

Attachment D:  
Building Code Updates and Green Revisions  
Stakeholder Public Comments

General Comments (Gen)

Comment #	Source	Media	Date	Article #	Issue / Topic	Comment	Staff Response
Gen 1a	John Muller	email	5/1/2009	all	Mandates vs. incentives	Why not provide financial incentives to build green? The building industry has been decimated by the down turn in the economy, and this regulation will be an additional burden on the areas home builders and your citizens at a time this nation is trying to recover with the help of President Obama... [Mandates are] simply going to create complaints from my clients, local elected officials and the Mayor & Council.	The City has plans to offer incentives for performance beyond the requirements set in the building codes; a draft of these incentives is currently being formulated, and will be released for public comment when available. It is Rockville's intent to have the incentives in place at the same time as the effective date for the revised building codes.
Gen 1b	John Muller	email	5/1/2009	6 & 11	Low flow plumbing fixtures	Low flow water closets to [sic] not function correctly and one must flush the unit several times. The water closets are not available in the local supply houses or in stores such as Lowe's and Home Depot. The supply houses and stores stock products that not only sell but function. My plumber will not install the low flow water closets without having the client sign a statement relating to blockages and lack of evacuation of waste products.	Rockville is recommending US EPA WaterSense low-flow (1.28 gallon/flush) water closets. WaterSense labeled products are not only low-flow, but also are functional, and they are available in local stores such as Lowe's and Home Depot.
Gen 1c	John Muller	email	5/1/2009	all	Testing & certification	Additional testing requirements to certify the home coupled with additional design requirements based on these proposed regulations will be passed on to your citizens.	Depending on the builder, the additional testing and certification may add to the initial cost of the home; however, by guaranteeing the energy performance of the home, this will be quickly recouped through savings on utility bills, which will continue for the life of the house.
Gen 1d	John Muller	email	5/1/2009	8 & 14	Energy, cost	The main complaint from my clients is the government for the most part does not grant any tax credits for saving energy.	There is currently a Federal tax credit of up to \$1,500 for energy efficiency improvements made to existing homes. Rockville is considering additional incentives beyond this to encourage homeowners to perform energy efficient retrofits.
Gen 1e	John Muller	email	5/1/2009	all	Cost	The overall cost of construction in an all green built home, such as proposed by the City will increase the cost of construction by some estimates 20% over the cost of conventional construction... There has not been one word mentioned [on] ... the impact of this proposed regulation will have on my clients as well as the citizens wanting to construct a new home or alter their existing home.	The prestigious firm ICF International reviewed "The 30% Solution", upon which Rockville's residential energy code updates are based, and found that it would achieve its 30% energy savings objective and do so affordably. The U.S Department of Energy and a myriad of other stakeholders reviewed "The 30% Solution" and concluded that they would stand up in support of its full adoption in subsequent code cycles.
Gen 1f	John Muller	email	5/1/2009	all	Other jurisdictions	The City will be enforcing regulations far in excess of surrounding jurisdictions such as the City of Gaithersburg, Frederick County, Frederick City, Montgomery County, Town of Ocean City, Howard County, Ann Arundel County and the State of Maryland.	Rockville's proposed regulations are more stringent in some areas and more flexible in others than many of the jurisdictions mentioned.
Gen 1g	John Muller	email	5/1/2009	5 & 6	Cool roofs	Requirements for so called "cool roofs" will severely restrict the color choices of my clients since the products that have the low reflectivity are generally a light color. Slate roofs, cedar or other shake roofs and dark colored metal roofs will now be prohibited.	Note that the requirements for cool roofs refer only to those roofs that are flat, or relatively flat - less than two units vertical in 12 units horizontal (~17% slope or less).
Gen 2	Gary Skulnick	phone	5/14/2009	8 & 14	Energy & solar	Will solar pv be required? How will it factor into Article 14?	Specific renewable technologies will not be <u>required</u> by the proposed code; however, including onsite renewable energy can gain a project points towards <i>Rockville Certified</i> status, per Article XIV regulations.
Gen 3a	The Tower Companies	letter	5/19/2009	14	LEED version	LEED ver 3 will replace the existing LEED ver 2.2 standards as of the end of June 2009. We recommend that the Regulations incorporate LEED ver 3 by reference.	LEED version 3 has now been incorporated by reference into Article XIV.

Attachment D:  
Building Code Updates and Green Revisions  
Stakeholder Public Comments

General Comments (Gen)

Comment #	Source	Media	Date	Article #	Issue / Topic	Comment	Staff Response
Gen 3d	The Tower Companies	letter	5/19/2009	14	Additional LEED credits	The wording for the definitions of both <i>Rockville Certified</i> and <i>Rockville Silver</i> contain what we believe to be an error, in that the required 5 additional credits from the targeted list should not be additional credits beyond the LEED NC requirements (at least 40 credits to achieve LEED certified, and at least 50 credits to achieve LEED Silver.)	It was not the intent to require additional credits beyond the LEED requirements; the wording for those definitions have been changed to reflect this.
Gen 4a	Northeast Energy Efficiency Partnerships, Inc.	email	5/19/2009	6	Additional specificity	Suggest you insert "Chapters 1, 2 and 4" into N1101.1 to make it clear which portions of the 2006 IECC need to be followed.	Change has been made as proposed.
Gen 4b	Northeast Energy Efficiency Partnerships, Inc.	email	5/19/2009	8	Editorial change	Suggest replacing "exterior envelopes" with "thermal envelopes" in Sec. 5-156.	Change has been made as proposed.
Gen 4c	Northeast Energy Efficiency Partnerships, Inc.	email	5/19/2009	8	Editorial change	Suggest replacing "chapter" with "Article" in the amendment to 103.1.1, as other chapters of the Code include mandatory requirements in the envelope, mechanical systems and lighting provisions.	Change has been made as proposed.
Gen 4d	Northeast Energy Efficiency Partnerships, Inc.	email	5/19/2009	8	Insulation requirements	Recommend that Table 402.1.1 is changed to climate zone "4A", and that the Mass Wall R-Value is changed from 5/10 to 10/13.	Change has been made as proposed.
Gen 4e	Northeast Energy Efficiency Partnerships, Inc.	email	5/19/2009	8	U-factor table edits	Recommend that Table 402.1.3 is changed to climate zone "4A", and that the Ceiling U-Factor is changed from 0.020 to 0.20, and that the Framewall U-Factor is changed from 0.056 to 0.56.	Change has been made as proposed.
Gen 4f	Northeast Energy Efficiency Partnerships, Inc.	email	5/19/2009	8	Delete additional sections	Recommend adding Sections 402.3.3 and 402.3.4 to list of deleted sections, as these are freebie exemptions for a 15sf window and an opaque door from the prescriptive requirements. These items can still be used under the RES Check option.	Change has been made as proposed.
Gen 4g	Northeast Energy Efficiency Partnerships, Inc.	email	5/19/2009	8	Fireplace requirement	Recommend adding "introduced not further than 2 feet from the stove air intake" to the fireplace outdoor combustion air requirement, to prevent outside air from being distributed as a draft in the room, or worse, located in another part of the dwelling.	Change has been made as proposed.
Gen 4h	Northeast Energy Efficiency Partnerships, Inc.	email	5/19/2009	8	Clarification	Clarify that the provisions of 402.7 refer to <u>individual</u> opaque envelope components.	Change has been made as proposed.
Gen 4i	Northeast Energy Efficiency Partnerships, Inc.	email	5/19/2009	8	Pools	Suggest inserting a new Section 403.7 Pools, providing additional requirements for pool heaters, timer switches and covers as detailed in this letter. Old Section 403.7 Electrical power and lighting systems should be renumbered to Section 403.8.	Change has been made as proposed.
Gen 5a	MNCBIA	letter	5/21/2009	8&14	Overlapping requirements	The Association recommends that low-rise residential construction should not have to meet both rating system requirements [e.g., NGBS or LEED] and ENERGY STAR requirements.	Once the energy conservation codes of Article VIII have been satisfied, new low-rise residential will have effectively met all but a few prescriptive elements required for Energy Star. It is believed that this should not require significant overlapping effort.
Gen 5b	MNCBIA	letter	5/21/2009	14	Cost	Building green does increase both the hard and soft cost of construction. Information has been attached showing the additional direct cost estimates for a Metro DC house.	Cost of building green has many components. Builder familiarity with green building systems, and starting off with a green goal in mind rather than adding on features later, can assuage the cost of "green", in some cases making it equal to conventional construction.
Gen 5c	MNCBIA	letter	5/21/2009	all	Effective date	A grandfather clause should be added to the proposal so that there is a clear date when the Code and Green Building Requirements go into effect.	Upon Adoption of the new codes, a clear date will be set, after which time all new projects must come in under the new codes. Projects already in the pipeline will be grandfathered in.

Attachment D:  
Building Code Updates and Green Revisions  
Stakeholder Public Comments

General Comments (Gen)

Comment #	Source	Media	Date	Article #	Issue / Topic	Comment	Staff Response
Gen 5d	MNCBIA	letter	5/21/2009	all	Incentives	Incentives can often be used to help balance off the up-front higher cost of new requirements with the market's unwillingness (or inability) to pay the additional cost.	The City has plans to offer incentives for performance beyond the requirements set in the building codes; a draft of these incentives is currently being formulated, and will be released for public comment when available. It is Rockville's intent to have the incentives in place at the same time as the effective date for the revised building codes.
Gen 5e	MNCBIA	letter	5/21/2009	14	Energy Star	The "Designed to Earn the Energy Star" can only be used for commercial construction and cannot be used for multi-unit residential.	Change has been made as proposed.
Gen 5f	MNCBIA	letter	5/21/2009	14	Explanation of credits	The requirement to provide an explanation of why each credit not selected cannot be achieved has no benefit and would result in a substantial amount of work.	The requirement to explain why credits can <u>not</u> be achieved has been removed.
Gen 5g	MNCBIA	letter	5/21/2009	14	Commissioning	Final commissioning for commercial and multi-unit residential requires that the building be occupied for a year. This will set up a problem for occupancy.	Article XIV is only requiring initial building commissioning, which may be done at the time of occupancy. This has been revised in the text.

Attachment D:  
Building Code Updates and Green Revisions  
Stakeholder Public Comments

Event: Public Meeting #1 (PM1)  
Date: Tuesday, May 19th, 7-9pm

Comment #	Source	Media	Date	Article #	Issue / Topic	Comment	Staff Response
PM1 1a	Richard Donnally - Sustainability by Design / NAIOP	verbal	5/19/2009	Article XIV	Incentives	Overall Article XIV is very fair and appropriate. Appreciate that LEED certification is encouraged but not required. Would like to see incentives for LEED Gold and Platinum, such as bonus density or property tax rebates / credits.	The City has plans to offer incentives for performance beyond the requirements set in the building codes; a draft of these incentives is currently being formulated, and will be released for public comment when available. It is Rockville's intent to have the incentives in place at the same time as the effective date for the revised building codes.
PM1 1b	Richard Donnally - Sustainability by Design / NAIOP	verbal	5/19/2009	Article X	Mechanical Code	My suggestion is to have dollar limit in reference to the mechanical code required permit. Below limit don't have to get a permit. You don't want to ask someone to get a permit if its under \$1,000	The code currently provides for several exemptions from permit requirements (See Section R105.2 of Article VI). While we understand the sentiment behind a dollar limit, certain health and safety requirements (e.g., gas fittings) would occur regardless of the value of the work.
PM1 1c	Richard Donnally - Sustainability by Design / NAIOP	verbal	5/19/2009	Article VIII	30% Solution	The target for residential energy conservation, the "30% solution", is steep. Why not phase it in - do 10% now, 20% later, 30% final?	For residential energy efficiency, the 30% improvements in energy efficiency comes from the combination of many aspects of a homes energy efficiency - air sealing, insulation, widnows, insulating water pipes, etc. Because the savings are gained from many small improvements, phasing residential requirements would likely be confusing. For commercial energy efficiency, the original IECC references a 2004 version of the ASHRAE 90.1 standards - Rockville has proposed replacing this with a reference to the 2007 ANSI/ASHRAE/IESNA 90.1 standard, which would represent about a 7% improvement in energy efficiency.
PM1 1d	Richard Donnally - Sustainability by Design / NAIOP	verbal	5/19/2009	Article VIII	Energy Baseline	What is the baseline year for energy conservation? Please make that clearer.	Improvements to energy efficiency of 30% for residential and 7% for commercial are not nased on baseline years, but rather on the differences between the standard residential and commercial IECC standards versus Rockville's proposed amendments.
PM1 1e	Richard Donnally - Sustainability by Design / NAIOP	verbal	5/19/2009	Article XIV	LEED requirements	Requiring 4 additional EA1 energy points for Rockville Certified is a little worrisome. Can we start with just 2 and then do 3 and then do 4 points? This could cost ~3\$/sq ft to meet.	The requirements for additional EA1 energy credits originally referred to LEED version 2.2. Article XIV is being revised to reflect the recently-released LEED version 3; under these revisions, the requirements for additional EA1 credits has been deleted.
PM1 1f	Richard Donnally - Sustainability by Design / NAIOP	verbal	5/19/2009	Article XIV	LEED credits	Rockville should allow considering geothermal to count for the On-site Renewable Energy credit.	LEED ver3 has included geothermal as a renewable energy that qualifies for this credit.
PM1 1g	Richard Donnally - Sustainability by Design / NAIOP	verbal	5/19/2009	Article XIV	Green Bonds	Some jursidictions have required bonds for building commissioning and building manuals - this allows a certificate of occupancy to be issued prior to the completion of these final items.	The City is considering the use of bonds for these items to ensure compliance while allowing for a timely issuance of final occupancy.
PM1 1h	Richard Donnally - Sustainability by Design / NAIOP	verbal	5/19/2009	Article XIV	Commissioning	Building commissioning can easily cost \$20-\$40k; this cost doesn't scale this much, so requiring this of a 7,000 sq ft building could be tough. Consider exempting buildings under 50,000 sq ft from this requirement.	Article XIV has been revised to allow for an alternate commissioning process for buildings smaller than 50,000 sq ft that does not require a third-party commissioning agent.
PM1 2a	Steve Keppler - SDK	verbal	5/19/2009	Article VIII	Cross-reference	May want to make reference to energy conservation code in the electrical code.	A reference to Article VIII (Energy Conservation Code) has been inserted in Article VII (Electricla Code).
PM1 2b	Steve Keppler - SDK	verbal	5/19/2009	Article VI	Low flow fixtures	Article VI refers to a very detailed table with specific requirements for low-flow fixtures. Will be we able to find that level of detail in the code?	Yes, it is a standard table in code - Table P2903.2 in the Article VI amendments.

Attachment D:  
Building Code Updates and Green Revisions  
Stakeholder Public Comments

Event: Public Meeting #1 (PM1)  
Date: Tuesday, May 19th, 7-9pm

Comment #	Source	Media	Date	Article #	Issue / Topic	Comment	Staff Response
PM1 2c	Steve Keppler - SDK	verbal	5/19/2009	Article XIV	Green Building Code	Make the greening part of code requirements as transparent as possible: Suggest to break up Article XIV and move it into the other appropriate Articles of Chapter 5, rather keep it as a separate Article XIV. There is a concern that contractors won't necessarily know that there are additional requirements in XIV.	The standard ICC building codes are already moving towards mainstreaming many of the "green" practices proposed in Rockville's code amendments, with each code cycle adopting more and more green features into the standard code. To avoid later confusion, Rockville proposes to keep our green amendments in a separate article, and integrate them fully into the other chapter of the codes in synch with new code releases.
PM1 2d	Steve Keppler - SDK	verbal	5/19/2009	Article XIV	Green Building Code	To be successful, you need to make green building palatable across a broad audience that may not understand LEED. To the extent that you can take specific LEED requirements and unpackage them into understandable items, that will help. Arlington County's permitting system is a great example of this.	Staff are reviewing Arlington County's programs to use as a guide for implementation techniques.
PM1 2e	Steve Keppler - SDK	verbal	5/19/2009	Article XIV	Commissioning	Commissioning problem with LEED documentation and cost. Fine for larger projects that can handle the cost, but for smaller buildings, could there be some type of self-certification for commissioning of buildings <50,000 sq ft? Rockville could perform random checks, but essentially commissioning would be certified by design architect / engineers.	Article XIV has been revised to allow for an alternate commissioning process for buildings smaller than 50,000 sq ft that does not require a third-party commissioning agent.
PM1 2f	Steve Keppler - SDK	verbal	5/19/2009	Article XIV	Incentives	Nothing to incentivize smart growth / land use - smaller houses, sustainable land use.	Land use is covered by Rockville's Zoning Ordinance. The new zoning ordinance, adopted in December 2008, enacts requirements for percent of green space on properties, minimizing home footprints.
PM1 3	Priya Premchandran - SDK			Article XIV	Certification	Perhaps Rockville Certified could be an and/or situation with official LEED certification, so buildings don't need to go through both.	If this was to be the case, Rockville would likely need to receive a copy of the official LEED certification from the USGBC before granting final occupancy. Additional comments on this would be helpful in formulating a policy.
PM1 4a	Chris Ruhlen - Land use Attorney	verbal	5/19/2009	Article XIV	Incentives	Incentives can be a make or break difference in green buildings. For example, Montgomery County does not require LEED Silver - they incentivize it.	The City has plans to offer incentives for performance beyond the requirements set in the building codes; a draft of these incentives is currently being formulated, and will be released for public comment when available. It is Rockville's intent to have the incentives in place at the same time as the effective date for the revised building codes.
PM1 4b	Chris Ruhlen - Land use Attorney	verbal	5/19/2009	Article XIV	Low Rise Residential	What about the application to low rise buildings - is the market there to support it? Look at this carefully to make sure not it is not unachievable at end of day.	In the past, residential consumers were unfamiliar with the options for green residences, and thus did not know to ask for this when purchasing a new home. That market is slowly changing, and by making educational information available to residents Rockville hopes to help inform residents about the costs and benefits of green homes.
PM1 4c	Chris Ruhlen - Land use Attorney	verbal	5/19/2009	Article XIV	Effective Date	Grandfathering of projects is not clear - what happens to projects already in pipeline? Please make the effective date clear. Also, what about LEED ver 2.2 registered projects? How will those relate to Rockville's process if Rockville will be based on LEED ver 3?	Projects in the pipeline will not be affected. New projects that have already registered for LEED ver 2.2 will be handled on a case-by-case basis, to make sure the green objectives are being met without requiring two separate lines of documentation.
PM1 4d	Chris Ruhlen - Land use Attorney	verbal	5/19/2009	Article XIV	Checklists	Language in the explanation of how each credit would be achieved is vague. Can it be a simple checklist? Why the requirement to explain why credits can not be achieved?	Explanation of checklists has been clarified; requirement to explain why credits can <u>not</u> be achieved has been deleted.
PM1 4e	Chris Ruhlen - Land use Attorney	verbal	5/19/2009	Article XIV	LEED requirements	Why was 'or equivalent' left out of the LEED requirements for non-residential buildings?	The text has been revised to state LEED® or equivalent.

Attachment D:  
Building Code Updates and Green Revisions  
Stakeholder Public Comments

Event: Public Meeting #1 (PM1)  
Date: Tuesday, May 19th, 7-9pm

Comment #	Source	Media	Date	Article #	Issue / Topic	Comment	Staff Response
PM1 4f	Chris Ruhlen - Land use Attorney	verbal	5/19/2009	Article XIV	Commissioning	Commissioning requirements can cause a financing concern, as financiers don't like anything that could hold up building occupancy. Building manuals could also fall into this category.	Rockville is exploring the use of a bond to ensure building commissioning and building manuals are completed, rather than delaying occupancy.
PM1 4g	Chris Ruhlen - Land use Attorney	verbal	5/19/2009	Article XIV	Clarification	The Rockville approval process needs to be clearly separated from LEED process. Is Rockville conducting a review independent of the USGBC? This could be stated more clearly, likely by regulation.	Rockville plans to have its own review and approval process, separate from the U.S. Green Building Council. This has been clarified in the text of Article XIV.
PM1 4h	Chris Ruhlen - Land use Attorney	verbal	5/19/2009	Article XIV	Construction Waste Management	Did you intend to reference construction waste management under the low rise residential section? Is this correct here? Should this be in the nonresidential section?	The construction waste management requirements have been corrected.
PM1 5a	Annette Rosenblum - Building Industry Association	verbal	5/19/2009	Article XIV	Energy Star	Low rise residential requires 'Designed to earn Energy Star'. Can you really do that at this time in residential? How about for multi-unit residential?	Low rise residential buildings must be constructed to the Energy Star Qualified Homes standard, either prescriptive or performance based. Nonresidential buildings must be "Designed to Earn the Energy Star" certified.
PM1 5b	Annette Rosenblum - Building Industry Association	verbal	5/19/2009	Article XIV	Overlapping requirements	I like the rating system but there seems to be an overlap with the requirements: Green rating system, Energy Star, LEED. Can there be one overarching checklist? Is there going to be a lot of overlapping requirements on paperwork (e.g., Designed to Earn Energy Star)?	The only checklist being required is the LEED or equivalent checklist, required for all submittals to the City. Article XIV has been revised to remove overlapping requirements to the extent deemed practical.

Attachment D:  
Building Code Updates and Green Revisions  
Stakeholder Public Comments

Event: Public Meeting #2 (PM2)  
Date: Thursday, May 21st, 1-3pm

Comment #	Source	Media	Date	Article #	Issue / Topic	Comment	Staff Response
PM2 1a	Dan Pugh - Rockville resident and landscape architect	verbal	5/21/2009	icles V and	Cool Roof Requirements	Why is the cool / green roof limited to flat roofs?	Technology and supply is readily available for flat roofs. Regular roofs do not have as many options, and we did not want to constrain builders in their selection of materials. Weren't as confident for sloped roofs. As industry moves in that direction, we could make requirements there too.
PM2 1b	Dan Pugh - Rockville resident and landscape architect	verbal	5/21/2009	Article VI	Cool Roof Requirements	Would cool roofs include solar panels? Can you do both green roof and solar roof? May be HOA barriers.	The cool roof requirement states that cool roofing materials must be used on 75% or more of the roof surface NOT covered by roof penetrations, onsite renewable systems (such as solar panels), or vegetated roofing systems.
PM2 1c	Dan Pugh - Rockville resident and landscape architect	verbal	5/21/2009	Article VI	Outreach	Rockville does a great job of educating the public and communicating issues.	Staff plans to hold workshops for interested builders, developers and residents on the components of the new building codes, what resources are available to aid with compliance with the new codes, and what incentives may apply for certain features or improvements.
PM2 1d	Dan Pugh - Rockville resident and landscape architect	verbal	5/21/2009	Article VI	Gray water	Allowing use of Gray Water Recycling Systems very exciting. Nice to be on the front-end of this technology.	By adopting these voluntary appendices, it gives Rockville the ability to permit and inspect these types of facilities, removing a major roadblock to highly water efficient buildings.
PM2 1e	Dan Pugh - Rockville resident and landscape architect	verbal	5/21/2009	Article XIV	LEED-equivalent	The City should keep a list of which systems have been found to be "LEED equivalent".	The City has currently found that the National Green Building Standard (NGBS) is an appropriate LEED-equivalent rating system to use for residential buildings. As other rating systems are approved, a running list will be published.
PM2 1f	Dan Pugh - Rockville resident and landscape architect	verbal	5/21/2009	Article XIV	Availability of materials	Can you get what you need to build according to the code locally?	Certain materials are readily available and certain things are not. Some points might be easier to get than others. We looked at local stores and tried to make sure requirements are readily available in area and let you pick things that work for LEED checklist. Cool roofs materials are available in the marketplace.
PM2 2a	Craig Maloney - HDC	verbal	5/21/2009	Article VI	Additions & renovations	What is the current thinking regarding renovations and the threshold for additions?	Trigger Point for Renovations: Add more than 100% footprint of existing structure OR more exterior walls more than 50 linear feet. We would rather people improve existing homes than tear down and rebuild. Help us find that balance.
PM2 2b	Craig Maloney - HDC	verbal	5/21/2009	Article VI	Ventilation	How does the code address ventilation if it is now requiring tighter building envelopes?	ASHRAE Standard 62.2 addresses ventilation requirements.
PM2 2c	Craig Maloney - HDC	verbal	5/21/2009	Article XIV	LEED Certified	Like the target of LEED Certified - this is relatively easy to achieve now.	LEED Certified was selected as it is a very achievable goal for virtually all new buildings. Once buildings get slightly larger (50,000 sq ft), LEED Silver costs per square foot start to become competitive.
PM2 3a	Anne Marie Vassallo	verbal	5/21/2009	Article VI	Home sprinkler retrofit	How difficult is it to retrofit a home for sprinklers?	If the roof is off for a second-story addition, ceilings may be relatively easily accessed from above. It is more complicated in other situations.
PM2 3b	Anne Marie Vassallo	verbal	5/21/2009	Article VI	Modular homes	What about regulations of modular homes. Manufacturers building to the most advanced building ordinances?	Rockville regulates the foundation systems, but we will check into modular homes. Can regulate placement and sighting but not what happens in factory. But many modular homes are very efficient.
PM2 3c	Anne Marie Vassallo	verbal	5/21/2009	Article VIII	Combine article 8 and 14	How does article VIII overlap with Article XIV? Recommend putting Energy Star information into Article VIII.	There are not too many overlaps. Article VIII dictates energy efficiency requirements, while Article XIV may require certain measurement and verification of energy performance, such as by using Energy Star. At this time, it appears the most straightforward to keep code standards in one section, and additional verification requirements in Article XIV.
PM2 3d	Anne Marie Vassallo	verbal	5/21/2009	Article XIV	Rockville certification	Not clear what is meant by the statement you have to follow LEED, but don't have to be LEED rated? Will the process of tracking LEED points slow down process? Clarify.	We would encourage them to apply to USGBC but not require it. Use the checklist, but work with Rockville to achieve green goals.

Attachment D:  
Building Code Updates and Green Revisions  
Stakeholder Public Comments

Event: Public Meeting #2 (PM2)  
Date: Thursday, May 21st, 1-3pm

Comment #	Source	Media	Date	Article #	Issue / Topic	Comment	Staff Response
PM2 3e	Anne Marie Vassallo	verbal	5/21/2009	Article XIV	Outreach	How does Rockville propose to make sure that less sophisticated builders know what they need to do to comply?	Staff plans to hold workshops for interested builders, developers and residents on the components of the new building codes, what resources are available to aid with compliance with the new codes, and what incentives may apply for certain features or improvements.
PM2 3f	Anne Marie Vassallo	verbal	5/21/2009	Article XIV	Incentives	What kinds of incentives are you using?	Interested in hearing ideas for incentives. Researching what city can do legally. Tax credits? Rebates? Please let us know if you have any suggestions.
PM2 3g	Anne Marie Vassallo	verbal	5/21/2009	Article XIV	Phase in period	Montgomery County had a 9 – 10 month phase in time. What is the Rockville phase in date?	We are thinking it would be 3 - 4 months; however we are looking for on that.
PM2 3h	Anne Marie Vassallo	verbal	5/21/2009	Article XIV	Energy Star	Why use Energy Star at all? It seems that this would be just another layer of requirements.	Energy Star is a moving target; right now, they may be equivalent, but want to keep Energy Star in there for the 2009 codes and beyond.
PM2 4a	Annette Rosenblum - Building Industry Association	verbal	5/21/2009	Article VIII	Overlapping requirements	How does this overlap with the Energy section in XIV?	By meeting energy codes in Article VIII, you will have effectively met the Energy Star requirements for the home, plus a few prescriptive elements.
PM2 4b	Annette Rosenblum - Building Industry Association	verbal	5/21/2009	Article VIII	Combine article 8 and 14	Suggests incorporating those codes in Article 14 into Article 8 to make it simpler to follow.	Article XIV does not have that many specific codes - it is more a collection of additional requirements. As code language for these requirements are developed in subsequent ICC code cycles, items can be removed from Article XIV and more fully integrated into other Articles of Chapter 5.
PM2 4c	Annette Rosenblum - Building Industry Association	verbal	5/21/2009	Article XIV	Energy efficient appliances	Who installs appliances? If builder does, it can be required. If the residents do it, can you provide incentives to buy an energy efficient appliance? Please provide clarification. Also, are there high-end Energy Star appliances? Want people to have options.	Correct - if builder supplies appliances, proposed codes state that they must be Energy Star; if individual resident needs a City permit for a new appliance (e.g., a new natural gas water heater), that appliance must be Energy Star; if resident purchases a plug-in / corded appliances (which do not require a City permit), then there is no way for the City to force compliance, although education and outreach on benefits of Energy Star will be performed.
PM2 4d	Annette Rosenblum - Building Industry Association	verbal	5/21/2009	Article XIV	Other rating systems	Do the LEED buildings require a temporary certificate? Also, suggest that the code references other green rating systems, eg: Green Globes	LEED Certification via the US Green Building Council is encouraged but not required, so certification will not be required for occupancy. Staff will review an proposed new green building rating systems to determine their equivalency to LEED. Currently, the National Green Building Standard (NGBS) rating system has been approved for residential use.