



42 WHEREAS, the U.S. Green Building Council (USGBC) has developed the Leadership in  
43 Energy and Environmental Design (LEED) rating system that is a voluntary, multi-tiered  
44 certification program for sustainable buildings; LEED buildings conserve materials, energy, water  
45 and other natural resources and provide occupants with healthier and more productive interior  
46 environments; and

47 WHEREAS, Florida Green Building Coalition (FGBC), a non-profit corporation, has  
48 developed the Florida Green Building Residential and Remodeling Designation Standard, the  
49 Florida Green Commercial Designation Standard, the Florida Green Development Designation  
50 Standard, and Green Local Government standard providing opportunities for development to  
51 “be green”, and providing examples and resources for achieving certification; and

52 WHEREAS, the University of Florida (UF) Institute of Food and Agricultural Sciences  
53 (IFAS) has developed a landscaping education and recognition program, Florida Yards and  
54 Neighborhoods, that addresses serious problems of pollution in stormwater runoff, water  
55 shortages, and disappearing habitats with environmentally conscious landscaping principles; and

56 WHEREAS, the U.S. Department of Energy (DOE) and U.S. Environmental Protection  
57 Agency (EPA) have developed the Energy Star labeling program to identify and promote energy-  
58 efficient products and programs to reduce greenhouse emissions; and

59 WHEREAS, the Village Charter empowers the Village Council to adopt, amend or  
60 repeal its ordinances and resolutions as may be required for the benefit of the residents of the  
61 Village of Pinecrest; and

62 WHEREAS, the Local Planning Agency, held a duly advertised public hearing on May 10,  
63 2011; and

64 WHEREAS, after reviewing the Local Planning Agency’s recommendations, the  
65 recommendations of Village staff, and comments from the public, the Village Council finds that  
66 the proposed amendments to its Code of Ordinances are in compliance and consistent with  
67 Florida law, its adopted Comprehensive Development Master Plan, and its Green Plan of Action  
68 and Sustainable Procedures Policy; and

69 WHEREAS, the Village Council further finds it to be in the best interests of the public  
70 health, safety and welfare of the citizens to adopt the ordinance establishing the Sustainable  
71 Building Program;

72 NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE  
73 VILLAGE OF PINECREST, FLORIDA:

74  
75 SECTION 1. Recitals.

76 The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true,

77 correct and reflective of the legislative intent underlying this Ordinance and are hereby made a  
78 specific part of this Ordinance.

79 SECTION 2. Amendment and Adoption.

80 The amendments to the Code of Ordinances contained in this Ordinance are hereby  
81 amended or created and adopted as follows:

82 Chapter 30, Article 6, Environmental Regulations

83 Division 6.14 Sustainable Building Program

84

85 (a) Purpose and Intent

86

87 The purpose is to establish goals, programs and procedures that will help the Village of  
88 Pinecrest become a more sustainable community. This program shall establish new  
89 environmental goals for the Village of Pinecrest, define a certification-based sustainable building  
90 program with incentives, and define new measurement parameters and reporting criteria to  
91 track the Village's performance toward its environmental goals. This program will promote  
92 economic and environmental health in the Village of Pinecrest, through the design, construction,  
93 operation, and deconstruction of its own facilities and provide leadership to both the private  
94 and public sectors in the arena of sustainable building and development practices and resource  
95 efficiency. Specific practices are outlined below.

96 (1) Promote a sustainable future that meets today's needs of a stable, diverse and equitable  
97 economy without compromising the ability of future generations to meet their needs by:

98

99 a. Protecting the quality of the air, water, land, and other natural resources;

100

101 b. Conserving native vegetation, wildlife and habitat;

102

103 c. Minimizing human impacts on local ecosystems and ecosystems worldwide; and

104

105 d. Reducing greenhouse gas emissions.

106

107 (2) Become a leader in setting policies and practicing service delivery innovations that promote  
108 environmental sustainability.

109

110 (3) Create a sustainable community by delivering renewable energy and energy-efficient  
111 projects, developing green buildings and water-thrifty landscapes, resource education, and  
112 utilizing recycling and environmentally sound solid-waste services.

113

- 114 (4) Establish a Sustainable Building Program to:  
115  
116 a. Improve the economic and environmental health of the Village of Pinecrest through  
117 measurable objectives;  
118  
119 b. Track and analyze key indices to measure performance in Village buildings and facilities;  
120  
121 c. Commit the Village of Pinecrest to achieve green designations in a fiscally responsible  
122 manner;  
123  
124 d. Provide incentives for voluntary compliance;  
125  
126 e. Provide green building educational opportunities for the community; and  
127  
128 f. Assist the Village in meeting its overall goal of reducing emissions, energy needs, and  
129 water consumption.

130  
131 **(b) Government Leadership**  
132

- 133 I. To demonstrate the Village's commitment to a sustainable building program, the Village  
134 shall:  
135  
136 a. Strive to achieve a Gold Level FGBC Local Government designation. For any building  
137 or office project undertaken by the Village of Pinecrest, the Village will participate in the  
138 sustainable building program; and  
139  
140 b. Track and report the Village of Pinecrest's monthly water and energy use; and  
141  
142 c. Publish an annual report that outlines the Village of Pinecrest's energy and water use for  
143 the prior year and outlines methodologies for potential reductions in the subsequent  
144 year.  
145  
146 (2) The Village of Pinecrest recognizes USGBC, FGBC, and Energy Star as the official standards  
147 for the Village, and it shall be the policy of the Village to finance, plan, design, construct,  
148 manage, renovate and maintain its facilities and buildings to be sustainable. It is the Village's  
149 intent that all buildings constructed meet criteria standards of USGBC LEED, Florida Green  
150 Building Coalition Green Building certification, Energy Star, or similar state or nationally  
151 recognized program certification standards.

152  
153 **(c) Applicability**  
154

- 155 (1) For all private construction projects, compliance with this Code is voluntary.  
156  
157 (2) For all new buildings constructed and owned by the Village of Pinecrest, and for all  
158 modifications to existing Village-owned buildings where the total renovation includes more  
159 than 50 percent of the total building square footage, the Village is expected to design and

160 construct buildings and modifications in accordance with the criteria and standards of  
161 USGBC LEED, Florida Green Building Coalition Green Building certification, Energy Star, or  
162 similar state or nationally recognized program certification standards unless the costs  
163 associated with participation significantly outweigh the benefits of participation.  
164

165 **(d) Definitions**

- 166  
167 (l) For purposes of this Chapter, the following terms, words and phrases shall have the  
168 following meanings:

169  
170 Energy Star means the U.S. Department of Energy (DOE) and U.S. Environmental  
171 Protection Agency (EPA) Energy Star labeling program.

172  
173 FGBC is an acronym for the Florida Green Building Coalition, Inc., a non-profit  
174 corporation, whose mission is to establish and maintain a Florida system of statewide green  
175 building standards and third party certification programs with environmental and economic  
176 benefits.

177  
178 GBI is an acronym for the Green Building Initiative, a non-profit organization whose  
179 mission is to accelerate the adoption of building practices that result in energy efficient,  
180 healthier, and environmentally sustainable buildings by promoting credible and practical  
181 green building approaches for residential and commercial construction.

182  
183 GBI's Green Globes means the Green Building Initiative's Green Globes rating system.

184  
185 LEED means the Leadership in Energy and Environmental Design Rating System of the U.S.  
186 Green Building Council.

187  
188 Sustainable building means generally the resource efficient design, construction, and  
189 operation of buildings by employing environmentally sensible construction practices,  
190 systems, and materials. Sustainable building also means an office, residential or Village  
191 structure which has obtained sustainable building certification.

192  
193 Sustainable building certification means the final designation awarded to a program  
194 participant for a particular project for satisfying all requirements associated with LEED  
195 certification, GBI's Green Globes rating system, Energy Star, or FGBC's standards.

196  
197 USGBC is an acronym for the U.S. Green Building Council, a non-profit organization  
198 whose mission is to transform the way buildings and communities are designed, built and  
199 operated, enabling an environmentally and socially responsible, healthy and prosperous  
200 environment that improves the quality of life.

201  
202 **(e) Administration**

- 204 (1) The Building and Planning Department is responsible to ensure compliance with applicable  
205 requirements of this Code in the construction of new Village-owned buildings, when  
206 participation in the Sustainable Building Program is authorized by the Village Manager.  
207
- 208 (2) The Building and Planning Department shall coordinate at least two training workshops per  
209 year for the purpose of educating Village staff in the provisions and requirements of the  
210 Pinecrest Sustainable Building Program, and shall provide information and outreach to  
211 residents, businesses, and contractors through newsletters, brochures and other  
212 community outreach efforts.  
213
- 214 (3) The Building and Planning Department shall make available fast track development review  
215 pursuant to the requirements of the Sustainable Building Program.  
216
- 217 (4) The Sustainable Building Program shall be administered on either a per-unit or per-  
218 development basis, as specified at the time of permitting. "Per-unit" means each unit built,  
219 except that any multi-family dwelling or similarly clustered structure may count as one unit.  
220 "Per-development" means each planned development, subdivision, or business park.  
221

222 **(f) Environmental Sustainability Account**  
223

224 The Village of Pinecrest shall establish and maintain an Environmental Sustainability Account.  
225 The Account may be utilized as a source for training, awards, and other direct costs associated  
226 with administration of the Sustainable Building Program, subject to availability of funds and  
227 appropriation by the Village Council.  
228

229 **(g) Standards**  
230

231 Published LEED standards of the USGBC, FGBC green building standards, GBI's Green Globes  
232 rating system, Energy Star standards, or similar state or nationally recognized program  
233 certification standards shall be used to measure compliance of buildings participating in the  
234 Sustainable Building Program.  
235

236 **(h) Incentives**  
237

238 The incentives contained in this Section are intended to encourage the construction of  
239 sustainable buildings. For any program participant seeking sustainable building certification for  
240 new residential or commercial construction, residential or commercial retrofitting/remodeling,  
241 or new Village-owned buildings, the following incentives shall be made available:  
242

243 **(1) Expedited Permitting and Fast Track Development Review**  
244

- 245 a. Development services for Sustainable Building Program projects, including review of site  
246 plans and review of applications for building permits, shall be given priority over review  
247 of applications for projects that are not Sustainable Building Program projects by all  
248 Village departments reviewing such applications. Building permit applications for green

249 buildings shall be accompanied by the appropriate sustainable building permit program  
250 application form.

- 251
- 252 b. Applications for subdivision plat approval shall be given priority over other applications  
253 provided the developer records in the public records of Miami-Dade County covenants  
254 or other restrictions sufficient to require that the development meets the certification  
255 criteria as an FGBC Green Development or all homes in the subdivision will be  
256 constructed so as to qualify for sustainable building certification.
- 257
- 258 c. Applicants who obtain priority status pursuant to this Code shall provide proof of  
259 sustainable building certification, or preliminary sustainable building certification, to the  
260 Building and Planning Department within 120 days of construction completion, as  
261 defined by the certificate of occupancy or certificate of use issue date. Application  
262 forms for sustainable building certification and agreements with property owners or  
263 developers seeking priority status may provide that property owners or developers who  
264 obtain priority status but fail to obtain sustainable building certification may be denied  
265 future priority status by the Village Manager.
- 266
- 267 d. Applicants for building permits who wish to receive expedited permitting and fast track  
268 development review for buildings that are not eligible for Sustainable Building  
269 Certification may receive expedited permitting and fast track review upon payment of  
270 permit fees in the amount of 125 percent of regular permit fees as adopted by Village  
271 Council by Resolution.
- 272

273 (2) Rebate of Permit Fees

274

275 Building Permit and plan review fees shall be rebated upon certification of Sustainable  
276 Building Program projects, including one and two family residential projects, and remodeling  
277 projects that meet the certification requirements of USGBC, FGBC, GBI's Green Globes,  
278 or Energy Star. Proof and verification of certification shall be required as a condition of the  
279 rebate of fees by the Village of Pinecrest and shall be submitted to the Village within 120  
280 days of issuance of a certificate of occupancy or certificate of use to be eligible. Rebates  
281 shall be provided pursuant to the following schedule:

282

- 283 a. A rebate of thirty (30) percent of paid permit and plan review fees for FGBC "Gold",  
284 USGBC "Platinum", or four (4) Green Globes certification;
- 285
- 286 b. A rebate of twenty-five (25) percent of paid permit and plan review fees for FGBC  
287 "Silver", USGBC "Gold", or three (3) Green Globes certification;
- 288
- 289 c. A rebate of twenty (20) percent of paid permit and plan review fees for FGBC  
290 "Bronze", USGBC "Silver", or two (2) Green Globes certification; and
- 291

- 292 d. A rebate of fifteen (15) percent of paid permit and plan review fees for FGBC  
293 “Certified”, USGBC “Certified”, Energy Star “Certified”, “Certified” remodel, or one  
294 (1) Green Globe certification.  
295

296 (3) Green Building Award  
297

298 For the purpose of publicly recognizing outstanding commitment to “green building and  
299 construction practices” the Sustainable Building Program shall provide for an award of a  
300 framed Village Proclamation to be awarded annually to each program participant receiving a  
301 recognized certification.  
302

303 (4) Recognition  
304

305 The Village of Pinecrest shall coordinate a program of recognition, on the Village web site  
306 or through other additional means, identifying participating sustainable building projects.  
307

308 (5) Signage  
309

- 310 a. A builder may install one additional temporary construction sign, not to exceed twenty-  
311 four (24) square feet in area that notes: “This project is a Village of Pinecrest Green  
312 Certified Project by (Company Name)” and/or “Certified Florida Yards &  
313 Neighborhoods”.  
314  
315 b. A developer of a commercial project may add the notation, “Village of Pinecrest Green  
316 Certified Project” in four inch letters on permitted project entry and identification signs.  
317

318 SECTION 3. Inclusion in the Code of Ordinances.

319 It is the intention of the Village Council and it is hereby ordained that the amendments  
320 to the Village of Pinecrest Land Development Regulations made by this Ordinance as set forth  
321 herein shall become part of the Village of Pinecrest Code of Ordinances, and that the sections  
322 of this Ordinance may be renumbered and relettered as necessary, and that the word  
323 “Ordinance” may be changed to “Section”, “Article”, or other appropriate word.

324 SECTION 4. Conflicts.

325 All ordinances or parts of ordinances and all resolutions or parts of resolutions in  
326 conflict with the provisions of this Ordinance are hereby repealed.

327 SECTION 5. Severability.

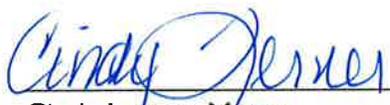
328 If any section, clause, sentence or phrase of this Ordinance is for any reason held invalid  
329 or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity  
330 of the remaining portions of this Ordinance.

331 SECTION 6. Effective Date

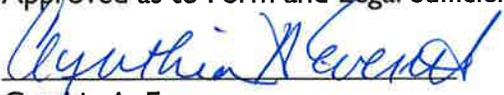
332 This Ordinance shall be effective immediately upon passage by the Village Council on  
333 second reading.

334 PASSED on first reading this 10th day of May, 2011.

335  
336 PASSED AND ADOPTED on second reading this 14th day of June, 2011.

337  
338   
339 \_\_\_\_\_  
340 Cindy Lerner, Mayor

341  
342 Attest:  
343   
344 \_\_\_\_\_  
345 Guido H. Inguanzo, Jr., CMC  
346 Village Clerk

347  
348 Approved as to Form and Legal Sufficiency:  
349   
350 \_\_\_\_\_  
351 Cynthia A. Everett  
352 Village Attorney



353 Motion on Second Reading by: Vice Mayor Ross  
354 Second on Second Reading by: Councilmember Corradino

355  
356  
357 Vote: Councilmembers Corradino, Cutler, Harter, Vice Mayor Ross, and Mayor Lerner voting Yes