

Sec. 3.1003. - Applicability; exceptions.

- (a) *Applicability.* Except as provided in subsection (b) of this section, the following new construction shall comply with the requirements of this subtitle:
- (1) New construction of a publicly funded building with 10,000 square feet or more of gross floor area; and
 - (2) New construction of buildings that are not publicly funded and have 50,000 square feet or more of gross floor area, or in downtown Columbia 10,000 square feet or more of gross floor area, in the following occupancy categories:
 - (i) Assembly Group A;
 - (ii) Business Group B;
 - (iii) Institutional Group I;
 - (iv) Mercantile Group M;
 - (v) Mixed occupancies if:
 - a. A majority of the use is an occupancy included in this subsection; and
 - b. The building is two stories or more; and
 - (vi) The following residential occupancies:
 - a. Residential R-1; and
 - b. Residential R-2.
- (b) *Exceptions.* The requirements of this subtitle shall not apply to:
- (1) New construction of a publicly funded building in the E or I-3 occupancy categories;
 - (2) New construction of a nonpublicly funded building in the R-2 occupancy category that is:
 - (i) Made up of only residential dwelling units; and
 - (ii) Less than five stories in height;
 - (3) New construction of a building that does not have an HVAC system; and
 - (4) Other new construction as may be set forth by regulation of the Director.

(C.B. 47, 2007, § 1; C.B. 14, 2010, § 2)

Sec. 3.1005. - Required submissions; condition of approval; certificate of use and occupancy.

- (a) *Required Submissions—Site Development Plan Application.* In addition to other documents required to be submitted with a site development plan application in accordance with section 16.156 of this Code, an applicant for new construction subject to this subtitle shall submit to the Director of the Department of Planning and Zoning:
- (1) Documentation showing that the project:
 - (i) Has been registered with the Green Building Council and that the applicable LEED registration fee has been paid; or
 - (ii) Meets energy and environmental design standards that the Director may adopt by regulation as equivalent to the appropriate LEED rating system; and

- (2) A checklist that:
- (i) Shall be prepared, signed, and dated by the project LEED accredited professional; or
 - (ii) If the Director has adopted equivalent standards by regulation, is approved by the Director as demonstrating that the applicant meets the equivalent standards.
- (b) *Required Submissions—Building Permit Application.* In addition to other documents required to be submitted with a building permit application, an applicant for new construction subject to this subtitle shall submit to the Director:
- (1) (i) Documentation showing that the project has been registered with the Green Building Council and an updated LEED checklist that shall be prepared, signed, and dated by the project LEED accredited professional; or
 - (ii) If the Director has adopted equivalent standards by regulation, an updated checklist that is approved by the Director as demonstrating that the Applicant meets the equivalent standards;
 - (2) Documentation showing that the building meets:
 - (i) The bird-friendly design standards of the 2011 edition of "Pilot Credit #55: reducing bird collisions" in the LEED green building rating system; or
 - (ii) The bird-friendly design standards that the Director adopts by regulation and that are equivalent to Pilot Credit #55;
 - (3) Any other document or information the Director finds necessary to determine whether the building will achieve the applicable standard under section 3.1004 of this subtitle;
 - (4) If applicable, documentation that the LEED design features and specifications have been reviewed and approved by the project's LEED accredited professional; and
 - (5) General notes or individual detail drawings on all construction documents showing or explaining the green building measures used to attain the applicable LEED rating.
- (c) *Required Submissions—Use and Occupancy Permit.* Prior to issuance of a use and occupancy permit, an applicant for new construction subject to this subtitle shall submit documents demonstrating that the building design and submittal requirements have been reviewed by a commissioning team.
- (d) *Condition of Approval.* The requirements of this section shall be a condition of approval set forth on the site development plan and the building permit.
- (e) *Twelve Months after Receipt of a Certificate of Use and Occupancy.* Within 12 months of receipt of a certificate of use and occupancy, an Applicant for new construction subject to this subtitle shall apply to the Green Building Council for certification.
- (f) *Thirty-Six Months after Receipt of a Certificate of Use and Occupancy.* Within 36 months of receipt of a certificate of use and occupancy, the Applicant for new construction subject to this subtitle shall provide proof to the Director that the required LEED-level rating or an equivalent standard as may be adopted by regulation of the Director was obtained.

(C.B. 47, 2007, § 1; C.B. 11, 2020, § 1)