

PROSPER PORTLAND

Portland, Oregon

RESOLUTION NO. 7537

ADOPTING AN AMENDED AND RESTATED PROSPER PORTLAND GREEN BUILDING POLICY

WHEREAS, on January 10, 2001, by Resolution No. 35956, the City of Portland (“City”) City Council (“City Council”) originally adopted the City’s Green Building Policy (the “City GBP”), requiring all new City facilities to be certified at the Leadership in Energy and Environmental Design (“LEED”) Certified level and to incorporate green building strategies into tenant improvement and operation and maintenance practices;

WHEREAS, in 2005, by Resolution No. 35956, City Council revised the City GBP to raise the certification level of new City facilities to LEED Gold, require ecoroof coverage on new and replacement roofs, and define inter-bureau efforts to support community-wide green building practices;

WHEREAS, in 2009, by Resolution No. 36700, City Council revised the City GBP to clarify and enhance its content to support implementation and project management;

WHEREAS, in 2015, by Resolution No. 37122, City Council revised the City GBP to improve understanding and compliance, retain the City’s leadership in green building policy implementation, and respond to advances in the green building industry;

WHEREAS, on September 12, 2001, through Resolution No. 5754, the Prosper Portland Board of Commissioners (“Board”) followed the City’s lead and approved a Green Building Policy for the agency (the “Green Building Policy”);

WHEREAS, on July 1, 2010, through Resolution No. 6262, the Prosper Portland Board adopted an updated Green Building Policy to increase flexibility for small and medium-size developments including by adding the Earth Advantage Small Commercial rating system for building sizes between 10,000 and 70,000 square feet;

WHEREAS, on May 13, 2015, through Resolution No. 7113, the Prosper Portland Board adopted further revisions to the Green Building Policy to reduce barriers to small green certified developments and enhance Prosper Portland’s ability to support equitable and healthy neighborhoods, commercial district revitalization, construction-related jobs, and accelerate market adoption;

WHEREAS, Prosper Portland’s Green Building Policy has been, and continues to be, intended to complement City policies related to development and natural resource conservation including solid waste, recycling, and composting policies, sustainable procurement policies, the Stormwater Management Manual, One Percent for Green Streets, the 2022-2025 Climate Emergency Workplan, the

City and Multnomah County 2015 Climate Action Plan, the Portland Plan, the Transportation Systems Plan, and the Metro 2040 Framework Plan;

WHEREAS, Prosper Portland continues to support the City’s goals of promoting building practices that protect human health and the quality of the air, water, and other natural resources; reducing construction practices that negatively impact native fish, vegetation, wildlife, and other ecosystems; and minimizing human impact on local and worldwide ecosystems;

WHEREAS, sustainable development practices present a major economic development opportunity for the City and Oregon in job creation in the environmental services and materials sector, and through the promotion of green building practices, products, and technologies;

WHEREAS, on April 26, 2023, through Resolution No. 37617, City Council adopted Advance Portland, a five-year strategic plan that calls for the promotion of inclusive economic growth, innovation, and wealth creation;

WHEREAS, in furtherance of Advance Portland, on March 13, 2024, the Prosper Board through Resolution No. 7525 adopted new loan program guidelines to fill gaps identified in the market, particularly for small projects within historically underserved communities and for smaller multifamily as well as commercial projects;

WHEREAS, the process of updating loan programs prompted staff to evaluate the impact of the existing Green Building Policy, compliance with which is simplest and most economical for large commercial development projects, on smaller projects, and to ask whether adjustments are necessary to increase buy-in by smaller projects, developers, and contractors, and improve climate outcomes, while maintaining the purpose and intent of the existing policy;

WHEREAS, accelerating market adoption and increasing the number of small and medium-size projects that implement strong climate-conscious measures advances the City’s standing as a sustainability leader; and

WHEREAS, Prosper Portland believes that certain changes to the Green Building Policy are necessary and proper to achieve agency strategic goals, and will enhance the policy’s beneficial climate impacts, including by increasing uptake through making more compliance options available for small to medium-sized projects.

NOW THEREFORE, BE IT RESOLVED, that the Amended and Restated Green Building Policy, attached hereto as Exhibit A, is hereby adopted and shall supersede any previous version of the policy;

BE IT FURTHER RESOLVED, that the Executive Director is authorized to create and maintain administrative procedures appropriate to implement the Amended and Restated Green Building Policy;

BE IT FURTHER RESOLVED, that the Executive Director has the authority to interpret the Amended and Restated Green Building Policy in their reasonable discretion in any manner not inconsistent with this Resolution; and

BE IT FURTHER RESOLVED, that with the affirmative vote of no less than four commissioners for this resolution, this resolution will become effective immediately upon its adoption, and otherwise it will take effect thirty days after adoption.

Adopted by the Prosper Portland Commission on June 18, 2024



Pam Feigenbutz, Recording Secretary

Prosper Portland
Amended and Restated Green Building Policy

June 18, 2024

1.0 OBJECTIVES OF THE PROSPER PORTLAND GREEN BUILDING POLICY

The objective of Prosper Portland’s Green Building Policy (“this policy,” which may also be known as the “Green Building Policy” or “GBP”) is to ensure that Prosper Portland’s strategic goals in development and construction advance environmental, social, and economic conditions by:

- Promoting Green Building¹ practices that protect human health and the quality of air, water, and other natural resources, while maintaining consistency with the City of Portland’s 2015 Climate Action Plan and the 2022-2025 Climate Emergency Workplan;
- Maximizing public benefits via new construction and development projects receiving Financial Assistance², as well as in Prosper Portland’s own real property portfolio, to increase return on investment, attract and retain tenants, and create equitable access to well-performing and healthy buildings for Portlanders;
- Leveraging economic development opportunities to grow Portland’s global reputation of deep industry expertise in sustainable design, development, and construction; and
- Providing flexibility for borrowers and other partners to incorporate Green Building practices in all projects to the maximum extent practical.

2.0 APPLICABILITY

This policy applies to new construction of buildings³, to major renovations⁴ of buildings, and to tenant improvement projects (each, a “Covered Project”), if such Covered Project: (1) receives Financial Assistance of more than \$500,000.00; or (2) occurs on real property owned or leased by Prosper Portland; or (3) occurs on a parcel of real property that was conveyed by Prosper Portland to a non-governmental buyer for a price greater than \$500,000.00.

¹ As used in this policy, “Green Building” means the practice of creating structures, and using processes, that are environmentally responsible and resource-efficient throughout a building’s life cycle from siting to design, construction, operation, maintenance, renovation, and deconstruction. See U.S. Environmental Protection Agency, at <http://www.epa.gov/greenbuilding/pubs/about.htm>.

² As used in this policy, “Financial Assistance” means (A) a Loan or a Grant (as defined in the Financial Investment Policy), or (B) an indirect financial benefit resulting from Prosper Portland’s write-down of the value of land in a real property transaction.

³ As used in this policy, “building” means a walled and roofed structure, other than a gas or liquid storage tank, that is principally above ground and affixed to a permanent site, and a walled and roofed structure while in the course of construction, alteration, or repair.

⁴ As used in this policy, “major renovation” means major construction work that is extensive enough such that normal building operations cannot be performed while the work is in progress, and/or a new certificate of occupancy is required. See <https://www.usgbc.org/glossary>.

3.0 POLICY REQUIREMENTS

3.1. Unless exempt pursuant to Section 5 of this policy, a Covered Project that Prosper Portland staff determines has not yet reached Design Maturity⁵ and:

- a. is larger than or equal to fifty thousand ($\geq 50,000$) square feet in area, or which contains thirty (30) or more residential units, must satisfy one or more of the following certification programs:
 - LEED GOLD
 - Earth Advantage GOLD
 - Green Globes 4
 - ILFI (International Living Futures Institute, or Living Building Challenge)
 - NGBS (National Green Building Standard) Gold
 - Energy Trust of Oregon – Path to Net Zero
- b. is larger than or equal to twenty thousand ($\geq 20,000$) square feet in area, but smaller than fifty thousand ($< 50,000$) square feet in area, or which contains fewer than thirty (30) residential units, must satisfy one of the standards listed in Section 3.1.a of this policy, or one of the following certification programs:
 - LEED Silver
 - Earth Advantage Silver
 - Green Globes 3
 - ILFI Core
 - NGBS Silver
 - Energy Trust of Oregon – Path to Net Zero
- c. is smaller than twenty thousand ($< 20,000$) square feet in area, or consists only of tenant improvements that are not major renovations, must satisfy one of the certification programs listed in Sections 3.1.a or 3.1.b of this policy, or must meet certain Sustainability Targets⁶ to be specified for the Covered Project by Prosper Portland staff.

3.2. Unless exempt pursuant to Section 5 of this policy, a Covered Project that Prosper Portland staff determines has reached Design Maturity must meet certain Sustainability Targets, to be specified for the Covered Project by Prosper Portland staff.

4.0 GOOD FAITH DEPOSIT

⁵ As used in this policy, “Design Maturity” means that the architectural, engineering, and construction planning for the Covered Project has progressed to a level of sophistication such that applying the standards of the relevant certification programs would result in substantial and unreasonable costs or delays, or would substantially and unreasonably impair the Covered Project’s function or economic value.

⁶ The Sustainability Targets are subject to change from time to time (see Section 6). The particular Sustainability Targets that apply to a Covered Project will be determined in accordance with this Policy.

Prosper Portland may require a recipient of Financial Assistance to provide Prosper Portland with a “good faith deposit” which may be partially or fully forfeited based on the recipient’s failure to fully satisfy the requirements of this policy.

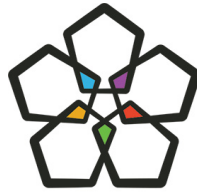
5.0 EXEMPTIONS

The Prosper Portland Board of Commissioners may, by resolution, exempt a Covered Project from this policy.

In addition, if a Covered Project must satisfy other mandatory development standards, by another governmental authority, that are similar to the standards of this policy, and if applying those other standards to the Covered Project could reasonably be expected to further the goals of this policy by the same or a greater degree than would this policy, then the Executive Director may exempt that Covered Project from this policy.

6.0 IMPLEMENTATION

The Executive Director is hereby authorized to: (a) administer this policy; (b) create, interpret, and periodically update administrative policies or procedures to guide policy implementation (including, but not limited to, updating the policy and the Sustainability Targets in order to achieve or maintain reasonable equivalence with the City Code for the City of Portland and with the guidelines and regulations implementing the City Code and enforced by, among other bureaus, the City’s Bureau of Development Services); and (c) resolve any dispute arising from the application, administration, or enforcement of this policy.



**PROSPER
PORTLAND**
Building an Equitable Economy

RESOLUTION NO. 7537

RESOLUTION TITLE:

ADOPTING AN AMENDED AND RESTATED PROSPER PORTLAND GREEN BUILDING POLICY

Adopted by the Prosper Portland Commission on June 18, 2024, effective July 17, 2024.


Adopted by the Prosper Portland Commission on June 18, 2024

PRESENT FOR VOTE	COMMISSIONERS	VOTE		
		Yea	Nay	Abstain
<input checked="" type="checkbox"/>	Chair Gustavo J. Cruz, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Marcelino J. Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner William Myers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Commissioner Michi Slick	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Serena Stoudamire Wesley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Consent Agenda <input checked="" type="checkbox"/> Regular Agenda				

CERTIFICATION

The undersigned hereby certifies that:

The attached resolution is a true and correct copy of the resolution as finally adopted at a Board Meeting of the Prosper Portland Commission and as duly recorded in the official minutes of the meeting.

	Date: June 24, 2024
Pam Feigenbutz, Recording Secretary	