

Duff on Hospitality Law

Green Building Council Floating LEED Standards of Hospitality Industry

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The U.S. Green Building Council is currently accepting public comments until December 10, 2012, on its draft of [LEED v4](#) that will aim to establish LEED certification for the hospitality industry. This post discusses a few of the categories that will be considered for applicants seeking to obtain LEED certification for hotels.

[LEED](#) (Leadership in Energy and Environmental Design) is a voluntary, consensus-based, market-driven program that provides third-party verification of green buildings. For commercial buildings and neighborhoods, to earn LEED certification requires that a project must satisfy all LEED prerequisites and earn a minimum 40 points on a 110-point LEED rating system scale. The main credit categories are sustainable sites, water efficiency credits, energy and atmosphere credits, materials and resource credits, and indoor environmental quality credits.

Here is a brief overview of some of the credits that are proposed for the hospitality industry, as well data centers, retail, and healthcare uses. Although LEED v4 does apply to renovation projects, the categories summarized here do not directly address renovation work.

Planning for green vehicles will gain you points on your application for LEED certification. As currently drafted, here's how:

- Convert 7% of all parking spaces used by the project to *preferred parking* for green vehicles. These spaces must be clearly identified and enforced for sole use by these vehicles. Green vehicles must achieve a minimum green score of 45 on the American Council for an Energy Efficient Economy annual vehicle rating guide.
- A discounted parking rate of at least 20% for green vehicles is an acceptable substitute for preferred parking. The discounted rate must be publicly posted at the entrance of the parking area and permanently available to every qualifying vehicle.

Options to meet the parking requirements can alternatively be achieved through provision of electric vehicle recharging stations, or liquid, gas or battery facilities.

In addition, points can be obtained by reducing pollution from construction activities by controlling soil erosion, waterway sedimentation and airborne dust. This point is easy to obtain as long as the project creates and implements an erosion and sedimentation control plan for all construction activities associated with a project.

The LEED Certification process also awards points for disclosure of the use of materials for which life-cycle information is available and that have environmentally, economically, and socially preferable life-cycle impacts. These disclosures are designed to reward project teams for selecting products from manufacturers who have verified improved environmental life-cycle impacts.

If you would like to comment on the proposed rules, or would like to develop a LEED certified project, let [Greg Duff](#) connect you with one of our LEED certified attorneys.

Tags: construction, Development, electric vehicle, green vehicles, LEED certification, renovation, U.S. Green Building Council