



To: Mayor Soden, Commissioners Larsen, Boley, Amyx, and Herbert; and Tom Markus, Lawrence City Manager

From: Sustainability Advisory Board of the City of Lawrence (SAB)

Re: City of Lawrence Sustainable Building Policy Proposal

All SAB members are in agreement that we're proud to see Lawrence participate in the statement expressing support for the Paris Climate Agreement. Thank you and congratulations to Mayor Soden for taking this meaningful step! In all of our interest to continue taking action to protect the future sustainability of Lawrence, we would like to address the white paper and recommendations on Sustainable Construction and Energy Conservation submitted to you by staff at the June 6 commission meeting.

For quick reference, staff recommendations are below.

1. The City Commission should consider adoption of a **LEED Silver requirement policy for new city-owned construction projects and major renovations**. This would impact all new construction and significant renovation projects over 10,000 sq. ft. To reduce the cost of certifying the projects, the policy could require only that the project be signed off by a design professional (architect) that, in their opinion, the project meets the LEED requirements.

2. Within the context of the recently-revised Economic Development Policy, staff recommend that the **percent of tax abatement be increased to incentivize LEED building projects among private developments**. Currently our policy states:

"Proposed projects that meet one or more of the additional criteria may receive a property tax abatement in excess of 50%: ... (c) a project proposed to be constructed in compliance with Leadership in Energy and Environmental Design (LEED) criteria may receive, over the baseline amount, an additional 5% property tax abatement for "Certified" or "Silver" certification and an additional 10% property tax abatement for "Gold" or "Platinum" certification."

The city has had a version of this incentive policy for many years, and no developer has taken advantage of it. Therefore, staff recommend that the incentive be increased to encourage private developers seeking public funds to build to at least LEED "Silver". For example, the abatement percentages could be increased to 15% for "Silver" and 20% for "Gold" or "Platinum". To reduce the cost of certifying the projects, the policy could require only that the project be signed off by a design professional (architect) that, in their opinion, the project meets the LEED requirements.

3. **To create flexibility within the policy, staff recommend that there be a path for exemption from the policy in cases of need**. If a city department or developer wished to be exempted from the policy due to lack of fit (LEED doesn't apply to all buildings i.e. wastewater treatment plants), or due to high cost (if certification can be proven to be cost prohibitive for the project), a new LEED Standards Committee could be formed to review their case. The LEED Standards Committee

(comprised of city staff in Sustainability, Development Services, and Public Works) could hear their reasoning and then make a recommendation to the Commission. It could be to require only partial LEED compliance (i.e. only in certain LEED categories that are feasible), or to exempt the project altogether.

SAB's response to these staff recommendations follows. On points where we have not commented, we agree with the staff recommendation.

1. **LEED Gold is recommended** rather than LEED Silver. Both Johnson County, KS and Kansas City, MO have adopted policies implementing LEED Gold standards for the construction of municipal buildings. As a regional leader in environmental sustainability, Lawrence should have policies that are at least on par with neighboring communities. Additionally, in our research with local architecture companies, we've been informed that LEED Silver is already essentially best practice so a LEED Silver policy is not forward-looking, proactive, nor impacting our community in a significantly positive way.

2. **LEED certification should be a requirement** rather than allowing the project to be "signed off by a design professional (architect) that, in their opinion, the project meets the LEED requirements." Again, in our research with local architect firms, we were informed that architects would likely not assume the risk of signing off on such a requirement. Construction projects change mid-course frequently to accommodate timelines and budgets. Additionally, if there is no legal recourse if/when a project is proven not to meet the standard, then motivation to adhere to the policy is removed and the policy is not enforceable.

3. **The policy should specify minimum requirements to accommodate projected regional climate change impacts.** LEED outlines regional priority credits to address this concern. For our area these include the following: optimizing energy performance, site selection, building life-cycle impact reduction, rainwater management, heat island reduction, and indoor water use reduction. We recommend requiring a minimum number of these LEED points to be achieved to ensure that local environmental concerns are addressed.

Please swiftly act to implement a sustainable municipal building policy with SAB's recommendations included. This is a particularly opportune time to solidify your commitment to environmental sustainability on the heels of a signed statement to do so. We also believe the community will be more amenable to the idea at this time and will even champion the commission to move it forward.

Sincerely,

Adam Richie, Chair
Jackie Carroll, Vice Chair
Rachel Krause

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Sustainability Advisory Board, City of Lawrence