

## **Resolution**

### **To Establish a Green Building Construction Incentive**

**Whereas**, environmentally-friendly “green” buildings offer advantages to the public and the County, including, but not limited to, reduced usage of water and energy; and

**Whereas**, green buildings create higher appraisable tax values than other similarly-constructed buildings, and sell or rent for more per square foot and retain a higher value than other similarly-constructed buildings; and

**Whereas**, LEED rating systems and standards, created by the U.S. Green Building Council, provide building owners and operators with a framework for identifying and implementing practical and measurable green building design, construction, operations and maintenance solutions; and

**Whereas**, buildings which meet or exceed LEED standards provide long-term savings to owners and occupants in operational, maintenance, water and energy costs; and

**Whereas**, LEED-certified buildings have proven to deliver real and quantifiable savings for developers, citizens and governments alike, the benefits of which extend far beyond the building footprint and deep into the community; and

**Whereas**, LEED-certified buildings create jobs, reduce strain on public infrastructure and resources, create and maintain a healthier environment, and inspire growth and innovation in the local economy; and

**Whereas**, LEED-certified buildings come with costs that are higher than those of standard construction; and

**Whereas** the State of North Carolina, recognizing the benefits to be obtained by LEED-certified construction, and, further understanding the increased cost of said construction, has, by and through N.C.G.S. §160A-381(f) authorized local governments to offer incentives to encourage LEED-certified construction; and

**Whereas**, the State of North Carolina has further provided to local governments, by and through N.C.G.S. §158-7.1, the authority to provide certain incentives to industry, as an incentive to attract industry to local jurisdictions from other states and countries; and

**Whereas**, the Lincoln County Board of Commissioners also recognizes the benefits of LEED-certified construction, and desires to provide state-specified incentives to help encourage the construction of LEED-certified buildings in Lincoln County; and

**Whereas**, the Lincoln County Board of Commissioners desires to utilize the power provided in both of the above-referenced statutes to attract new business and industry, and further to create an incentive for such new business to construct LEED-certified buildings.

**Now, Therefore Be It Resolved** that the Lincoln County Board of Commissioners does hereby adopt and approve that series of incentives for LEED-certified construction as shown in Exhibit "A," attached hereto, and incorporated herein by reference thereto.

This the 2<sup>nd</sup> day of April, 2012.

## **EXHIBIT “A”**

### **LEED-CERTIFIED BUILDING INCENTIVE POLICY**

1. **Statement of Purpose.** The County desires to encourage construction within Lincoln County of buildings that contain more environmentally-friendly, energy efficient components, as measured by the USGBC LEED certification system. Understanding that such construction can incur additional costs, the County desires to create a rebate incentive by which an Owner who constructs a Building, as defined herein, shall, upon application, receive significant rebates to help offset some of the costs of building a LEED-Certified Building.

2. **Definitions.** As used in Policy, the following words shall have the definitions ascribed thereby:

“Building,” as used herein, shall mean a Commercial or Industrial building (as defined by the UDO), of new construction, which has a tax assessed value, after completion, of at least \$2,000,000.00.

“LEED,” as used herein, shall mean Leadership in Energy and Environmental Design, as defined by the USGBC.

“LEED-Certified,” as used herein, shall mean a certification from the USGBC that a Building has obtained at least 40 points from the USGBC LEED-NC rating system, or conclusive proof provided by an Owner that the Building meets or exceeds the qualifications and certifications of said rating system by which it would have received at least 40 points.

“LEED Certified Credit,” as used herein, shall mean a rebate, to the Owner, as provided herein, of .1% of the Building’s Tax Assessed Value.

“LEED Gold Certified,” as used herein, shall mean a certification from the USGBC that a Building has obtained at least 60 points from the USGBC LEED-NC rating system or conclusive proof provided by an Owner that the Building meets or exceeds the qualifications and certifications of said rating system by which it would have received at least 60 points.

“LEED Gold Credit,” as used herein, shall mean a rebate, to the Owner, as provided in Section, of .5% of the Building’s Tax Assessed Value.

“LEED Platinum Certified,” as used herein, shall mean a certification from the USGBC that a Building has obtained at least 80 points from the USGBC LEED-NC rating system, or conclusive proof provided by an Owner that the Building meets or exceeds the qualifications and certifications of said rating system by which it would have received at least 80 points.

“LEED Platinum Credit,” as used herein, shall mean a rebate, to the Owner, as provided herein, of 1% of the Building’s Tax Assessed Value.

“LEED Silver Certified,” as used herein, shall mean a certification from the USGBC that a Building has obtained at least 50 points from the USGBC LEED-NC rating system or conclusive proof provided by an Owner that the Building meets or exceeds the qualifications and certifications of said rating system by which it would have received at least 50 points.

“LEED Silver Credit,” as used herein, shall mean a rebate, to the Owner, as provided herein, of .2% of the Building’s Tax Assessed Value.

“LEED-NC,” as used herein, shall mean the LEED New Construction rating system administered by the USGBC.

“Maximum Credit Amount,” as used herein, shall mean \$200,000.00.

“Owner,” as used herein, shall mean the owner of the Building.

“Rebate,” as used herein, shall refer individually and collectively to Certified Credits, Silver Credits, Gold Credits and Platinum Credits.

“Tax Assessed Value,” as used herein, shall refer only to the value of the Building, excluding therefrom the taxable value of the land within a tax parcel.

“USGBC,” as used herein, shall mean the United States Green Building Council.

3. Application. Upon completion of construction of a Building and having obtained a Certificate of Occupancy, and within 90 days of obtaining LEED certification approval from the USGBC (or a functional equivalent of LEED certification from a functionally equivalent certifying body), an Owner may apply to the County, through the County’s Planning and Inspections Department, for a Rebate as provided in this Policy. An application pursuant to this Section shall be on a form provided by the County, available at the Planning and Inspections Department office. In the event that it appears, in the County’s discretion, that the Credit to which the Owner may be entitled may exceed the amount provided in Section 6(a) herein, the County shall require Owner to fill out and complete an extended application providing additional information required by N.C.G.S. §158-7.1, including, but not limited to, statements of additional jobs to be created by the LEED-Certified construction.

4. Notice. Within thirty (30) days upon receipt of an application from an Owner, the County shall provide notice to the Owner of what sort of Credit, if any, the Owner shall be provided.

5. Credit. Upon being provided satisfactory proof by the Owner that the Owner’s Building is LEED-Certified, the County shall provide to the Owner a Credit as more specifically provided below, provided, however, that no Building shall be entitled to more than one credit, and it shall be entitled to the highest credit for which it is certified:

a. A LEED-Certified Building shall entitle the Owner to a LEED Certified Credit, to be applied as provided herein below.

b. A LEED Silver-Certified Building shall entitle the Owner to a LEED Silver Credit, to be applied as provided herein below.

c. A LEED Gold-Certified Building shall entitle the Owner to a LEED Gold Credit, to be applied as provided herein below.

d. A LEED Platinum-Certified Building shall entitle the Owner to a LEED Platinum Credit, to be applied as provided herein below.

6. Payment of Credit. Upon determining the Credit to which an Owner is entitled, the County shall pay to the Owner the following amounts, in the order provided below, until the first to occur of (a) the Credit is paid in full; (b) the Maximum Credit Amount is reached; or (c) Owner receives the maximum Credit which the Owner is entitled to receive without violating the provisions of N.C.G.S. §158-7.1:

a. An amount equal to 95 percent of the building permit fees incurred by Owner in construction of the Building;

b. An amount equal to 95 percent of the sewer tap fees incurred by Owner in construction of the Building;

c. An amount equal to 95 percent of the water tap fees incurred by Owner in construction of the Building;

d. An amount equal to 95 percent of the sewer capacity development fee incurred by Owner in construction of the Building;

e. An amount equal to 95 percent of the water capacity development fee incurred by Owner in construction of the Building.

7. Limitations. Any such Credit (or portion thereof) to be repaid pursuant to subsections b, c, d and e of Section 6 shall further be subject to the following restrictions:

a. The limitations imposed by N.C.G.S. §158-7.1; and

b. Approval by the Lincoln County Board of Commissioners, in its sole and absolute discretion, of the Credit after making the calculations required by N.C.G.S. §158-7.1.