## **BOARD of SUPERVISORS**



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# **MEMORANDUM**

	Date:	October 9, 2025
	To:	Planning Department/Planning Commission
	From:	John Carroll, Assistant Clerk, Land Use and Transportation Committee
	Subject:	Board of Supervisors Legislation Referral - File No. 250958 Green Building Code - Repeal of Existing 2022 Code and Enactment of 2025 Code
$\boxtimes$	(Californi ⊠	a Environmental Quality Act (CEQA) Determination a Public Resources Code, Sections 21000 et seq.) Ordinance / Resolution Ballot Measure
		nent to the Planning Code, including the following Findings:  Code, Section 302(b): 90 days for Planning Commission review)  eral Plan   Planning Code, Section 101.1   Planning Code, Section 302
		nent to the Administrative Code, involving Land Use/Planning ule 3.23: 30 days for possible Planning Department review)
	(Charter, (Requires subdivision relocation public house the annu	Plan Referral for Non-Planning Code Amendments Section 4.105, and Administrative Code, Section 2A.53) d for legislation concerning the acquisition, vacation, sale, or change in use of City property; on of land; construction, improvement, extension, widening, narrowing, removal, or n of public ways, transportation routes, ground, open space, buildings, or structures; plans for busing and publicly-assisted private housing; redevelopment plans; development agreements; all capital expenditure plan and six-year capital improvement program; and any capital ment project or long-term financing proposal such as general obligation or revenue bonds.)
		Preservation Commission  Landmark (Planning Code, Section 1004.3)  Cultural Districts (Charter, Section 4.135 & Board Rule 3.23)  Mills Act Contract (Government Code, Section 50280)  Designation for Significant/Contributory Buildings (Planning Code, Article 11)

Please send the Planning Department/Commission recommendation/determination to John Carroll at <a href="mailto:john.carroll@sfgov.org">john.carroll@sfgov.org</a>.

1	[Green Building Code - Repeal of Existing 2022 Code and Enactment of 2025 Code]
2	
3	Ordinance repealing the 2022 Green Building Code in its entirety and enacting a 2025
4	Green Building Code consisting of the 2025 California Green Building Standards Code
5	as amended by San Francisco; adopting environmental findings, findings of local
6	conditions under the California Health and Safety Code, and findings under the
7	California Public Resources Code; providing for an operative date of January 1, 2026;
8	and directing the Clerk of the Board of Supervisors to forward the Ordinance to the
9	California Building Standards Commission as required by State law.
10	NOTE: Unchanged Code text and uncodified text are in plain Arial font.
11	Additions to Codes are in <u>single-underline italics Times New Roman font</u> .  Deletions to Codes are in <u>strikethrough italics Times New Roman font</u> .
12	Board amendment additions are in <u>double-underlined Arial font</u> .  Board amendment deletions are in <del>strikethrough Arial font</del> .
13	<b>Asterisks (* * * *)</b> indicate the omission of unchanged Code subsections or parts of tables.
14	
15	Be it ordained by the People of the City and County of San Francisco:
16	Section 1. Environmental Findings. The Planning Department has determined that the
17	actions contemplated in this ordinance comply with the California Environmental Quality Act
18	(California Public Resources Code Sections 21000 et seq.). Said determination is on file with
19	the Clerk of the Board of Supervisors in File No and is incorporated herein by
20	reference. The Board affirms this determination.
21	
22	Section 2. General Findings.
23	(a) The California Building Standards Code is contained in Title 24 of the California
24	Code of Regulations. It consists of 12 Parts, which are based upon model codes that are
25	

- amended 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.
  - (b) The State of California adopts a new California Building Standards Code every three years ("triennial CBSC") with supplemental amendments published in intervening years. The triennial CBSC goes into effect throughout the State of California 180 days after its publication by the California Building Standards Commission or at a later date established by the Commission. The 2025 triennial CBSC will go into effect on January 1, 2026.
  - (c) 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 climate, geologic, or topographical conditions. Local amendments may be made both to a triennial CBSC and also to its individual Parts during the intervening years; however, local amendments previously adopted are not automatically applicable to a triennial CBSC. Rather, they must be re-enacted with the required findings of local climate, geologic, or topographical conditions, expressly made applicable to the new triennial CBSC, and with an operative date no earlier than the effective date of the triennial CBSC.
  - (d) As in past triennial CBSC adoption cycles, by this ordinance the Board of Supervisors repeals the 2022 San Francisco Green Building Code in its entirety, enacts the 2025 San Francisco Green Building Code, and re-enacts the existing local amendments to make them applicable to the 2025 California Green Building Standards Code.
  - (e) On \_\_\_\_\_\_, the Building Inspection Commission considered this ordinance at a duly noticed public hearing pursuant to Charter Section 4.121 and Building Code Section 104A.2.11.2. A copy of a letter from the Secretary of the Building Inspection Commission regarding the Commission's recommendation is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_.

Section 3. Findings Regarding Local Conditions.

- (a) California Health and Safety Code Sections 17958.7 and 18941.5 provide that before making any changes or modifications to the California Green Building Code and any other applicable provisions published by the California Building Standards Commission, the local governing body must make an express finding that each such change or modification is reasonably necessary because of specified local conditions. The local amendments together with the required findings must be filed with the California Building Standards Commission before the local changes or modifications can go into effect.
- (b) The City and County of San Francisco is unique among California communities with respect to local climate, geologic, topographical, and other conditions. A specific list of findings that support San Francisco's modifications to the 2025 California Green Building Standards Code, with a section-by-section correlation of each modification with a specific numbered finding, are contained in Exhibit A entitled "Standard Findings for San Francisco Building Standards Code Amendments."
- (c) Pursuant to California Health and Safety Code Sections 17958.7 and 18941.5, the Board of Supervisors finds and determines that the local conditions described in Exhibit A constitute a general summary of the most significant local conditions giving rise to the need for modification of the 2025 California Green Building Standards Code provisions published by the California Building Standards Commission. The Board of Supervisors further finds and determines that the proposed modifications are reasonably necessary based upon the local conditions set forth in Exhibit A.

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

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

- (b) Local energy standards previously adopted are not automatically applicable to a triennial CBSC. Rather, they must be re-enacted with a new cost-effectiveness study and determination based on the new State standards, and be re-approved by the California Energy Commission.
- (c) Based upon the findings of a cost-effectiveness study performed on the more restrictive local standards contained in the City's proposed 2025 San Francisco Green Building Code, the Board of Supervisors hereby determines that these local energy standards are cost effective and will save more energy than the standards contained in the 2025 California Green Building Standards Code. A copy of the cost-effectiveness study is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_\_.

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

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

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

(b) The 2025 San Francisco Green Building Code is hereby enacted. It consists of the 2025 California Green Building Standards Code and San Francisco's existing local amendments, which are re-enacted and expressly made applicable to the 2025 California Green Building Standards Code. Copies of the 2025 California Green Building Standards Code and the stand-alone San Francisco amendments are declared to be part of Board File No. 250958 and are incorporated into this ordinance by reference as though fully set forth. Existing San Francisco amendments that are being made applicable to the 2025 California Green Building Standards Code are shown in unformatted ("plain") text and may include bold and/or italicized type; new San Francisco amendments are underlined; and deleted San Francisco amendments are in strikeout text.

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

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

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2	Section 8. Effective and Operative Dates. This ordinance shall become effective 30	
3	days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor	
4	returns the ordinance unsigned or does not sign the ordinance within 10 days of receiving it,	
5	or the Board of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall	
6	be operative on and after either January 1, 2026 or its effective date if the effective date is	
7	later.	
8		
9	Section 9. Directions to Clerk. Upon enactment of this ordinance, the Clerk of the	
10	Board of Supervisors is hereby directed to transmit to the California Building Standards	
11	Commission pursuant to the applicable provisions of State law 1) this ordinance, 2) the Exhibit	
12	A attachment, and 3) the San Francisco modifications to the 2025 California Green Building	
13	Standards Code.	
14		
15	APPROVED AS TO FORM:	
16	DAVID CHIU, City Attorney	
17	By: <u>/s/ Robb Kapla</u> ROBB KAPLA	
18	Deputy City Attorney	
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### **LEGISLATIVE DIGEST**

[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.

#### **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 2022 California Green Building Standards Code and San Francisco's local amendments to the 2022 California Green Building Standards Code.

#### Amendments to Current Law

On January 1, 2026, a 2025 California Green Building Standards Code (also known as CalGreen) will go into effect throughout the State. The San Francisco Amendments to the 2022 California Code must be re-enacted and made applicable to the 2025 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 2025 California Green Building Standards Code and San Francisco's local amendments to the 2025 California Green Building Standards Code ("San Francisco Amendments"). The San Francisco Amendments to the 2022 California Green Building Standards Code will be carried forward and made applicable to the 2025 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, unchanged language from the 2025 California Green Building Standards Code is shaded gray, San Francisco's additions to the 2025 California Green Building Standards Code are shown in unshaded text, new (minor and technical) additions to San Francisco's amendments are underlined and deletions are shown with strikethrough.

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### **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, 2026. 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.

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