

[Green Building Code - Repeal of Existing 2022 Code and Enactment of 2025 Code]

Ordinance repealing the 2022 Green Building Code in its entirety and enacting a 2025 Green Building Code consisting of the 2025 California Green Building Standards Code as amended by San Francisco; adopting environmental findings, findings of local conditions under the California Health and Safety Code, and findings under the California Public Resources Code; providing for an operative date of January 1, 2026; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the California Building Standards Commission as required by State law.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Environmental Findings. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by reference. The Board affirms this determination.

Section 2. General Findings.

(a) The California Building Standards Code is contained in Title 24 of the California Code of Regulations. It consists of 12 Parts, which are based upon model codes that are

1 amended by the State agencies with jurisdiction over the subject matter. The California Green
2 Building Standards Code is Part 11 of Title 24 of the California Code of Regulations.

3 (b) The State of California adopts a new California Building Standards Code every
4 three years ("triennial CBSC") with supplemental amendments published in intervening years.
5 The triennial CBSC goes into effect throughout the State of California 180 days after its
6 publication by the California Building Standards Commission or at a later date established by
7 the Commission. The 2025 triennial CBSC will go into effect on January 1, 2026.

8 (c) Local jurisdictions must enforce the California Building Standards Code but they
9 may also enact more restrictive building standards that are reasonably necessary because of
10 local climate, geologic, or topographical conditions. Local amendments may be made both to
11 a triennial CBSC and also to its individual Parts during the intervening years; however, local
12 amendments previously adopted are not automatically applicable to a triennial CBSC. Rather,
13 they must be re-enacted with the required findings of local climate, geologic, or topographical
14 conditions, expressly made applicable to the new triennial CBSC, and with an operative date
15 no earlier than the effective date of the triennial CBSC.

16 (d) As in past triennial CBSC adoption cycles, by this ordinance the Board of
17 Supervisors repeals the 2022 San Francisco Green Building Code in its entirety, enacts the
18 2025 San Francisco Green Building Code, and re-enacts the existing local amendments to
19 make them applicable to the 2025 California Green Building Standards Code.

20 (e) On _____, the Building Inspection Commission considered this
21 ordinance at a duly noticed public hearing pursuant to Charter Section 4.121 and Building
22 Code Section 104A.2.11.2. A copy of a letter from the Secretary of the Building Inspection
23 Commission regarding the Commission's recommendation is on file with the Clerk of the
24 Board of Supervisors in File No. _____.
25

1 Section 3. Findings Regarding Local Conditions.

2 (a) California Health and Safety Code Sections 17958.7 and 18941.5 provide that
3 before making any changes or modifications to the California Green Building Code and any
4 other applicable provisions published by the California Building Standards Commission, the
5 local governing body must make an express finding that each such change or modification is
6 reasonably necessary because of specified local conditions. The local amendments together
7 with the required findings must be filed with the California Building Standards Commission
8 before the local changes or modifications can go into effect.

9 (b) The City and County of San Francisco is unique among California communities
10 with respect to local climate, geologic, topographical, and other conditions. A specific list of
11 findings that support San Francisco's modifications to the 2025 California Green Building
12 Standards Code, with a section-by-section correlation of each modification with a specific
13 numbered finding, are contained in Exhibit A entitled "Standard Findings for San Francisco
14 Building Standards Code Amendments."

15 (c) Pursuant to California Health and Safety Code Sections 17958.7 and 18941.5,
16 the Board of Supervisors finds and determines that the local conditions described in Exhibit A
17 constitute a general summary of the most significant local conditions giving rise to the need
18 for modification of the 2025 California Green Building Standards Code provisions published by
19 the California Building Standards Commission. The Board of Supervisors further finds and
20 determines that the proposed modifications are reasonably necessary based upon the local
21 conditions set forth in Exhibit A.

22
23 Section 4. Findings Required by California Public Resources Code and Title 24 of the
24 California Code of Regulations.

1 (a) California Public Resources Code Section 25402.1(h)(2) and Section 10-106 of
2 the California Code of Regulations, Title 24, Part 1, Locally Adopted Energy Standards,
3 authorize a local jurisdiction to adopt and enforce more restrictive local energy standards,
4 provided that the local jurisdiction makes a determination that the local standards are cost
5 effective and will save more energy than the current Statewide standards and provided further
6 that the local jurisdiction files an application for approval with the California Energy
7 Commission together with documentation supporting the cost-effectiveness determination.
8 Local energy standards may take effect only after the California Energy Commission has
9 reviewed and formally approved them.

10 (b) Local energy standards previously adopted are not automatically applicable to a
11 triennial CBSC. Rather, they must be re-enacted with a new cost-effectiveness study and
12 determination based on the new State standards, and be re-approved by the California
13 Energy Commission.

14 (c) Based upon the findings of a cost-effectiveness study performed on the more
15 restrictive local standards contained in the City's proposed 2025 San Francisco Green
16 Building Code, the Board of Supervisors hereby determines that these local energy standards
17 are cost effective and will save more energy than the standards contained in the 2025
18 California Green Building Standards Code. A copy of the cost-effectiveness study is on file
19 with the Clerk of the Board of Supervisors in File No. _____.
20

21 Section 5. Repeal of the 2022 San Francisco Green Building Code and Enactment of
22 the 2025 San Francisco Green Building Code.

23 (a) The 2022 San Francisco Green Building Code is hereby repealed in its entirety.
24 The San Francisco Green Building Code being repealed was enacted on November 11, 2022,
25 by Ordinance No. 227-22, with an operative date of January 1, 2023. The ordinance is

1 available on the Board of Supervisors' website and in the Office of the Clerk of the Board of
2 Supervisors.

3 (b) The 2025 San Francisco Green Building Code is hereby enacted. It consists of
4 the 2025 California Green Building Standards Code and San Francisco's existing local
5 amendments, which are re-enacted and expressly made applicable to the 2025 California
6 Green Building Standards Code. Copies of the 2025 California Green Building Standards
7 Code and the stand-alone San Francisco amendments are declared to be part of Board File
8 No. _____ and are incorporated into this ordinance by reference as though fully set forth.
9 Existing San Francisco amendments that are being made applicable to the 2025 California
10 Green Building Standards Code are shown in unformatted ("plain") text and may include bold
11 and/or italicized type; new San Francisco amendments are underlined; and deleted San
12 Francisco amendments are in strikeout text.

13
14 Section 6. Continuance of Actions Under Prior Code. Nothing contained in this
15 ordinance shall be construed as abating any action now pending under or by virtue of any
16 ordinance of the City and County of San Francisco hereby repealed, nor shall this ordinance
17 be construed as discontinuing, abating, modifying or altering any penalties accruing, or to
18 accrue, or as waiving any right of the City under any such ordinance.

19
20 Section 7. Severability. If any section, subsection, sentence, clause, or phrase of this
21 ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the
22 remaining portions of this ordinance. The Board of Supervisors hereby declares that it would
23 have passed this ordinance, and each section, subsection, sentence, clause, or phrase of this
24 ordinance, irrespective of the fact that any one or more sections, subsections, sentences,
25 clauses, or phrases be declared invalid.

Section 8. Effective and Operative Dates. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within 10 days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall be operative on and after either January 1, 2026 or its effective date if the effective date is later.

Section 9. Directions to Clerk. Upon enactment of this ordinance, the Clerk of the Board of Supervisors is hereby directed to transmit to the California Building Standards Commission pursuant to the applicable provisions of State law 1) this ordinance, 2) the Exhibit A attachment, and 3) the San Francisco modifications to the 2025 California Green Building Standards Code.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/ Robb Kapla
ROBB KAPLA
Deputy City Attorney

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