

LEGISLATIVE DIGEST

[Green Building Code - Repeal of Existing 2013 Code and Enactment of 2016 Edition]

Ordinance repealing the 2013 Green Building Code in its entirety and enacting a 2016 Green Building Code consisting of the 2016 California Green Building Standards Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2017; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law.

Existing Law

The Green Building Code enhances the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact. The Code encourages sustainable construction practices in the categories of: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. The current San Francisco Green Building Code consists of the 2013 California Green Building Standards Code and San Francisco's local amendments to the 2013 California Green Building Standards Code ("San Francisco Amendments").

Amendments to Current Law

On January 1, 2017, a 2016 California Green Building Standards Code (also known as CalGreen) will go into effect throughout the State. The San Francisco Amendments to the 2013 California Code must be re-enacted and made applicable to the 2016 California Code. Therefore, as in past State Code adoption cycles, San Francisco will repeal its existing Green Building Code in its entirety and adopt a new Green Building Code consisting of the 2016 California Green Building Standards Code and San Francisco's local amendments to the 2013 California Green Building Standards Code ("San Francisco Amendments"). The San Francisco Amendments to the 2013 California Green Building Standards Code will be carried forward and made applicable to the 2016 California Green Building Standards Code with no or only minor technical changes..

The San Francisco Amendments are not integrated into the text of the California Codes but rather are separately printed in a stand-alone document. Therefore, the user must consult both texts in order to determine the complete code requirement. In the San Francisco Amendments, additions to the 2016 California Green Building Standards Code are shown in bold type; deletions are shown with strikethrough.

Background Information

The State of California adopts a new California Building Standards Code every three years (the “triennial State Code”) with supplements published in intervening years. The triennial State Code goes into effect throughout the State 180 days after its publication by the California Building Standards Commission or at a later date established by the Commission. In the current triennial State Code adoption cycle, the California Building Standards Code will go into effect on January 1, 2017. The California Building Standards Code is contained in Title 24 of the California Code of Regulations, and consists of several parts that are based upon model codes with amendments made by the State agencies with jurisdiction over the subject matter. The California Green Building Standards Code is Part 11 of Title 24 of the California Code of Regulations.

Local jurisdictions must enforce the California Building Standards Code but they may also enact more restrictive building standards that are reasonably necessary because of local conditions caused by climate, geology, or topography. Local amendments may be made to a triennial State Code and also throughout the intervening years. However, local amendments previously adopted are not automatically applicable to a new triennial State Code. Rather, they must be re-enacted with the required findings of local conditions, expressly made applicable to the new triennial State Code, and with an operative date no earlier than the effective date of the new State Code.

n:\legana\as2016\1600669\01131558.doc