got used up when I started putting minimums on the categories and sort of went, alright, so there's no leeway. There's nothing above the minimum for people to put the . . .

Mr. Firestone: Right, so the minimum . . .

Mr. Hurd: So, 50 might not be the right . . .

Mr. Firestone: Or the minimums have to be significantly lower.

Mr. Poole: Fifty points, or the minimums would be less to allow the flexibility that we're looking for.

Mr. Hurd: Well, and that's the question. Can we, are there areas where we want to go, do we want to bring the minimum number down in some categories or do we want to bring the total number up?

Mr. Poole: Well, we had originally, and I suggested the 50 points, I had set to put 20 in energy, 10 in resource and conservation, and 10 in indoor environmental quality, and then leave 10 for some flexibility.

Mr. Hurd: Which we could do. I think we could just go back and say, alright, so maybe instead of saying 30 points for, you know, documenting 20% reduction, then that energy chunk is 20 points.

Mr. Poole: Well, then you're reducing, again, if somebody chooses to go there with that . . .

Mr. Hurd: So, you're saying maybe keep that 30 but then bring the minimums for the other ones down?

Mr. Poole: Yeah. Again, if you're in energy, you have to have 20, but you get 30 if you do the engineering that gets it to the stretch code.

Mr. Hurd: Okay.

Mr. Poole: Again, we can give them more points than they're required to have if they do something so dramatic as to that.

Mr. Hurd: Okay. Yeah, I guess I sort of was thinking whether it made sense to balance all of the points available in the energy group to balance that to the document. But maybe you're right, maybe it's 25. Maybe we just say it's 5 points over.

Mr. Rowlands: Are the minimums the same for site plan and building?

Mr. Hurd: Yes.

Mr. Firestone: We may want to have a system where either there are areas where we think people have bypassed in the past and so those have minimums and others don't. And then there may be certain areas like the envelope that people think are really important that even if people hadn't bypassed in the past, are worth also just to ensure it and then providing more flexibility to the difference.

Mr. Hurd: I guess I've always felt that the general consensus of the committee was that energy was the primary thing and so certainly that's envelope and mechanical equipment and hot water heating and those few things were a key piece of this that we want to make sure got addressed. And then I think it's like resources and materials and indoor air quality are kind of other ones that I think I feel, especially when I'm sitting up there, that those are getting shorter. That they're not getting addressed as directly. I'm trying not to look at you, Ben, when I'm saying this. Because I don't know what you do.

Mr. Rowlands: These minimum requirements that actually equal 50 points, they're not affected on the site plan approval because it's 75?

Mr. Hurd: So, some of them translate over so . . .

Mr. Rowlands: No, I'm saying if it works for 75 points, why do we have a 50 point for a building permit versus 75 on site plan approval.

Mr. Poole: I don't understand what you're saying.

Mr. Hurd: Because it's a different process.

Mr. Rowlands: Right now, we have 50 points for a building permit and 75 for site plan approval. Why not be the same?

Mr. Hurd: Oh, because, I'll try to keep this short. Are you familiar with the site plan approval code?

Mr. Rowlands: Very little.

Mr. Hurd: Okay, site plan approval, it's a terrible name and I've said this before but it's there, I think the better term for it is discretionary site plan approval in the Zoning Code. It allows for a developer to come to us with a plan that's not compliant to the Zoning Code and ask, basically, for relief from those areas where it's not compliant in exchange for providing benefits that have been enumerated in the Code. There are like seven – parking, connection to open space, blah, blah. One of those is improved energy performance using, the way the Code is written now, LEED certified as a baseline. They say our building is going to be a LEED certified building, that is in compliance with site plan approval code and that's one of the, I don't know what to call it . . .

Mr. Firestone: It's an extra bump.

Mr. Hurd: It's an aspect that we are considering in the approval of this development project and do we feel that they're doing enough things to justify basically . . .

Mr. Rowlands: Alright, so they're getting waivers because of site plan approval.

Mr. Hurd: Effectively, but it's not . . .

Mr. Rowlands: So, we're asking for 75.

Mr. Firestone: But we want them to get more points.

Mr. Poole: I have a question.

Mr. Hurd: Sure.

Mr. Poole: Have you seen anyone go through site plan approval and say we'll go LEED certified?

Mr. Hurd: Yes, almost all of them do.

Mr. Poole: LEED certified?

Mr. Hurd: Yep.

Mr. Poole: Which projects are those?

Mr. Hurd: O Paper Mill did, I'm pretty sure. I think Benny, most of the Benny ones did, I thought.

Mr. Poole: I don't think that we're getting LEED certified.

Mr. Prettyman: I'll have to go back and check. I think it was, there is, I'll have to go check with Alan, but I think there's like a LEED, there's like two things with LEED. There's just like the points system, and do you get those points, and then there's actually like the certificate.

Mr. Hurd: Oh, right. I don't think any of them have been documented LEED certified.

Mr. Poole: So, who is checking it?

Mr. Hurd: That's a very good question. I was under the impression that because it was stated as part of the application, that it is getting verified in some, that the builder in some way is submitting paperwork to document compliance.

Mr. Prettyman: I think they submit the forms for compliance but there's no, I'm not quite sure of that . . .

Mr. Rowlands: So, they're just doing the LEED checkpoint list and saying I got my points, here you go.

Mr. Hurd: Right. We tend to then want to keep it to . . .

Mr. Prettyman: No, no, we have to submit them in because we have the same type stuff. But whether it's actually from LEED or just a . . .

Mr. Rowlands: The architect doing it or something?

Mr. Hurd: Right, someone is just saying verified. It's basically our checklist bumped up some. Since we had early on said we'd like to try to get away from third party criteria being required for this, it made sense to me, that seemed to be still a gaping spot where we said, well, we're kind of requiring LEED, except it's not because we're not requiring the actual LEED certificate. But it seemed like what if we rolled that into the checklist and just made it all here and just were a little clearer. Basically, this is our opportunity, I feel like it's an opportunity to say this is what we want to see that project do in terms of energy and other things like green construction elements to be considered for site plan approval. But that's mostly me. I'm trying to get a feel for how the committee feels about that.

Mr. Prettyman: On our end, and I can't speak for everyone else that's doing things . . .

Mr. Hurd: Sure.

Mr. Prettyman: But, you know, we're going to navigate the waters kind of how we see best fit because in the end, it is an income-producing engine. So, if this gets too cumbersome to meet these Code requirements and different things, then it has to make sense money-wise to go through with the site plan approval.

Mr. Hurd: Okay. Right.

Mr. Prettyman: I mean it was just some feedback that, you know, some people actually came forward and read some of the minutes of the meetings, previous meetings which I wasn't able to attend, but you know it is . . .

Mr. Rowlands: Some people read our minutes?

Mr. Prettyman: Yeah, believe it or not.

Mr. Rowlands: That's cool.

Mr. Firestone: Wow, we're having . . .

Mr. Rowlands: We're scaring somebody.

Mr. Prettyman: So, you know, that would be my only thing is that the people that do, do keep in mind that the people that are coming before you in the site plan manner most of the time will be something that is income driven, whether or not it directly benefits every single person. But it is there for a benefit of some person and needs to make monetary sense with regards to that.

Mr. Hurd: No, and I think we've always understood that site plan approval means the developer gets some density bonuses, they get something and to balance that, the City is getting something. And whether that is maintained open space or, you know, better energy improvements or something, but you're right. I think that's always been one of the things that we're looking at here. We don't want to set a bar so high that everyone goes, well, I guess I'm not building in Newark anymore.

Mr. Prettyman: But at the same time, you don't want to narrow, I think as a committee we don't want to narrow this too much to the point where we've worn a path in, because the second that, let's just say one person comes through and they're like, you know what, we meet this criteria and all we had to do was this, then everyone is just going to follow suit on the same path and then they're just going to run right down it, in my opinion, if we narrow the . . .

Mr. Hurd: Right, and this is why I was trying to, I mean, when I looked at the site selection and development points, I calculated that we had 27 points available if we used the points as laid out, so I said 12 minimum to meet the site plan approval. So, that's not even half. And some of the areas are very undefined. But it's an opportunity, it was the time to talk about it because we've always been talking about improved stormwater design, you know, quality and quantity, has been a big issue. Well, this I thought, was an opportunity with some development work to actually get that into here. It's like what do we mean by improved quality? Do we mean more onsite infiltration? Do we mean more, you know, what? Because we often say we need it to be above Code. Well, what's above Code? It's like its kind of vague. So, this was an opportunity to say then quantity or quality is, well, you know, is it about improving the downstream stormwater lines a little bit or buffering it, or doing something to prevent overflows. It's an opportunity to sort of say you do something that helps the stormwater in that area and, guess what, you get 3 points. So, that's . . .

Mr. Rowlands: It sounds like we need to attack this issue of meeting the minimums for a building requirement. It's 50 points and we're not giving any leeway to go more or less.

Mr. Hurd: No, and that's why I sort of pulled it out to just say, if you're putting up a building, 50 points. We'll say 50 points. If that building is, now again, this is all for commercial, most of the stuff we're getting site plan approval on is actually going to be in the residential category because it's going to be three stories or less kind of single-family townhome kind of by design. So, it's IRC not IBC. But I want to have this general conversation here because a lot of this philosophy, what we decide on, is going to roll into the other part.

Mr. Firestone: Right.

Mr. Hurd: It's sort of overarching what's our philosophy on this checklist and the points and the goals.

Mr. Firestone: And so, the site plan approval is effectively 25 points.

Mr. Hurd: Yes.

Mr. Firestone: Effectively.

Mr. Rowlands: And that seems . . .

Mr. Poole: Have you . . . I'm sorry. Have you talked with Mary Ellen about this?

Mr. Hurd: No, not yet.

Mr. Prettyman: I was going to say, so in theory, as a developer if we got some dynamite thing we want to do and we're going to go in under site plan approval and we're not going to do any façade but be extremely energy efficient. Do you foresee that getting approved?

Mr. Hurd: I don't know because there's like seven criteria, right?

Mr. Prettyman: Right.

Mr. Hurd: It's never been clear how many of these do I as the Planning Commissioner need to feel that you've met or addressed for me to feel that you've earned, I'm using maybe loaded terms, but that's partly how I feel sometimes. It's like do I feel that you've done enough stuff for me to give you a height variance or area setback for instance. For me, personally, it often varies based on the project. So, there are some projects that comes to us with very minimal so it's like they don't need a lot, so they give us a little. You know, and there are ones that come to us and they ask for huge adjustments and you go, well then give me . . .

Mr. Poole: But this doesn't really allow for that give and take.

Mr. Rowlands: Not with the minimums in each category.

Mr. Firestone: Well, these are the minimum. This is not, you know, if your project is asking for a whole bunch of variances, you may have to come in with more than 25 extra points . . .

Mr. Poole: Right.

Mr. Firestone: In order for the Commission to say, yeah, we think that's a fair trade-off. But if you're just coming with a few smaller things . . .

Mr. Prettyman: I think that's where I'm saying that your discretion with the site plan approval is there's various entries to that category and people may feel differently on the panel but, you know, you have that wider array of things that you could be doing. Whereas, you know, you may get a person for site plan approval that doesn't need that many large variances or anything like that, but they still are going to be held to some, the same standard. Do you know what I mean?

Mr. Rowlands: Whatever this is.

Mr. Prettyman: Yeah, whatever this is, regardless . . .

Mr. Hurd: Well, I guess I saw this as really just filling in the spot for the one criteria about, you know, enhanced energy performance. Which we're not actually touching on the energy because it just says LEED certified. Well, LEED covers, you know, energy and materials and, you know, covers a broad area. So, I thought, okay, if we take our broad area checklist and we bump it up to 75 points, we could say okay you've met the intent of the Code in that you are improving, you know, performance and such under that checklist.

Mr. Firestone: Does anyone ever come for site plan approval not seeking variances?

Mr. Hurd: No.

Mr. Poole: No.

Mr. Firestone: Then they don't need to.

Mr. Hurd: No. Because usually it's about you're going to get a density bonus in exchange for this but you'll often, it's basically a non-compliant plan that they bring to us, either because in total count of units or setbacks or heights or things.

Mr. Poole: Or all of the above.

Mr. Hurd: Or all of the above, yeah. It's usually many things. The one thing I'd say, and we may need to discuss this a little further, is that some of the items under the site selection and development could be connected to other elements in the site plan approval, like connections to open space and such. Because we have a thing under here about preserving natural areas and maximizing open space. Now I'm of the understanding that we're starting to pull a couple other ones, the criteria, into this, and so we may need to think about if this is the right place for that.

Mr. Rowlands: But to your point, if somebody wanted to come in and do some innovative crazy thing on energy, they're going to meet that section but they're going way over that section, and they're still having to meet everything else.

Mr. Prettyman: Yeah, I just would foresee if, you know, we're going to do a self-sufficient warehouse or something and, you know, obviously we're spending a lot of money and a lot of emphasis on that and then so we [inaudible] the whole outside or something like that, would it get treated . . .

Mr. Hurd: Well, so I mean that's . . .

Mr. Prettyman: You know, might get shut down . . .

Mr. Hurd: That's why I'm bringing this and sort of saying here's a first thought. I mean I can't tell, and we can talk further, but we may just want to say if it makes sense to bring essentially site plan approval, the energy performance section of site plan approval into the checklist, where does it make sense to put that? Does that mean, do we bump up the points in any of the other categories or do we leave them alone and just say it's 25 more points and you need to get a few in site because it's a site plan approval, so we're going to be looking at that, but the rest of them can come from anywhere. And that may . . .

Mr. Rowlands: That's basically how it is right now though. Here's your minimums. You have to get 75 and after you've met the minimum, you can get those 25 anywhere you want.

Mr. Hurd: What I had done just as a first level, I added 5 more points to resource conservation and I added 5 more points to indoor environmental quality, just feeling that if it's a development, if it's got more things, it would be good if we pushed a little hard on material, you know, resource conservation, and pushed a little more on the indoor quality. But that's mostly just from conversations about if it's a rental place and it would be nice if it had, if it was built with fewer VOC-containing components, if it had a little more reclaimed lumber or, you know, LVLS. I don't know, it was like 5 more points, you know, just push a little. But I could easily just say forget that. This is the section for the building. The building is 50 points and you have to meet that as a building. And then 25 from wherever to basically qualify for site plan approval. You could also come in and say I'm building a Passive House and that's my way of meeting the advanced, you know, enhanced energy. What I'm trying to do is to get out of the Zoning Code the specific reference to a LEED certified list. I want to get that out and either say our checklist or . . .

Mr. Rowlands: Your opt-out could be certified Passive.

Mr. Hurd: Or some other demonstrative method of showing you're improving the performance over a standard . . .

Mr. Rowlands: Certified Passive House.

Mr. Hurd: Right, exactly. Or Green Globes. Or I'm going to get it LEED Silver. Or I'm going, you know, something that says I'm putting in the effort . . .

Mr. Rowlands: I would oppose going to LEED Silver, Gold, Platinum, whatever.

Mr. Hurd: Yeah . . .

Mr. Rowlands: I've seen some of the worst energy buildings out there that are LEED Platinum.

Mr. Hurd: Sure.

Mr. Rowlands: And that's not what I'm here for.

Mr. Hurd: Yeah, I know. But I think trying to give that flexibility to say, you know, because otherwise people come to us and they say here's my LEED checklist and I look at it . . . and this is just my opinion . . . and I go, wow, you took the easy points and didn't really push anything and . . .

Mr. Rowlands: That's the current 25 points.

Mr. Hurd: No, this is the current site plan approval, I'm doing LEED certified, and I have to do 45 points or something on the checklist. But the stormwater is still terrible, not terrible, but it's the Code minimum. I'm trying not to go too far down that . . .

Mr. Poole: All through this process we've been de-emphasizing, de-emphasizing, de-emphasizing those easy points and now you want to take them away altogether.

Mr. Hurd: I guess I'm not saying take them away. I'm shifting them.

Mr. Poole: You're not allowing it to go there. You've completely eliminated the site selection stuff as far as, from being permitted to be part of the building permit process. You're saying the only time that they get to do that is when they're in site plan approval.

Mr. Hurd: I'm putting that as a proposal. I'm just saying it made more sense to me when I was looking at that, that it fell into decisions made about the site as opposed to the building.

Mr. Poole: Right.

Mr. Hurd: And I get that they are connected for a lot of people. So, I mean, would you, I'm hearing certainly that we want to take down the minimums in the energy group so that it totals up to 20 so that there's 10 points available to use. I have no problem, I think, in saying you get those 10 points in the site plan section.

Mr. Poole: Well, originally it was broken up into three categories and now we're breaking it up into, and the subcategories were grouped into those three categories. And now we're breaking it up into twelve categories and saying minimums in each of those.

Mr. Hurd: Oh, you're right. I see what you mean. I see what you're saying. I thought that was something we hadn't settled on as to whether we're doing minimums for subcategories or just minimums for the whole . . .

Mr. Poole: I thought we were doing minimums for the whole . . . again, we can do whatever we decide to do, I'm just concerned about making it too restrictive . . .

Mr. Hurd: I hear that.

Mr. Poole: And really eliminating whole categories for folks that just want to build a building, doesn't really seem fair.

Mr. Hurd: Okay, so if we just said it's 20 points for the energy section, which is envelope, mechanical systems, service water heating, lighting, and renewable energy . . . well, this is where it's a question. Does renewable energy fall into that or does it stand on its own? I don't know if we've ever settled on that.

Mr. Poole: Well, it could move to resource conservation and efficiency, but I don't really think . . . I think it fits in energy.

Mr. Rowlands: Yeah, which is where it is now.

Mr. Hurd: By color, that's where it is. At some point, it got all capped which made it its own category. But if we say, okay, in that block of all these light blue, 20 points.

Mr. Poole: Yeah. And then 10 in the green, which we should edit this so that all the green are together.

Mr. Hurd: Isn't it?

Mr. Poole: No. No, the site selection and development is . . .

Mr. Hurd: It's a different green.

Mr. Poole: No, it's the same green.

Mr. Hurd: It is two different greens.

Mr. Poole: So, you're saying we make four categories instead of three?

Mr. Hurd: Yes. I think site selection and development should be its own category. That's my opinion.

Mr. Poole: Okay.

Mr. Hurd: So, 10 points in resource, 10 points in indoor environmental quality, and then no, I would say there would be no minimum for site selection and development in the building, for a building permit. No minimum but they're available. Does that make sense?

Mr. Poole: No.

Mr. Hurd: Why?

Mr. Firestone: My feeling is that we should only put . . .

Mr. Poole: So, stormwater is out? Stormwater is not required.

Mr. Firestone: We should focus only on minimums in the energy section.

Mr. Prettyman: I think stormwater is kind of hard.

Mr. Hurd: Okay.

Mr. Firestone: My view is that we should only have minimums in the energy section.

Mr. Hurd: And then it's just 30 points from wherever else?

Mr. Rowlands: Or, do we change the whole thing and just go to a couple of specific sections that are required?

Mr. Hurd: Well, I think I've been talked out of requirements.

Mr. Rowlands: Yeah, I know. But it's back on the table now.

Mr. Hurd: I'm going to take it off the table.

Mr. Firestone: It's never been off the table for me.

Mr. Hurd: Okay.

Mr. Firestone: I mean I like the idea of emphasizing the things that we think are really important and leaving the developer with a lot of flexibility for everything else.

Mr. Hurd: Okay.

Mr. Poole: So, requiring, having the requirements for energy being equal to all the other requirements isn't emphasizing it enough?

Mr. Firestone: Maybe. You know . . .

Mr. Hurd: I think it . . .

Mr. Poole: I'm asking the question.

Mr. Hurd: I guess what I'm hearing is to say, yes, 20 points minimum in energy, but then not saying also split the 10 in materials and 10 in indoor air quality . . .

Mr. Firestone: Because as soon as you do that, then you're not, you're really not emphasizing energy. You're really just putting, you're making buckets. And what I'm saying is that you give the developers as much flexibility as possible in all the areas other than the areas that we rise to the most importance.

Mr. Rowlands: Do we all agree?

Mr. Poole: Other people feel differently.

Mr. Firestone: Yes, they may.

Mr. Rowlands: Do we all agree that energy is the most important and we should emphasize it the most?

Mr. Hurd: That's been my sense.

Mr. Rowlands: It's mine, yours . . .

Mr. Firestone: Mine.

Mr. Poole: No.

Mr. Firestone: What is your view?

Mr. Prettyman: My personal view on this would be that it currently is set up, so you can make a judgment call on the overall project. So, if you felt it didn't go above and beyond or anything

crazy, but it met the minimum, I mean so we're trying to change the minimum, so it satisfies a higher, the minimum is raised essentially. Is that what I'm kind of hearing? So, if that was the case, you know, I think, from an outsider, it would be easiest to like to achieve, if you leave it up to something that's monetarily driven, it's going to hit the minimum or right around the minimum every time. That's just the nature of it.

Mr. Hurd: Right.

Mr. Prettyman: So, you know, unless you have somebody that's going to come in and be like, you know, I'm going to have a really energy-efficient building and I want this and we're going to go above and beyond, then you can . . .

Mr. Rowlands: Then you should get points for it.

Mr. Prettyman: And they will get points for it but what there's still kind of, like we're trying to curtail a project to be more energy efficient even though there's other ways in the process that it can excel. And not necessarily everything that's going to go in front might want to satisfy this, but the minimum is still like, in my opinion, rather energy efficient. So, it might be a tool for someone to not do as much exterior upgrades or do all vinyl or something. They can excel in the energy portion but I'm still kind of tossed up on how strict we want to make, you know, really crank down on this because there's other aspects of it that all play in being downtown, if you will. All the lots are real small, so some of the stuff really doesn't pertain and from a large-scale site design I don't want to say BS, but you know what I mean, you can only design a site so many different ways. But at the same time, you know, you can change your architecture substantially, you can do your energy a lot differently, you can do a little connectivity or community interaction being that the lots are so small. So, there's numerous things that might not excel and each project would be different, and I would just hate to . . .

Mr. Firestone: The impetus for the working group was that no developer ever contemplated site plan approval by putting on renewable energy systems. Not only were they not doing it, they were not even contemplating it. It seems that part of our mission then should be to solve that.

Mr. Hurd: To address it, sure.

Mr. Firestone: To address it.

Mr. Hurd: And then admittedly, the other part was, I think another piece of it was as we jumped from 2012 to 2018 IECC, there's stuff coming in there that's going to be at or above what's currently listed in our checklist. And so, the checklist had to get, kind of, something had to replace it or update it to put it under the newer energy codes. But one thing I just wanted to sort of check with Ben is that I sort of heard you saying, or at least it's got me thinking and I just want to get it out, and I don't know how this falls into our scope, but there isn't currently any benefit to going over the minimum. If we say the minimum is 50 and you say well what if I went to 60, there's no benefit to it. And that may be a bigger . . .

Mr. Firestone: I think it's hard to define when someone's proposal is so dramatically different from the Code that the Commission looks . . . I don't know that we can resolve that . . .

Mr. Hurd: And this isn't even Planning Commission. I'm just talking about in the Building Department . . .

Mr. Firestone: That we can resolve that issue here. I mean I think the minimum for site plan approval is to say, okay, you're going to have to do something, no matter what, and to a certain extent it's bounding the discretion of the Commission because the Commission then has to be somewhat reasonable around that . . .

Mr. Hurd: Right.

Mr. Firestone: But I don't know that we can define for all situations.

Mr. Hurd: Right. I just meant, to back up, one of the areas I got inspiration from the checklist, beside the fact that we already had one, for Swarthmore they have a green building checklist. And for every point you get, you get a percent off your building permit fee, up to 50. So, that's the enticement to push more points because I get a smaller fee. But this is why I said it might be outside the scope of this, but to say if 50 is minimum, and you have to get 50, what do you get for anything over 50? Do we want to incentivize going over the minimum and what realistically could we offer? That may be a question that we have to take back to the bigger, to your boss and my boss.

Mr. Firestone: How much is the building fee?

Mr. Poole: What?

Mr. Firestone: How much is the building fee permit?

Mr. Poole: They're value based.

Mr. Rowlands: It's a percent, isn't it?

Mr. Poole: Yeah. And right now, up to \$1 million is \$12 per thousand is permit fee, plus plan review fee, plus certificate of occupancy fee, plus . . .

Mr. Rowlands: I just think it's a difficult path to go down . . .

Mr. Hurd: That's why I'm saying it's outside of our scope.

Mr. Firestone: I mean they do need to be able to recoup the cost of the review. So, we can't say, you know, I mean you could raise the fees with the idea that then the people who do more can get lower than they are now, but ultimately you have to have a balanced budget there. I don't think we can just take money from the review team.

Mr. Hurd: And that's why I sort of heard that as a question in there, sort of if I have a great idea that's going to get me 60 points, but why because I could just do something normal and get 50. Why do more? But that's why we're into . . .

Mr. Rowlands: That's kind of a bigger picture than us.

Mr. Hurd: Exactly, we're into budgets, fees . . .

Mr. Rowlands: But in each of our groups, like a tenth is a minimum for this. If you had the energy, whatever that is, 20 points, if you did 30 or 40, then you could get a reduction in the minimum of the other categories. You know, some token amount to give them incentive to go more.

Mr. Hurd: Unless we take away the minimums in the other categories, so that's the thing.

Mr. Firestone: I think the other thing we want to consider is whether the points system should be somewhat dynamic so that let's say it's 50 points now, that we just benchmark it at 65 in 2025, unless the Commission, you know, we don't necessarily want to just run into a situation like we're at now where we're going to operate for three or four years under a system that's . . .

Mr. Rowlands: Some of that may already be in here. I forget where but X amount over current code. If the Code gets tougher, that's going to get tougher.

Mr. Hurd: Right, there are some of those, but I hear what you're saying. There could be a way to say, basically . . .

Mr. Firestone: So, we don't have to come back in five years and spend another . . .

Mr. Hurd: Every three years the minimum points increases by 5 or 10% increase kind of thing, until, and I guess it goes a cycle or two until we decide to rewrite the whole thing.

Mr. Firestone: Right.

Mr. Hurd: But basically, it lifts the bottom up a little bit over time.

Mr. Firestone: So, if the bottom is getting raised too much . . .

Mr. Poole: I have concerns about automatic stuff.

Mr. Hurd: Sure, as I expect you would.

Mr. Poole: Particularly, when it could reach an unreasonable level automatically or if the Code suddenly updates, particularly things like the Energy Conservation Code, where you now have to meet minimums at 20% greater and meanwhile it's really tough to get there.

Mr. Firestone: Well, I mean you still can build in but unless the Council, I mean, you can set it up so that in 2024 the Planning Commission is going to make a recommendation to the City Council on whether to stay with it or . . . when you just do something and then you leave it, there's a lot of inertia with doing nothing. Whereas if you build into the system change with review, then that then helps the system.

Mr. Hurd: Tim, question. Do you have an expectation that the City will shift to try and adopt the revised code each cycle or do you think it's going to stay with sort of an every other . . .

Mr. Poole: I believe . . .

Mr. Hurd: I'm trying to think of what the history has been.

Mr. Poole: It's more likely that they'll change every cycle. We just happened to miss the 2015 but we did adopt the 2006, the 2009, and the 2012.

Mr. Hurd: Okay, so we're . . .

Mr. Poole: We skipped the 2015 based on a few factors but mostly workload and busyness.

Mr. Hurd: Gotcha. So, if we could write into the, if one of our recommendations was basically to revisit either the minimum points or the criteria, the items themselves, with each adopted code cycle . . .

Mr. Poole: I think that's reasonable, to review every code cycle rather than to say, oh, it just automatically goes up by 10%.

Mr. Hurd: Right because . . .

Mr. Poole: Or it automatically goes up by 5 points or 10 points or however many points. I think that that can set up a very difficult situation . . .

Mr. Hurd: Because if you're not paying attention, you can go a couple of cycles and it's 60 points suddenly . . .

Mr. Poole: Well, more than that, I think the technology change with building science and with the codes responding to that, again, saying 20% more than current code, that automatically goes up. But beyond that, it makes some things irrelevant. That's why right now LEED 2009 v3 isn't really working.

Mr. Hurd: Right.

Mr. Poole: Because it's irrelevant or it's not as challenging compared to the 2018 Energy Conservation Code.

Mr. Hurd: Right.

Mr. Poole: So, again, I think it's more important to review the entire ordinance and including the point levels, just to review it. But I don't know how in an ordinance recommendation we can do that. That's more of an every five years Comp Plan type thing, or every five years task for the Planning Commission thing. But not necessarily something that directs Council to require this by any particular body.

Mr. Rowlands: Should it be that the Planning Commission every code cycle has to vote on whether or not this has to be looked into again?

Mr. Poole: And technically they would because these are amendments to the Energy Conservation Code.

Mr. Hurd: Right. So, you'd be bringing them to us, right? No?

Mr. Poole: I don't know whether they come to . . .

Mr. Hurd: I don't think they would come to us.

Mr. Poole: Planning Commission or if they go directly to Council.

Mr. Hurd: Yeah, I think it would skip us. But I think you're right . . .

Mr. Poole: I think they do. I'm not sure.

Mr. Hurd: Actually, since we skipped the 2015, I don't know because we haven't had a revision since I've been here.

Mr. Poole: I can look into that but I'm pretty sure that would go before you.

Mr. Hurd: But I think you're right. It's more of a policy like a Comp Plan to say every code cycle, so after the 2018, so after the 2021 code is released . . .

Mr. Poole: And we go to amend it . . .

Mr. Hurd: As part of the adoption process, part of the adoption process is a review of our current checklist criteria against the base code and an evaluation as to whether we are, you know, basically it's an evaluation of this. Do we raise the minimum points? Do we remove any credits? Do we edit any credits? And I think not to dump too much but I think Code Enforcement would have a lot to say about, because you'd be more in the details about this, and you could go through this fairly easily and go, well maybe not fairly easily, but part of it going through it would be, okay, I identified four criteria that were here that are now code requirements. So, our recommendation is to remove them from the checklist because they are required by the code. And there were a couple we had in here that were essentially already in the code. So, it's like, okay, they're out because you meet the code and that's part of it.

Mr. Rowland: Every code cycle it has to be reviewed by the Building Department to see what needs to be done.

Mr. Hurd: Right, and then basically they would come with a recommendation saying we suggest removing this criteria or editing this criteria and/or raising the minimum point things. Hey, let's get the group together again. Let's have that subcommittee again, that was fun.

Mr. Rowlands: You know, that's big picture stuff but I really would like to see, after all this is said and done, or here is your opt-out. If you certify your project, Passive certify, you don't have to do any of this stuff. I don't think anybody is going to do it . . .

Mr. Hurd: Well, here's my thought on that. If you do a certified Passive building, I'll bet you can go through this checklist and get your points right there.

Mr. Rowlands: Not if you've got minimums.

Mr. Hurd: Okay but if we away the minimums and we just leave the energy, you can document, you know, we've improved energy performance, 30 points, boom. You can talk about you're going to have . . .

Mr. Rowlands: Indoor air quality.

Mr. Hurd: Indoor air quality, you know, my sense is that, and honestly, I would say that if you could take this checklist and kind of go down to just sort of say if I did a certified Passive, what's already included?

Mr. Rowlands: Without anything else.

Mr. Hurd: Without anything else.

Mr. Rowlands: I can do that.

Mr. Hurd: I would, I don't want to put actual money on it because, but I would bet we'd be close to 50. So, all you have to do, really, is sit down and say, yeah, this, this, this, this, and done.

Mr. Poole: Or if you're at 40 and like, okay, I'll find 10 more. I'll put in a walk-off mat.

Mr. Hurd: You're going to get yourself in trouble here, Tim.

Mr. Rowlands: I will do that but I'm going to push for getting that written in somehow.

Mr. Hurd: That was just my thought. Instead of saying here's an alternate path to just say I think that any alternate path, any certified alternate path, basically a documented path, is going to cover what we're looking for.

Mr. Poole: Most of our alternate paths are very energy-based. And, again, I wouldn't be against saying . . .

Mr. Hurd: Well, because that's the only thing you can measure.

Mr. Poole: Okay, well we have to get 25 points in energy. Again, I just don't want to set it so that the other categories are ignored because I believe that there is value in resource management. I believe there is value in environmental quality. I believe that a lot of those things wouldn't matter to a builder necessarily. But I believe they matter to our citizens.

Mr. Hurd: Alright. So, here's a compromise I'm going to throw out on the table that, it's a compromise so hopefully it covers both things. Part of what I'm hearing about is emphasizing

energy performance, improved energy performance. So, what if we said 25 points in the energy categories and then 5 points in the material and 5 points in the indoor air quality, so half the minimums that we had talked about there. So, instead of 10, we go to 5 but they still have a minimum. So, that's basically 35 areas that you have to get points from and then there's 15 points up for grabs anywhere else.

Mr. Poole: If we're going to separate out site, can we add 5 points in site too? That will get us to 40 again and give them 10 points of options. I just don't want to . . .

Mr. Hurd: I'm still not convinced that I want to put all these . . . because most of these site things are . . .

Mr. Poole: So, bicycle transportation is out?

Mr. Hurd: I mean maybe what we need to do is we need to split these up more. I mean we could, I mean I could be, in looking back at this again, things like bicycle racks and such could be a building level things as opposed to a . . .

Mr. Rowlands: Aren't you required to put bike racks right now?

Mr. Hurd: You're required bike racks. We're giving you a point for putting in three times as many.

Mr. Rowlands: Oh.

Mr. Hurd: I changed it from two because two seems also like it's a bike rack. Stack them up.

Mr. Prettyman: The problem with bike racks now is that there's a minimum requirement that they're all apart, right? Standard detail, they've got to be like two feet apart from one another, so if you want three times the number of bike racks, you have to have big area.

Mr. Hurd: Well, maybe we need to talk to the City about appropriate multiple bike racks. Because that's like that single loop one, right?

Mr. Prettyman: Yeah, but that's one of the few approved kinds because I asked Ethan if I was like, you know, Polly said she wants a big bike rack. Can I just go down and get one of those old school ones and people can park in both ways and stuff? And he's like, no, it's not approved.

Mr. Rowlands: Really?

Mr. Hurd: Maybe that's a second route to go is to get denser bike racks approved. That may be an issue that's deeper than I know. So, I think I hear you. If we can think about the site selection and development sort of the site, the areas of the site sort of directly around the building that make sense to be part of the building permit process, as opposed to wholesale site stuff. I mean that's partly why I pulled it out because it's like conserving green space and such. If I'm doing a single parcel and I'm doing one building, I'm not really doing a lot of site. But if I've got 0 Paper Mill and I've got five acres I'm working with . . .

Mr. Poole: You plant two extra trees, you get a point.

Mr. Hurd: But, you know, what I'm saying is I was trying to keep it so that these had more, these seem to be things that are more applicable to larger areas of development, which is where we want to start pushing that more. I don't know that it makes sense to say to someone who is going to take a single parcel and like take down the house and put up a duplex or something to say, okay, because there's no open space, there's no natural landscaping there already because the back yard was paved or whatever. But, you know, let's use 0 Paper Mill as

an example. I've got 10 acres, so I've got some land to play with. I could say, yeah, I'm taking 50% of it away and that's preserved natural.

Mr. Poole: I'm taking all the flood plains and making them a park . . .

Mr. Hurd: Well, yeah, we know what they did. We know why. But the fact is that they did it and they had the acreage to say, okay, I can cut that trunk off and build on this. And because I'm doing that, I'm going to ask for a little bit here and a little denser. But, you know, there's land to play with. Now, having said that, maybe we leave them in because if it's a parcel that you can't do it, you can do it and you don't get the point.

Mr. Poole: Well, again, if you're having a minimum, and again, it's all in the choices that we make, and I figured that this was in the green category and if . . .

Mr. Hurd: I think that's just, I think you did the colors.

Mr. Poole: Yes, I did.

Mr. Hurd: I think I would have thought of this as being a separate category. I mean it does sort of fall into resource, I guess. These are all in resource conservation?

Mr. Poole: Yes.

Mr. Hurd: Okay.

Mr. Poole: So, again, I just don't want to totally say to totally eliminate this stuff as important. I understand that a few people at this table feel that they're just free points that somebody gets because they bought a parcel. But because it's closer to a bus route, that parcel costs more. Because they're going to rent to students . . .

Mr. Rowlands: This whole thing only applies to people close to a bus stop.

Mr. Poole: Why? Do bicycle racks have anything to do with bus stops?

Mr. Firestone: No, because you can't take your bikes on the bus.

Mr. Rowlands: Sure you can. It's on the front of the bus.

Mr. Poole: Planting tree has anything to do with a bus route?

Mr. Rowlands: No, no, no. I'm just talking the one specific bus route. You're getting a point for building close to a bus station, right?

Mr. Poole: Yes.

Mr. Hurd: Yes.

Mr. Poole: And it used to be 6.

Mr. Rowlands: Can you even do that where this kicks in?

Mr. Poole: What do you mean?

Mr. Rowlands: Without a bus stop close by?

Mr. Poole: Absolutely. Try Paper Mill Road or Possum Park Road. Millcroft, when they came in, they were rather chagrined because DART cut off the bus that went up Possum Park Road.

So, they were like, well they eliminated the bus and we can't make this. Well, get your points somewhere else.

Mr. Rowlands: What happened to that project anyway?

Mr. Poole: The business was bought and the new owner decided not to invest that \$10 million worth of capital in the business they just bought.

Mr. Hurd: Alright, so the, so Tim's addition to my proposal, which was 25 in energy, 5 in materials, 5 in indoor air quality, and then 5 in site . . . 5 in site seems like a lot.

Mr. Poole: Well, throw it back into resource and . . .

Mr. Hurd: But your general feeling is that you want 10 points available for floating.

Mr. Poole: Yeah.

Mr. Rowlands: There should be some floating.

Mr. Hurd: But you don't want too huge of a pile of floating points, it feels like.

Mr. Poole: Well, I want to, again, force them into certain categories because . . .

Mr. Hurd: Let's say encourage. Let's not use force.

Mr. Poole: Well, minimum is force. Again, strong Code language. Shall, must, required.

Mr. Hurd: Yeah, I know. It would be nice if you could not do these things never works in Code. Well, let's just put it out there. How do people feel about that as a starting point?

Mr. Rowlands: What was the percent again?

Mr. Hurd: Twenty-five points in energy, 5 in materials and resource, 5 in indoor environmental quality, and then 5 in site, with 10 remaining points to be spread about.

Mr. Firestone: Where is the site in this?

Mr. Hurd: Last page. It's green like the materials but we're having a debate here about whether it is its own category or not.

Mr. Poole: Again, maybe the number there is 3.

Mr. Hurd: Yeah, 5 feels fine, just off the top of my head.

Mr. Poole: I agree. Five in this 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 categories . . .

Mr. Hurd: Using the math that I'm kind of proposing, there are 27 available points but some of them are in stormwater . . .

Mr. Poole: Right.

Mr. Hurd: And depending on the size of the parcel, you're not going to dig into the stormwater effectively.

Mr. Poole: There's six in stormwater, well six in stormwater, open space, and a downtown parcel, you're just not going to get that open space.

Mr. Hurd: Right. And that's why we have to be sure that we're writing things that are . . .

Mr. Poole: That are possible.

Mr. Hurd: Well, that are reflective of what we want. For example, protecting and preserving habitat, you know, retaining 25% of the area of existing onsite native plants. So, you have to have native plants first before you can protect them.

Mr. Firestone: Should the stormwater get moved to the resource conservation and efficiency?

Mr. Hurd: So, the debate that we're having sort of on the side here is whether site selection and development is really part of the resource conservation . . .

Mr. Firestone: Well, what I'm saying is we move stormwater to that and keep everything else in site selection and development and we give it 3 points.

Mr. Hurd: Okay.

Mr. Firestone: As a possibility.

Mr. Hurd: The stormwater . . .

Mr. Rowlands: Sounds reasonable.

Mr. Firestone: What's your thoughts, Tim?

Mr. Poole: Well, there's already some site stuff in resource . . .

Mr. Hurd: Oh, that's true.

Mr. Poole: For water-efficient landscaping, onsite water . . .

Mr. Rowlands: To me, that's a reason they should be grouped together.

Mr. Hurd: Yeah, okay.

Mr. Poole: I agree.

Mr. Hurd: And I'm just vacillating all over the place. Alright . . .

Mr. Rowlands: So, the last two are being moved up.

Mr. Hurd: That's one proposal, to move stormwater out. Now, I'm still feeling that stormwater design, well okay, so the second part of this question would be do we want to have a higher point total for site plan approval consideration?

Mr. Poole: I think that's a good idea.

Mr. Hurd: Okay.

Mr. Poole: Certainly, I think we should chat with Mary Ellen before we submit it as our final proposal . . .

Mr. Hurd: Sure.

Mr. Poole: But whether that's correct at 25 points or whether that should be some sort of sliding scale based on what criteria, you know, because something that's looking for a 2% density bonus and a one-foot setback variance and a three-spot parking place reduction isn't the same as somebody who is looking for a 30% density bonus, a total elimination of setback requirements . . .

Mr. Hurd: Right, right, right. The big stuff.

Mr. Rowlands: How do you address that?

Mr. Poole: Well, there's the question. Like I said, if there's a sliding scale that says that if you're looking for one criteria or one area of non-compliance in your site plan approval or for every area of non-compliance of site plan approval, you need an additional 10 points or 5 points.

Mr. Prettyman: But what about for like architecture? How do you rate that? Or how do you rate some of the other things that are intertwined . . .

Mr. Hurd: Yes . . .

Mr. Poole: That's the big discussion because, again, from what I hear of site plan approval, and I'm certainly at very few Planning Commission meetings, and I'm not involved in the zoning process significantly, it seems like in the site plan approval, they're looking much more at architecture and materials and beauty, for lack of a better word, of the site than they are for functionality and efficiency and things like that.

Mr. Hurd: I'll speak to that briefly and then I'm going to note that we're a little over ten minutes before we're losing people, but part of that is because, to my mind at least, many of the projects we get are redevelopments within the City on previously developed land where connection to open space and, you know, some of those criteria have no bearing because site plan approval really is written for green space development. It's not written effectively for redeveloped areas. And that's something on the side that I'm trying to get the Planning Commission to come around and start looking at a secondary set of criteria for redevelopment with site plan approval which, admittedly, would have more emphasis on things like stormwater because that's a bigger issue in a developed area, stormwater capacity and such, and not as much where you've got green space. So, as a result, things like architecture, parking, and energy are the things that we can see tangible evidence of.

Mr. Poole: And there's the ability to do.

Mr. Hurd: To do, right.

Mr. Poole: I mean from Ben's perspective, I can want to do this all I want but if it's not possible, there's nothing I can do.

Mr. Prettyman: Right.

Mr. Hurd: Yeah, so I think the Haines Street apartment building, you know, they're like we have open space. It's the parking lot and I kind of went, okay. I get that that's technically open but, you know, I'm not going to really give that a lot of weight as a criteria. But it's that kind of thing. It's to sort of say here's the criteria that you need to address even though there's no way this parcel can really effectively address some of these. And so, you kind of have to pay lip service and we just kind of go, right, I hear you talking but I'm not even going to count that because you can't do anything with it. So, in that sense, and as a result they talk about architecture and they talk about energy because those are things that can be like here's this building. It's going to meet LEED certified. Okay. That's a longwinded way of saying I'm not sure how to structure that sliding scale effectively. Because I don't know if I want to tie it to amount of sort of adjustments being requested or . . .

Mr. Poole: I think that's only the real way but then there's the degree of adjustment that's a significant factor. Like I said, the difference between a one-foot setback variance versus a twenty-foot setback variance seems significant.

Mr. Hurd: It does.

Mr. Poole: You know, whether you're looking at a density bonus of a couple of percentage points versus a density bonus of tens of percentage points.

Mr. Firestone: Well, I think some of that can be written, I think, into the Code. If we're talking about site plan approval that these are minimums but with large deviations that these may increase.

Mr. Hurd: Yeah.

Mr. Poole: Maybe the way to address that is simply to say that the more points you get here, the Planning Commission and Council will take that into account as part of your site plan approval process. However, to throw one more wrench into this . . .

Mr. Rowlands: Yeah.

Mr. Hurd: Here it comes.

Mr. Poole: Most of this isn't even close to being developed or considered at the site plan approval process time. Again, you're not getting into specific building components, you're not looking at your energy, you're not looking at a lot of things when you're going before them for site plan approval, just because you haven't developed that part of your plan yet.

Mr. Hurd: Right.

Mr. Prettyman: Developed every other part but not that part.

Mr. Rowlands: We're really just asking them if they're going for a minor, one-foot setback difference, we're asking them to get 25 more points than if they just went to . . .

Mr. Prettyman: Maybe not. If I was a builder, I would just go for a variance.

Mr. Poole: They'd just go for a variance.

Mr. Hurd: Right, so it's partly a question of saying is it a flat 25 points every time you want to come for site plan approval, or is there a scale, or is there no minimum, just encouragement to go above or include . . . and that's partly why I sort of like site selection and development, some of these I felt were best considered at a site plan approval level of development consideration.

Mr. Rowlands: What's the big downside if someone needs a one-foot setback and they have to find 25 extra points? Okay, let them find it.

Mr. Hurd: As Ben said, you might just go to the Board of Adjustment . . .

Mr. Rowlands: And they could do that, too.

Mr. Hurd: And roll the dice there.

Mr. Rowlands: And they'll say that's not even an option. They have to go for site plan approval but it's still minor stuff. Okay, so find your 25 points.

Mr. Poole: So, this guy that's getting these huge changes also only has to get 25 points. That's . . .

Mr. Firestone: No, it's a minimum. There's no requirement that the Commission approve the site plan approval. So, they may have to get 40 points in order for, I mean, I sat up there and

people say, you know, you come in here, you're asking for all this stuff and you came in with 26 points. Come on. I mean there's a bunch of Commissioners who get up and say that.

Mr. Rowlands: Give me more points?

Mr. Firestone: Effectively, that you're asking for the world and you . . .

Mr. Poole: And then you balk when we say you can't use vinyl siding.

Mr. Firestone: And not only that, you picked a bunch of things that were, you know, pretty easy to do and you haven't really done anything. But you're asking for a lot and we're not completely comfortable with what you're asking for, but we need something.

Mr. Rowlands: That's up to them to decide if they want more points than this. If the guy is just coming through with a little minor one and he's being hit with 25 points because he needs an extra foot, I don't see that as a big issue.

Mr. Hurd: Yeah. Not to put you on the spot, Ben, but what are your thoughts, having been through this from the other side.

Mr. Prettyman: My thoughts are that . . .

Mr. Firestone: He's always goes to a really . . .

Mr. Prettyman: You have, it gives a lot of flexibility for design and stuff like that. It's also gives a lot of discretion, which is power, to the board. But it also gives that same discretion on the explanation and so it's just a matter of if you feel as though it's warranted or not. So, my thought is that, you know, on the building side of things, in my opinion, most of the stuff is pretty high. I mean I've never built a Passive home, so I don't know how high they can get, but they're pretty elevated compared to what they used to be and, you know, the exterior façade is something that is tangible that everyone can see, that is a benefit, in my opinion, to the community and does cost a lot of money. I mean I can guarantee you my façade probably cost triple the amount of Mr. Baldini's right next to me. You know, it's not easy, it's not cheap, but if we want to shift to the more energy side of things, which is okay with me because I understand the whole back side on everything, you just want the same kind of cohesion with, okay, you're going above on energy but you may not be able to still get that full brick, all stone, Hardy board look.

Mr. Poole: And the other thing is if you're going to just say, okay, well there's another 25 points that you have to get, is that going to discourage those Planning Commission and Council members from saying, well you know you still need to do all that other stuff? And now it's like, as opposed to saying well, if you're going to get this, then you get relief over here. And where's that flexibility or is it just additional cost?

Mr. Hurd: Well, the thing is this is only, the energy consideration really is only one other criteria in the site plan approval. Aesthetics is one, as well. So, I don't want to blur these two together. I guess I'm leery about putting anything in here that says we'll leave it to the Planning Commission to determine how many additional points you should try to get . . .

Mr. Rowlands: I agree. This should be definitive. This is it. Here it is.

Mr. Hurd: That's feels, right now it feels like we're saying LEED certified is sort of the basis of that improved energy performance and so that's a tangible, yeah, right, LEED certified, here's the checklist, I got it. So, I want this to be, I would like this to be at that kind of level to say I will comply with the required minimums, or these are the points I'm going to be going for and because I'm seeking site plan approval, I'm going to go over the minimum in these areas, and we can go, great. And we can see what it is and we can vote and discuss it based on that

instead of saying, alright, we think based on what you're looking for, 40 more points. And then the next guy comes who is looking for something maybe similar and we say only 30. And you say, what's the deal?

Mr. Prettyman: Would it be better to maybe like a, which circles back to one of our first couple of meetings, like a tiered recognizable just City of Newark, like you're a level 1-3 energy efficient building according to our checklist. And then when they go, the Council members know a 1, 2, or 3, and then hey this is a 3. And then when someone is up there as a developer, they can say, hey, we're coming before you with a level 3 or whatever, and here's how we're going to meet your, you know, whoever is going to be in front of you quoting that level is going to know where they're situating all their points in advance and they would, the judging body would be able to identify that, you know, effort is spent in this area specifically so maybe lacking in others. Versus right now if someone were to get up there and be like we're going to do 45 points, I'm not necessarily sure that the judging body is going to be like, that's great, that will be a really energy-efficient building, other than the fact that you're getting more than the minimum.

Mr. Rowlands: I think that's up to the developer to point out and say the Code says this but I'm going to do this. And I've got this many points but I went above and beyond. That's just part of your talk to convince them and explain to them.

Mr. Prettyman: I guess, yeah, but my thought would be like they're not going to know that that 30, where those extra ones that I'm pointing out are. They're not going to know whether they're in the base 36 or in the above and beyond 45. You know what I mean?

Mr. Hurd: I'm going to say let's table the issue of the site plan approval compliance and it might be worth, maybe I'll talk with Mary Ellen or Tom Fruehstorfer because one thought in my head just is that if we scaled it, maybe it's by area of development. So, you have, you know, a half-acre . . .

Mr. Poole: Acreage.

Mr. Hurd: Acreage, basically. And that sort of the more land you start using up, the more that we want you to be doing something affecting it. Just because I think that then scales to size of property, number of units . . .

Mr. Rowlands: Haven't we done that with how many square feet that this kicks in?

Mr. Poole: No.

Mr. Hurd: No, because that's just saying . . .

Mr. Poole: No, because the difference between a 5,000 and a 500,000 . . .

Mr. Rowlands: No, at 5,000 this kicks in.

Mr. Hurd: Right . . .

Mr. Rowlands: It's kind of like we scale it with square footage instead of acres.

Mr. Hurd: Possibly. I mean maybe its one of those things. Because it's a way of sort of saying, let's take Benny for example, in terms of land occupied, it's sort of middle of the ground. It's not the biggest one we've got going on but it's not the smallest. But then you go to something else and you go, okay, that one is going to take up a lot of land so basically the more area you occupy, the more that we want you to be addressing some of these bigger, and sort of my thing, that's a larger budget which means there's a smaller percentage of increase because we said okay we need to roll stormwater or something into it. Okay, that can be absorbed on a

project that is taking up five acres as opposed to a project that is taking up, you know, three-quarters of an acre and can't. Trying to have some semblance of going there's a budget attached to all of these and we can't blow it up by saying 25 more points.

Mr. Hurd: Maybe we look at square footage or number of dwelling units.

Mr. Rowlands: I have to go.

Mr. Prettyman: Yeah, I'm sorry, I didn't see what time it was.

Mr. Rowlands: Sorry, I have to leave.

Mr. Hurd: No, I understand. Thank you. But I think there's some value in scaling it so it's not just a one size fits all but it's sort of how do we determine when you're in the various tiers.

Mr. Poole: That's a whole other level of this that I don't know we want to get into.

Mr. Hurd: Yes, it is.

Mr. Poole: But we should definitely talk to Mary Ellen to see if that's something that she is interested in us pursuing. Because ultimately if it's not going to get supported . . . because that would then necessitate a zoning change.

Mr. Hurd: Right, well, something will have to change in the site plan approval just because right now it references LEED and we need to have it . . .

Mr. Poole: Right.

Mr. Hurd: What I really want to do is just say point back to the adopted IECC amendments and that's where we say building is this, site plan approval thing something, you know, all that language lives in one spot rather than being . . .

Mr. Poole: Right.

Mr. Hurd: Okay. I guess quick, if we're looking over the site selection and development, which are the criteria that people feel could go to other places? Which ones are, I don't want to say more appropriate for larger scale developments but that's kind of what I'm thinking. I think I heard bike racks could go to, is that really material? I guess it could go to material and resource because it's sort of a site thing. Could the habitat go to, do you see that in materials and resource? What do people think?

Mr. Poole: I think it's all really sort of in resource conservation and efficiency.

Mr. Hurd: Okay.

Mr. Poole: I just don't see what you're going to take out. None of it is certainly energy.

Mr. Hurd: No.

Mr. Poole: And none of it is, I mean I guess you could argue that some of the bicycle stuff is about indoor environmental quality, but I don't think it really is.

Mr. Hurd: Yeah, the only reason I would see it separate from things like irrigation is because irrigation is about usage of water. But like heat islands has nothing to do with water or anything, it's just reflective energy. I guess I see it as, and LEED obviously felt that some of these things lives in the wrong category. I guess some of these seem to be, to my mind, site related decisions and work, different than building work, but landscaping is kind of in that gray zone between the two.

Mr. Poole: Right. Landscaping is in a gray zone . . .

Mr. Hurd: And exterior and non-roof solar reflective is in that because that's paving. Do we just change the title?

Mr. Poole: To what?

Mr. Hurd: Resource conservation and efficiency and site?

Mr. Poole: We can certainly do that. If that makes you more comfortable with it.

Mr. Hurd: If we did that . . .

Mr. Poole: And site development.

Mr. Hurd: Maybe it's just site development, not selection. Because we're talking about development of the site.

Mr. Poole: Right.

Mr. Hurd: Okay.

Mr. Poole: Because really the only thing that's site selection is the brownfield and the alternative transportation, public transportation.

Mr. Hurd: Yeah, that's true. Because flood zones are about development.

Mr. Poole: Where's that?

Mr. Hurd: Protection of site. But that's basically disturbance of undeveloped lands within the, you know, close to the base flood zone. And when you look at the maps, there's not a lot of, there's a band of properties that run along the flood zone but outside of that, it's like whatever.

Mr. Poole: Yeah, one of them is currently looking for redevelopment.

Mr. Hurd: Oh, sweet.

Mr. Poole: 1501 Casho Mill Road

Mr. Hurd: Oh yeah, that's down there. If we did that, if we moved site into the resource conservation, would we want to raise its minimum?

Mr. Poole: Like I said, we were at 20, 10, and 10, with 10 variable. Or at least that's what I had suggested.

Mr. Hurd: That was sort of the starting point.

Mr. Poole: And I, like I said, if we wanted to increase energy to 25, I don't want to then just leave 5 points flexible. So, I mean, do we want to reduce the others to 8 and 8? Or, I mean . . .

Mr. Firestone: How about 24, 8, and 8. That leaves us 10.

Mr. Hurd: Twenty-four, 8 and 8. Yeah, we could do that. Alright, does everybody feel okay with that?

Mr. Poole: Yeah, like I said, if we want to emphasize energy, and we've been saying that from the beginning . . .

Mr. Hurd: Yes, and that was part of why I was trying to compromise because 20 is below 50%, 25 is 50%, 24 is very close to 50%. But it's a way of saying basically we want the bulk, and what's the bulk, is it 20%, 25%, or 50%, is it 40-50% of the points are coming in the areas that affect energy use.

Mr. Firestone: And you could look at it of the ones with minimums, it's 60% of the minimums. It's 48% of the total. So, I think 24, 8, and 8, and that gives us, that keeps us with that 10, which I think . . .

Mr. Poole: I think flexibility is important.

Mr. Hurd: I agree.

Mr. Poole: Because some stuff just plain doesn't work on some sites.

Mr. Firestone: Right.

Mr. Poole: Some stuff just plain doesn't work with some building designs. It just doesn't.

Mr. Hurd: Right, and that is a good point so thank you for reminding me of that. I'm looking at this big long list and I'm kind of forgetting that, you know, not all of these are going to be available for people to go down and go, oh yeah, this one and that one and some early decisions are going to make stuff not even . . . so, as soon as we start making credits not available, right, we have to give them the flexibility.

Mr. Poole: And some sites, certain things are real easy. And other sites, it's like, well geez, that's really no cost effective to do that on this site. So, again, as long as they have the flexibility, if they're getting . . . again, this is a big list and some of these are real tough.

Mr. Hurd: Yeah.

Mr. Poole: And like I said, as long as we're compensating them with the appropriate points for those more difficult categories, than they're more incentivized to do it because they don't have to do as many things.

Mr. Hurd: Something that I put down on paper because I think it's been talked about but I'm trying to sort of say we have 1, 2, and 3 points is basically the spread that we're giving. And I'm trying to make it so that 3 points was either for things we really want people to do or things that are expensive to do.

Mr. Poole: Well, there are a few that are higher than that.

Mr. Hurd: That's true. There are some places where it goes up to 5. But that's, well there's . . .

Mr. Firestone: Yeah [inaudible] you can get 5.

Mr. Hurd: You could get 5, but the base point is like 1-point per. So, like a single point is for things that are either easy to do, not expensive to do or we have, you know, less invested in it. But I was trying to kind of, in my sense, have a rationale to say what justifies 3 points.

Mr. Prettyman: Do you think we should spread that a little bit wider?

Mr. Hurd: I think if we start doing that then our minimum, we have to start messing with our minimums, too. Because if we start saying there's 5-point credits out there, you know, I think if we keep the points like to 3, it drives people to do a few more things than sort of like I'm going to do bang, bang, bang and I'm done. But that's what I was trying to sort of say like what justifies 3 points? Well, 3 points is like I just did a whole new, I did a vegetated roof to change

my water infiltration pattern. Okay, yeah, that's a big thing that has far-reaching consequences, 3 points.

Mr. Prettyman: Yeah, but then I could do like three little easy ones that might not even be close to . . .

Mr. Hurd: And part of it is balancing to sort of go . . .

Mr. Prettyman: Just playing devil's advocate.

Mr. Poole: Should that be more of a 5?

Mr. Hurd: And that's sort of . . .

Mr. Poole: Then that's the question.

Mr. Hurd: And that gets into if this rolls into site plan approval, what's that credit and how do we balance that, so we drive . . . and again, it's like those higher points are things that we really want people to, so we're going to reward them for taking that path over another one or acknowledging that this is a challenging thing to do.

Mr. Poole: Right. Sort of like the 30% for, or the 30 points for being the stretch code.

Mr. Hurd: And I'm actually now better with that being 30 points if it's 25 sort of if you do it by the checklist. Just say look, we're going to give you 5 extra points . . .

Mr. Poole: Twenty-four.

Mr. Hurd: Twenty-four, sorry. We're going to give you 6 extra points . . . I have to reset that . . . we're going to give you 6 extra points if you take the time and energy and investment in engineering and getting it documented.

Mr. Poole: Right.

Mr. Hurd: You know, you get that taken care of, but you're right, it's a reward and compensation for the . . .

Mr. Poole: Expense and design and things that you have to do to get there.

Mr. Hurd: So, you know, things like thermal bridging is important. So, okay, I'm willing to give 3 points for addressing thermal bridging.

Mr. Poole: Right, because when it's not, it . . . again, you take that thermal image, thermal camera and point it at a building and it's like oops.

Mr. Hurd: Right. But again, it's sort of saying, one, it's not easy, but two, it has a huge benefit. So, yeah, 3 points for addressing thermal bridging. But, you know, if you don't want to address it, okay.

Mr. Poole: Find your 3 points someplace else.

Mr. Hurd: Find them someplace else.

Mr. Poole: But it's not particularly expensive, it's just . . .

Mr. Hurd: It's time consuming.

Mr. Poole: It's challenging.

Mr. Hurd: Yeah, so that's kind of what was my thinking, to say you know what justifies that kind of point.

Mr. Prettyman: Yeah, no, I agree with you 100%. I just thought, you know . . .

Mr. Poole: Maybe we have a couple of them that allow . . .

Mr. Prettyman: Depending on the category, I think it would just, you know, you get a big category, so you could have a bunch of 1s in there, and if you only had 3s as your like heavy hitter, you know we want people to do that, you also have a bunch of 1s in there . . .

Mr. Hurd: Yeah, I mean yeah . . .

Mr. Prettyman: Most people are going to go for the whole bunch of 1s before a 3, versus maybe throwing out a 5 or something.

Mr. Hurd: Well, I mean resource conservation I totaled up. It's 53, there's 53 available points in there and a lot of them are 1s and 2s. Actually, most of them are 2s. Well, it varies. But you know, you're right. You could sort of go what if I just did this thing? Alright. This is taking so much longer but I think we're getting good . . .

Mr. Prettyman: We only meet once a month.

Mr. Hurd: I know, that's part of the problem, yeah. But I think also, it's advantageous, I think, to talk out some of this general sort of what's our philosophy here so that this makes sense. Because otherwise it's just random.

Mr. Poole: Right, there is a lot of philosophy in this. It's like what are we emphasizing? What are we trying to accomplish?

Mr. Hurd: Yeah, and I think we have to be . . .

Mr. Poole: And how can we be reasonable?

Mr. Hurd: And when we get to the end, that's something that's going to need to be very clear because that's what is going to have to be communicated to Planning Commission and to Council, is to sort of say clearly this is structured for these reasons. This is why this is set up this way. So that they can kind of go, okay, okay.

5. REVIEW OF ITEMS FOR RESIDENTIAL PROJECTS

[Secretary's Note: There was no discussion of items for residential projects at the June 25, 2019 Green Building Code Work Group meeting.]

6. GENERAL PUBLIC COMMENT

[Secretary's Note: There was no general public comment at the June 25, 2019 Green Building Code Work Group meeting.]

7. ITEMS FOR NEXT MEETING

Mr. Hurd: Alright, so I guess I will talk with Mary Ellen to get a sense of site plan approval thoughts. I will update the chart to talk about the minimums and move some of those items around in the categories. And then I think what I'll try to do, well residential keeps getting ignored and I feel bad about that.

Mr. Firestone: Next meeting.

Mr. Hurd: Next meeting, yeah. I think the big thing for residential, the next thing we need to do is just go through and strike or combine the criteria because that first pass that we did before it's like is this a criteria that we want to be considering or not?

Mr. Poole: Right. I have a couple that it's like, eh . . .

Mr. Hurd: Right, exactly. And once we've done that, you know, I think, Tim, you did a really good job on the commercial of going through and sort of going here's a first level set of points for things and clarifying some of the criteria if it wasn't clear there to give us a starting point to say, okay, a point for this, two points for that, what's the percentages and things. And that will let us come back and talk about this and go, okay, let's talk about this. I think we'll need to sort of be clear about its categories to make sure we get everything in there. But there's probably some things from the commercial that we can roll into the residential in terms of structure and naming and such. Because some of the site plan, site stuff, is the same for residential projects as it is for commercial. So, it's like once we sort of say, yeah, that's these things, we just push it in there. Okay. So, that's . . .

Mr. Poole: If you want, I have a bunch of notes on the residential stuff and I'll go through and sort of update that . . .

Mr. Hurd: Sure.

Mr. Poole: With a few of the things that I have thoughts about. Just sort of in prep for the next meeting so we can get through it and say, okay, we like that. And I'll do them in the red for where we have discussion points.

Mr. Hurd: Okay.

Mr. Poole: Where it's like we really need to make a decision on this.

Mr. Hurd: Right, and I don't want to put too much on your plate, but I can certainly, after you do that, I can go through because there's some thing in here about like recycled content. We already had done of that work on the commercial side . . .

Mr. Poole: Right.

Mr. Hurd: About what's . . .

Mr. Poole: Similar to commercial?

Mr. Hurd: Right, exactly. So, it makes sense to sort of pick that language up that we've already had the conversation about and drop it into the residential and go, there it is. We don't have to sit here and have that conversation again about 75% of what? We can just sort of put it there and we can discuss it. Okay, are we good? Thank you, gentlemen. I can't believe I thought this was going to take six months.

Mr. Firestone: Sixteen months.

Mr. Hurd: Yeah.

There being no further business, the Green Building Code Work Group meeting adjourned at 5:22 p.m.

As transcribed by Michelle Vispi
Planning and Development Department Administrative Professional

Attachments

Exhibit A: [Green Building Code Concepts List – Commercial with Points – Draft](#)
Exhibit B: [Green Building Code Concepts List – Residential with Points - Draft](#)