



Fw: Green Building Ordinance Comment Letter

Vicki Shelby to: cr_board_clerk Clerk Recorder

08/27/2012 10:03 AM

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"Thinking a smile all the time will keep your face youthful" - Frank G. Burgess
"Wrinkles should merely indicate where smiles have been" - Mark Twain

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From: "Jim Irving" <Jim@jimirving.com>
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Cc: "Frank Mecham" <frank.mecham@yahoo.com>
Date: 08/27/2012 09:49 AM
Subject: Green Building Ordinance Comment Letter

Dear Supervisors:

I am unfortunately unable to attend the August 28th Board Meeting during which you will be addressing the proposed "Green Building" Ordinance. I hope you will carefully consider the following points during your deliberations.

1. The \$10,000 threshold. In spite of the comments of the Chief Building Official at last week's meeting I believe that this figure is too low. It relies in a relatively subjective evaluation by the County as to the value of the proposed construction and does not allow for the consideration of actual costs which could be significantly higher or lower depending on the work proposed and the person doing the work. A home owner doing his own work might have actual costs under the limit while the CBO determines that the "value" was greater.

At the very least this number needs to be indexed for inflation.

2. A \$400 energy audit is not a "minor" cost. It is 4% of a project valued at \$10,000. Your own deliberations over the County's budget struggled with percentages smaller than this. For a homeowner on a budget this is a significant cost.

3. During the Planning Commission's deliberations last Fall over the "EnergyWise Plan" it was emphasized that any proposed energy audit should not be a mandatory requirement. The "checklist" proposed in this ordinance for non-residential construction should also be an alternative for all residential construction projects. Furthermore, while requiring that the auditor be "certified" there is no cap on what the actual cost can be. This puts the homeowner in an untenable situation wherein the County requires the audit but the cost of the audit may well exceed the "suggested" \$400 figure. Does the ordinance allow for an exemption should no audit be available for \$400 or less?

ITEM NO. 30
MEETING DATE: AUGUST 28, 2012
PRESENTED BY: JIM IRVING
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During the Commission's hearings staff suggested that the utilities (PG&E, So. Cal Gas) could provide an audit at no or little cost. Why is this no longer an option?

4. There is an issue of disclosure. The ordinance proposes that records of the audit be made public. A homeowner is already required to disclose items of "significant" interest when selling their homes. What is the purpose of this additional record keeping? Unless of course the Assessor will then use the information to lower the value of homes that are less energy efficient?!

5. Again, during the Planning Commission's hearings the real estate community pointed out the impracticality of requiring energy audits at the time of sale. While this ordinance does not do that specifically, in effect, by requiring the audit as a condition of obtaining a building permit the County is adding to the cost of a future sale. To be sure, if an owner conducts the audit and then makes improvements to their home as called for (hopefully without triggering the need for yet another permit!) they may enhance the value of their home, but what about the owner who does not? Now they must make this disclosure and then likely suffer a loss in value.

A prospective buyer already has the ability to conduct whatever inspections or "audits" they may choose. Those costs should continue to be theirs and not be yet another burden to the Seller.

6. The requirement for LEED certification as an option for homes larger than 2500 sq. ft. While I have no direct experience with this program, I have heard anecdotally from the construction industry of the difficulty & expense of obtaining such certification. Why not have the same choices as are offered for the smaller homes?

7. Recalling your discussion about "McMansions" last week I would submit that your definition of such should be more refined. I consider a home over 10,000 sq ft to be more truly a "mansion", not one that merely exceeds 2500 sq. ft. At the least, do not accept staff's definition but poll the real estate industry for a more realistic consensus.

8. Finally, the reductions of permit costs listed as "incentives" are laughable. A doubling or tripling of the suggested amounts might be far more effective.

Please take these comments under consideration and revise the proposed ordinance.

Thank you,

Jim Irving
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