

1 [Requiring Lighting Efficiency Measures in Commercial and City Buildings.]

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3 **Ordinance amending the 2007 San Francisco Building Code by adding a new Chapter**
4 **_____ to require commercial buildings to install more efficient fluorescent lighting or**
5 **other lighting efficiency measures by 2009, to make findings in accordance with**
6 **California Health and Safety Code Section 17958.7 7 as to the local climatic, topological**
7 **and geological reasons for amending the State Building Code; amending Section 705**
8 **of the Environment Code to require City-owned facilities to comply with the same**
9 **lighting efficiency measures; and to make environmental findings.**

10 Note: Additions are *single-underline italics Times New Roman*;
11 deletions are *strikethrough italics Times New Roman*.
12 Board amendment additions are double underlined.
13 Board amendment deletions are ~~strikethrough normal~~.

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

14 Section 1. To the extent the requirements of this Ordinance are deemed to constitute
15 changes or modifications to the requirements of the California Building Standards Code and
16 other regulations pursuant to California Health and Safety Code Section 17958.7, the Board of
17 Supervisors expressly declare that the following amendments to the Building Code are
18 reasonably necessary because of local climatic, topological, and geological conditions as
19 listed below.

20 1. San Francisco is one of the oldest urban areas in California and has a large
21 proportion of older commercial buildings that were constructed and remodeled under building
22 and electrical codes that did not emphasize energy efficiency.

23 2. These older commercial buildings are often smaller and do not have on-site
24 professional maintenance staff to routinely retrofit inefficient lighting or to advise building
25 owners of the value of improving buildings' energy efficiency.

1 3. Many San Francisco buildings have mixed commercial and residential uses.
2 Since residential uses offer fewer lighting efficiency opportunities, owners of mixed use
3 buildings are particularly unlikely to retrofit the building's lighting.

4 4. Commercial uses also consume more electricity for lighting than residential
5 spaces of similar size because commercial uses typically illuminate workspaces, public areas
6 and outside sales areas continuously for 10 to 24 hours per day.

7 5. Lighting in San Francisco's commercial buildings typically accounts for
8 approximately 40% of the buildings' total electricity consumption.

9 6. Lighting is a disproportionate portion of San Francisco's electricity consumption
10 because San Francisco's frequent foggy weather pattern means that many small San
11 Francisco commercial buildings have no air conditioning load.

12 7. San Francisco has a high proportion of commercial, hospitality and
13 entertainment enterprises that operate in the evening hours, contributing to a winter evening
14 peak load that is often greater than the summer afternoon load.

15 8. San Francisco is located at the tip of a peninsula and has a constrained
16 transmission area served by the electricity grid at a single point, the Martin Substation. It
17 therefore is uniquely vulnerable to accident or malfunction, especially during winter evening
18 peak periods, such as the December, 1999 blackout.

19 9. Reliable electricity is critical to local residents, organizations, and the San
20 Francisco economy.

21 10. As a coastal city, San Francisco is vulnerable to sea level rise and is already
22 experiencing the repercussions of excessive CO2 emissions.

23 11. Through a utility rate payer program funded under the auspices of the California
24 Public Utilities Commission (CPUC), the Department of Environment currently can provide
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1 incentive funding to businesses and owners of commercial buildings for 50% of cost of
2 retrofitting 4' and 8' fluorescent lighting. This program expires in 2009 and there is no
3 certainty that similar funding thereafter would be available.

4 12. Since 2001, 5,000 San Francisco businesses located in small commercial
5 buildings have retrofitted their 4' and 8' fluorescent lighting with the assistance of publicly
6 funded incentive programs.

7 13. To minimize the contribution of inefficient commercial building operations to the
8 City's demands on the power grid, as well as the resulting pollution and global warming
9 effects of energy consumption, it is reasonably necessary to enhance the energy efficient
10 lighting requirements for commercial buildings.

11 14. The Department of Environment estimates that converting the remaining
12 inefficient fluorescent lighting will reduce citywide electricity use by 44 million kilowatt hours
13 and CO2 emissions by 0.7%.

14 15. Under *the Energy Policy Act of 1992*, 42 U.S.C. 6201 *et seq*, *it* will be unlawful to
15 manufacture or sell certain inefficient lighting equipment beginning in 2012.

16 Section 2. The San Francisco Building Code is hereby amended by adding Chapter
17 _____ to read as follows:

18 **SEC. 1301A. TITLE.** *This chapter shall be known as the "Commercial Lighting Efficiency*
19 *Ordinance."*

20 **SEC. 1302A. PURPOSE.** *The purpose of this chapter is to reduce public demand for*
21 *electricity and the associated detriment to the environment of energy production and delivery by*
22 *requiring commercial buildings to install or adopt more energy efficient lighting measures.*

23 **SEC. 1303A. SCOPE.**

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1 The provisions of this chapter shall apply to all privately owned non-residential buildings,
2 including school facilities, the non-residential portions of mixed-use commercial and residential
3 buildings, tourist hotels, and the common areas of residential hotels and multiple -unit residential
4 buildings, all as herein defined.

5 EXCEPTIONS:

6 The provisions of this chapter do not apply to:

7 1. Residential buildings and residential hotels, except that it shall apply to their common areas.

8 2. The residential portions of mixed-use commercial and residential buildings, except that it
9 shall apply to their common areas

10 Any permits required to meet the provisions of this chapter shall comply with all other
11 applicable requirements of this code and all other applicable state and local laws.

12 SEC. 1304A. DEFINITIONS. For the purpose of this chapter, certain terms are defined as
13 follows:

14 Commercial Building is any privately owned building that is occupancy group A, B, E, F, H, M
15 or S as defined in this code and any tourist hotels, as herein defined. When a building is designated for
16 more than one type of occupancy, “Commercial Building” shall mean those spaces within the mixed
17 use building designated as A, B, E, F, H, M or S or tourist hotel, as herein defined. Except for tourist
18 hotels as herein defined, “Commercial Building” shall include only the common areas of any R
19 (“residential”) occupancy buildings or the common areas of any R (“residential”) occupancy portions
20 of mixed use buildings.

21 Director is the Director of the Department of Building Inspection, or his or her designee.

22 Exit Signs are signs located and illuminated as required by the Building Code.

1 **Luminaire** is an interior or exterior complete lighting unit, including internally or externally
2 illuminated signs, consisting of the lamp and the parts designed to distribute the light, to protect the
3 lamp, and to connect the lamp to the power supply, but not including illuminated utilization equipment
4 or exit signs as defined herein.

5 **Occupancy Sensor Control Device** is a device that automatically turns off a luminaire or series
6 of luminaires no more than 30 minutes after it senses that the area is vacated.

7 **Tourist Hotel** is any residential building, or portion thereof, which is occupied as a hotel, motel
8 or inn and which has a certificate of use for tourist occupancy, or any portion of a residential building
9 which is converted to tourist hotel use pursuant to the Residential Hotel Conversion Ordinance (S.F.
10 Administrative Code, Article 41) or other City law.

11 **Utilization Equipment** is commercial, retail or industrial equipment, including but not limited
12 to refrigeration equipment, fully enclosed retail display cases, vending machines, printing equipment or
13 conveyors, which uses 4-foot or 8-foot fluorescent lamps (“tube” or “bulb”) as an integrated part of
14 such equipment. “Utilization Equipment” shall not include furniture or workstations.

15 **SEC. 1305A. COMPLIANCE REQUIREMENTS.**

16 **1305A.1 Compliance Deadline.** No later than December 31, 2008 (“Compliance Deadline”),
17 the owner of each building subject to this Chapter shall cause an inspection to be made of the entire
18 building by a knowledgeable professional and, if the entire building does not meet the standards
19 specified in this Chapter _____, shall install such measures as may be required to conform to this
20 chapter.

21 **1305A.2 Stay of Compliance Deadline.** The Compliance Deadline stated in Section 1305A.1
22 shall be stayed for up to two years from the date of an application for a demolition permit for any
23 building subject to this chapter. If the building is demolished and a Certificate of Completion issued by
24 the Department before the end of the two-year postponement, the requirements of this chapter shall not
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1 apply. If the building is not demolished after the expiration of two years, the provisions of this chapter
2 shall apply even though the demolition permit is still in effect or a new demolition permit has been
3 issued.

4 **SEC. 1306A. REQUIRED LIGHTING EFFICIENCY MEASURES.**

5 The mercury content of each 4-foot or 8-foot fluorescent lamps (“tube” or “bulb”) utilized in a
6 luminaire in a building subject to this Chapter shall not exceed 5 mg for each 4-foot fluorescent lamp,
7 or 10 mg for each 8-foot fluorescent lamp.

8 Each luminaire that utilizes one or more 4-foot or 8-foot fluorescent lamps to provide
9 illumination in a building subject to this Chapter must meet at least one of the following requirements:

- 10 1. The luminaire must emit more than 81 lumens per watt of electricity consumed.
- 11 2. The luminaire must be controlled by an occupancy sensor control device that does not
12 control an area in the building of more than 250 square feet.
- 13 3. The luminaire is fitted with a lighting efficiency measure approved by the Director as
14 equivalent to the measures in subsection (1) or (2).
- 15 4. The Director finds, based on the facts of the particular building and luminaire, that the
16 energy savings from installing lighting efficiency measures meeting the requirements of this Section
17 will be so insignificant over the life of the luminaire that the measure is not cost efficient .

18 **SEC. 1307A. ENFORCEMENT.**

19 Any building maintained in violation of this chapter shall constitute a nuisance under the terms
20 of Section 102 of this Code and such nuisance may be abated pursuant to the procedures set forth in
21 Section 102 of this Code for unsafe buildings.

22 **SEC. 1308A. RULES.**

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1 The Director, after consulting with the Department of the Environment, and in accordance with
2 Section 104.2.1 of this code, shall adopt, and may amend, reasonable rules, guidelines and forms for
3 implementing the provisions and intent of this chapter.

4 **SEC. 1309A. OPERATIVE DATE.**

5 This Ordinance shall take effect and be in full force from and after its effective date.

6 **1310A. EXPIRATION.**

7 This ordinance shall expire on December 31, 2015, unless the Board of Supervisors extends it
8 for an additional period.

9 **SEC. 1310A. UNDERTAKING FOR THE GENERAL WELFARE.**

10 In undertaking the enforcement of this chapter, the City and County of San Francisco is
11 assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on
12 its officers an employees, an obligation for breach of which it is liable in money damages to any person
13 who claims that such breach proximately caused injury.

14 **SEC. 1311A. SEVERABILITY.**

15 If any provisions or clause of this ordinance or the application thereof to any person or circumstance is
16 held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such
17 invalidity shall not affect other provisions, and clauses of this ordinance are declared to be severable.

18 Section 3. The San Francisco Environment Code is hereby amended by amending
19 Section 705 to read as follows:

20 **SEC. 705. RESOURCE EFFICIENCY REQUIREMENTS FOR CITY BUILDINGS.**

21 (a) Within 90 days of the effective date of this Chapter, the Commission shall issue
22 guidelines to all City departments to assist them in determining which of the following
23 provisions in this Chapter apply to them. Pursuant to Section 703(b), the Director may revise
24 these guidelines from time to time.

1 (b) Water Conservation Requirements for Toilets.

2 (1) This requirement applies to the following City departments: City departments
3 undertaking or authorizing others to undertake Construction Projects with a total projected
4 cost of \$90,000 or more at City-owned Facilities; City departments undertaking or authorizing
5 others to undertake Construction Projects with a total projected cost of \$90,000 or more in
6 Existing City Leaseholds (but only if restrooms are included in the leasehold space and the
7 City department has a separate metering account with the San Francisco Public Utilities
8 Commission); City departments undertaking or authorizing others to undertake Construction
9 Projects with a total projected cost of \$90,000 or more in New City Leaseholds (but only if
10 restrooms are included in the leasehold space and the City department has a separate
11 metering account with the San Francisco Public Utilities Commission Water Department); City
12 departments executing agreements for New City Leaseholds or occupying New City
13 Leaseholds (but only if restrooms are included in the leasehold space and the City department
14 has a separate metering account with the San Francisco Public Utilities Commission); City
15 departments occupying City-owned Facilities (but only if the City department has separate
16 metering account with the San Francisco Public Utilities Commission); and all City
17 departments purchasing toilets beginning 90 days after the effective date of this ordinance.

18 (2) All City departments listed above shall ensure that all toilets are replaced with
19 toilets that use no more than 1.6 gallons of water per flush. Replacement shall occur at the
20 earlier of:

21 (A) The time of major remodeling, defined as when a water drainage system is
22 substantially altered, modified or renovated (as those terms are defined in San Francisco
23 Plumbing Code Section 101(4) or when two or more toilets and/or urinals are replaced in a
24 single bathroom; or

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1 (B) By June 30, 2005.

2 (3) Each City department subject subsection (b)(1) of this Section shall be
3 responsible for the costs of compliance and for ensuring that all applicable contract
4 documents for the replacement of toilets contain the above requirement.

5 (4) To facilitate the installation of these toilets, the San Francisco Public Utilities
6 Commission shall:

7 (A) Negotiate and secure, within 90 days of the effective date of this Chapter,
8 contracts with one or more vendors that all City departments may use for the purchase and
9 installation of 1.6-gallon-per-flush valves and tank toilets. The contract will include a list of
10 toilets approved by the International Association of Plumbing and Mechanical Officials. The
11 toilets on this list shall be the only toilets purchased. This list shall be updated annually by the
12 San Francisco Public Utilities Commission and shall be provided to all heads of City
13 departments responsible for purchases and/or installations at City-owned Facilities or
14 leaseholds and to the Purchasing Department.

15 (B) Establish a procedure (including a fixed price) by which City departments may
16 contract with the Department of Public Works' Bureau of Building Repair for the installation of
17 such toilets. This procedure shall be distributed to all City departments responsible for
18 purchases and/or installations at City-owned Facilities or leaseholds within 90 days of the
19 effective date of this Chapter. It shall be updated by the San Francisco Public Utilities
20 Commission annually and sent to all heads of City departments responsible for purchases
21 and/or installations at City-owned Facilities or leaseholds and to the Purchasing Department.

22 (5) Between July 1, 2005, and June 23, 2007, the San Francisco Public Utilities
23 Commission shall inspect all buildings subject to this requirement to ensure that all toilets
24 have been installed as required by this subsection.

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1 (6) Should the Director determine that toilets that are more water-efficient than
2 those specified in the foregoing sections exist, the Director may, in consultation with the San
3 Francisco Public Utilities Commission, establish a list of other water-efficient toilets that City
4 departments may use pursuant to Section 703(b).

5 (c) Water Conservation Requirements for Shower Heads.

6 (1) This requirement applies to the following City departments: City departments
7 undertaking or authorizing others to undertake Construction Projects with a total projected
8 cost of \$90,000 or more in City-owned Facilities; City departments undertaking or authorizing
9 others to undertake Construction Projects with a total projected cost of \$90,000 or more in
10 Existing City Leaseholds (but only if restrooms are included in the leasehold space and the
11 City department has a separate metering account with the San Francisco Public Utilities
12 Commission); City departments undertaking or authorizing others to undertake Construction
13 Projects with a total projected cost of \$90,000 or more in New City Leaseholds (but only if
14 restrooms are included in the leasehold space and the City department has a separate
15 metering account with the San Francisco Public Utilities Commission); City departments
16 executing agreements for New City Leaseholds or occupying New City Leaseholds (but only if
17 restrooms are included in the leasehold space and the City department has a separate
18 metering account with the San Francisco Public Utilities Commission); City departments
19 occupying City-owned Facilities (but only if the City department has a separate metering
20 account with the San Francisco Public Utilities Commission); and all City departments
21 purchasing shower heads beginning 90 days after the effective date of this Ordinance.

22 (2) All City departments listed above shall ensure that all shower heads are
23 replaced with shower heads using no more than 1.5 gallons per minute by June 30, 2005.

1 (3) Each City department subject to subsection (c)(1) shall be responsible for the
2 costs of compliance and for ensuring that all applicable contract documents for the
3 replacement of shower heads contain the above requirement.

4 (4) To facilitate the installation of these shower heads, the San Francisco Public
5 Utilities Commission shall:

6 (A) Provide a list of the approved shower head brands and models to all heads of
7 City departments responsible for purchases and/or installations at City-owned Facilities or City
8 Leaseholds and to the Purchasing Department;

9 (B) Negotiate and secure, within 90 days of the effective date of this Chapter, a
10 contract with one or more vendors for the purchase and installation by City departments of 1.5
11 gallon per minute shower heads; and

12 (C) Negotiate a set price for the installation of the shower heads with the
13 Department of Public Works'

14 (D) Distribute information on the price for installation, and lists of approved shower
15 heads and contract vendors to all heads of City departments responsible for purchases and/or
16 installations at City-owned Facilities or City Leaseholds and to the Purchasing Department.

17 (5) Should the Director determine that shower heads that are more water efficient
18 than those specified in the foregoing section exist, the Director may, in consultation with the
19 San Francisco Public Utilities Commission, establish a list of other water-efficient shower
20 heads that City departments may use pursuant to Section 703(b).

21 (d) Energy Conservation.

22 (1) These requirements (or California Code of Regulations Title 24, Part 6, or
23 subsequent State standards, whichever are more stringent) shall apply in all cases except
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1 those in which a City department is not responsible for maintenance of light fixtures or exist
2 signs.

3 (2) City departments shall be responsible for the cost of compliance and for
4 ensuring that all applicable contract documents for the replacement and installation of light
5 fixtures and exit signs contain the following requirements:

6 (A) Exit Signs. At the time of installation or replacement of broken or non-functional
7 exit signs, all exit signs shall be replaced with light-emitting diode (L.E.D.)-type signs. Edge-lit
8 compact fluorescent signs may be used as replacements for existing edge-lit incandescent
9 exit signs.

10 (B) Fluorescent Fixtures. By December 31, 2009 all four foot and eight foot fluorescent
11 fixtures shall be equipped with electronic ballasts and T8 or more efficient lamps unless this
12 replacement will create lighting levels at the work surface that are below the standards
13 established by the Illuminating Engineering Society.

14 (C) Exterior Light Fixtures. At the time of installation or replacement of broken or
15 non-functional exterior light fixtures, a photocell or automatic timer shall be installed to prevent
16 lights from operating during daylight hours. The existing switching capability shall be
17 maintained. Upon written request by a City department the Director may grant an exemption
18 from the requirement of this subsection where lighting is necessary during daylight hours.

19 (D) Fluorescent Fixture Ballasts. ~~At the time of installation or replacement of the ballasts~~
20 ~~in fluorescent fixtures equipped with T10 or T12 lamps, all replacement ballasts shall be electronic and~~
21 ~~compatible with only~~ No later than December 31, 2009, all four foot and eight foot fluorescent fixtures
22 shall be equipped with electronic ballasts and T8 or more efficient lamps unless such replacement
23 will create light levels at the work surface that are below the standards established by the
24 Illuminating Engineering Society.

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1 (E) Other Technologies. Should the Director determine that light fixtures or exit
2 signs that are more energy-efficient than those specified in the foregoing sections exist, the
3 Director may, in consultation with the San Francisco Public Utilities Commission, establish a
4 list of other energy-efficient light fixtures and exit signs that City departments may use
5 pursuant to Section 703(b).

6 (e) Fluorescent Lamp Recycling. Commencing 90 days after the effective date of
7 this Chapter, all fluorescent lamps discarded by City departments shall be recycled. The
8 Director shall establish a program for collecting and recycling discarded fluorescent lamps.

9 (f) Indoor Air Quality.

10 (1) This requirement applies to the following City departments: City departments
11 undertaking or authorizing others to undertake Construction Projects with a total projected
12 cost of \$90,000 or more in City-owned Facilities; City departments undertaking or authorizing
13 others to undertake Construction Projects with a total projected cost of \$90,000 or more in
14 Existing City Leaseholds; City departments undertaking or authorizing others to undertake
15 Construction Projects with a total projected cost of \$90,000 or more in New City Leaseholds;
16 City departments occupying an Existing City Leasehold (if the City is responsible for
17 managing the Existing City Leasehold); City departments executing agreements for New City
18 Leaseholds or occupying New City Leaseholds (if the City is responsible for managing the
19 New City Leasehold); and City departments occupying City-owned Facilities (if the City
20 department is responsible for managing the City-owned Facility.)

21 (2) Maintenance. Within 90 days of the effective date of this Chapter, the
22 Department shall provide informational guidelines for the development of indoor air quality
23 maintenance plans to all City departments identified above. The guidelines shall include, at a
24 minimum, guidance and recommendations on the following:
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1 (A) A schedule and procedures for thorough cleaning of finishes, furniture and
2 fixtures in order to remove and reduce the growth of organisms hazardous to human health at
3 the time of delivery and regularly after installation.

4 (B) A schedule and procedures for inspecting and maintaining mechanical systems,
5 including heating, ventilation and air conditioning systems (hereinafter "HVAC" systems).

6 (C) A schedule and procedures for inspecting for mold and/or mildew contamination
7 in porous building materials, fixtures and furnishing, including provisions for the complete
8 removal and replacement of such materials where it is determined by inspection that the
9 materials have become contaminated by mold and/or mildew.

10 (D) A commitment to using cleaners and polishes with minimal effects on indoor air
11 quality.

12 (3) Within 90 days of the development of guidelines pursuant to Subsection (f)(2),
13 all City departments identified in Subsection (f)(1) shall develop and implement indoor air
14 quality maintenance plans.

15 (4) Pollutant Source Control.

16 (A) Reduction of Health Hazards from Microbial Contaminants. Commencing 90
17 days after the effective date of this Chapter, all City departments undertaking or authorizing
18 others to undertake Construction Projects with a total projected cost of \$90,000 or more in
19 City-owned Facilities, New City Leaseholds, and Existing City Leaseholds shall include in their
20 contracts for Construction Projects provisions requiring:

21 (i) Prevention of Moisture Contamination. Building materials that are intended to
22 be kept dry before, during and following installation (e.g., fabrics, carpeting, drywall, ceiling
23 tiles, and insulation) shall be protected from moisture prior to, during, and after installation.

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1 (ii) Removal of Building Materials Contaminated by Moisture. If, in the judgment of
2 the City project engineer, project architect or project manager, any building material that is
3 intended to be kept dry before, during and after installation has become wet, such material
4 shall be removed immediately from the job site, disposed of in accordance with this Chapter,
5 and replaced. It shall be the responsibility of the relevant contractor or subcontractor to
6 monitor the storage of such materials to ensure that they remain dry and to remove and
7 dispose of such materials if they become wet.

8 (iii) Determination by Independent Industrial Hygienist. On Construction Projects
9 with a total construction cost exceeding \$1,000,000, if any building material that is intended to
10 be kept dry becomes, in the judgment of the subcontractor or the City project engineer,
11 contaminated by moisture, the City's project manager shall obtain an assessment by an
12 independent industrial hygienist to assess the extent of contamination and supervise the
13 containment and removal of moisture-contaminated materials. Where the hygienist
14 determines that moisture contamination has occurred, the contractor responsible for causing
15 or allowing the contamination to occur shall be responsible for the costs of the hygienist's
16 services and the costs for removal and replacement of the contaminated materials. Should no
17 moisture contamination be found, the City shall be responsible for the costs of the hygienist's
18 services.

19 (B) Elimination or Encapsulation of Fibrous Insulation Materials. The use of
20 exposed fibrous duct insulation material in Construction Projects shall be prohibited. If the
21 design of a Construction Projection requires the use of fibrous insulation material, such
22 material shall be encapsulated to minimize mold and/or mildew growth and emissions of
23 volatile organic compounds into the habitable space.

24 (g) Storage of Recyclables.

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1 (1) This requirement applies to the following City departments: City departments
2 undertaking or authorizing others to undertake Construction Projects at City-owned Facilities;
3 City departments undertaking or authorizing others to undertake Construction Projects in
4 Existing City Leaseholds; City departments undertaking or authorizing others to undertake
5 Construction Projects in New City Leaseholds; City departments executing agreements for
6 New City Leaseholds or occupying New City Leaseholds; and City departments occupying
7 City-owned Facilities (but only if the City-owned Facility was acquired at least 90 days after
8 the effective date of the Ordinance.)

9 (2) All City departments identified above shall ensure that adequate, accessible,
10 and convenient recycling areas are provided within the City-owned Facility or leasehold, and
11 that all applicable contract documents contain this requirement. The minimum allowable
12 recycling area shall be not less than the space allocated for the storage of refuse.

13 (3) The requirement set forth in Subsection (g)(2) of this Section to provide
14 adequate recycling areas shall apply to Construction Project(s) for which funds have been
15 appropriated on or after the effective date of this Chapter for:

16 (i) A single alteration which is subsequently performed that adds to or modifies 20
17 percent or more of the existing floor area of the project; or

18 (ii) Multiple alterations which are conducted within a twelve-month period which
19 collectively add to or modify 20 percent or more of the existing floor area of the project.

20 (4) Any cost associated with recycling areas pursuant to this subsection shall be the
21 responsibility of the party or parties who are responsible for the cost of any alterations to
22 accommodate their occupancy.

23 Section 4. The Planning Department has determined that the actions contemplated in
24 this Ordinance are in compliance with the California Environmental Quality Act (California
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1 Public Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of
2 the Board of Supervisors in File No. _____and is incorporated herein by reference.

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4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By: _____
7 CATHARINE S. BARNES
8 Deputy City Attorney

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