

[Green Building Requirements.]

Ordinance amending the San Francisco Building Code by adding Chapter 13C to impose green building requirements on (1) newly constructed Group R occupancy buildings, (2) newly constructed commercial buildings of Group B and M occupancies that are 5,000 gross square feet or more (3) first-time build-outs of commercial interiors that are 25,000 gross square feet or more in buildings of Groups B and M occupancies, and (4) major alterations that are 25,000 gross square feet or more in existing buildings of Groups B, M, and R occupancies, where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed, and exempting (1) City and County of San Francisco projects, which are subject to Chapter 7 of the San Francisco Environment Code, (2) any new building in which laboratory use of any occupancy classification is the primary use, and (3) any building undergoing renovation in which the area of renovation will be primarily for laboratory use of any occupancy classification; providing that the requirements become effective 30 days after enactment of the ordinance; adopting findings, including environmental findings, findings required by California Health and Safety Code Section 17958.5, and adopting California Energy Code findings.

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Note: This Chapter is entirely new.

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

Section 1. The Board of Supervisors of the City and County of San Francisco hereby finds and declares as follows:

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

6 (b) Findings Required by California Health & Safety Code Section 17958.5.

7 (i) San Francisco is located at the tip of a peninsula and is served by the electricity
8 grid at a single point, the Martin Substation. This single point of service makes San Francisco
9 uniquely vulnerable to supply disruptions. Making San Francisco's building stock more energy
10 efficient will reduce San Francisco's energy consumption and decrease its vulnerability to
11 supply disruptions.

12 (ii) The world's leading climate scientists have documented a clear global warming
13 trend and the unmistakable impact of human activities on that trend. As a coastal city
14 surrounded on three sides by water, San Francisco is extremely vulnerable to climate change
15 caused by global warming and the associated rise in sea levels. Construction of more energy
16 efficient buildings can help San Francisco reduce its share of the greenhouse gas emissions
17 that are a significant contributor to global warming.

18 (iii) In 2002, in response to the global warming threat, the Board of Supervisors
19 adopted unanimously Resolution No. 158-02, which, among other things, established for San
20 Francisco a greenhouse gas emissions reduction target of 20 percent below 1990 levels by
21 the year 2012 and called for continued actions toward achieving these goals.

22 In Resolution No. 158-02, the Board found that global warming and the associated rise
23 in sea levels would be particularly devastating to San Francisco and that a Green Building
24 Program, among other efforts, was a critical component in a local action plan for climate
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1 protection. The Board further found that greenhouse gas reduction activities would contribute
2 substantially to the achievement of many of San Francisco's highest priority goals, including
3 but not limited to: energy security and cost reduction, affordable housing, mobility and
4 transportation choices, solid waste reduction and recycling, reliable and affordable water
5 supply, urban and rural forest protection, sustainable economic development, and clean air.

6 (iv) In response to Board Resolution No. 158-02, San Francisco's Department of
7 Environment and Public Utilities Commission published a Climate Action Plan for San
8 Francisco in September 2004. The Plan states that in San Francisco, the impacts of climate
9 change will be variable and widespread and identifies a number of specific serious impacts
10 that global warming and the associated rise in sea levels would have on San Francisco's
11 weather, water resources, physical landscape, ecosystem, human health, economy, and
12 infrastructure.

13 (v) San Francisco's Climate Action Plan found that energy use in buildings and
14 facilities is responsible for approximately 50 percent of San Francisco's greenhouse gas
15 emissions. In 1990, San Francisco's total energy consumption was about 5,000 gigawatt-
16 hours of electricity and 300 million therms of natural gas. San Francisco's energy use resulted
17 in a total of approximately 4.5 million tons of CO₂ emissions released into the atmosphere in
18 1990: 1.7 million tons of CO₂ was released by San Francisco's 300,000 households, 1.5
19 million tons of CO₂ was released by San Francisco's 32,000 businesses, 894,000 tons of CO₂
20 was released by San Francisco's industrial sector, and 402,000 tons of CO₂ was released by
21 San Francisco's municipal buildings and facilities.

22 The Climate Action Plan states that the potential for CO₂ reductions through electricity
23 and gas savings in San Francisco's buildings is tremendous and that key actions required to
24 reach this potential include incorporating policies in both the private and public sectors such
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1 as designing new buildings beyond code and implementing energy efficient retrofit projects in
2 existing buildings. Reducing electricity demand means in-city power plants run less, creating
3 fewer emissions.

4 (vi) As a participant in the Cities of Climate Protection campaign sponsored by the
5 International Council on Local Environmental Initiatives, San Francisco has joined with more
6 than 500 cities around the world to inventory its emissions of greenhouses gases, set
7 reduction targets, and take action to meet those targets.

8 (vii) In recent years, green building design, construction and operational techniques
9 have become increasingly widespread. Many homeowners, businesses and building
10 professionals have voluntarily sought to incorporate green building techniques into their
11 projects. A number of local and national systems have been developed to serve as guides to
12 green building practices. At the national level, the U.S. Green Building Council, developer of
13 the Leadership in Energy and Environmental Design (LEED®) Green Rating System and
14 LEED® Reference Guide, has become a leader in promoting and guiding green building. At
15 the local level, Build It Green and StopWaste.Org have developed residential green building
16 standards appropriate for smaller projects, and which over twenty Bay Area cities and
17 counties have employed.

18 (viii) Starting in 2004, San Francisco has enacted legislation or adopted programs to
19 mandate or encourage the use of green building standards in San Francisco and to reduce
20 San Francisco's impacts on the environment.

21 In 2004, San Francisco enacted Chapter 7 of the San Francisco Environment Code,
22 which, among other things, requires all new San Francisco construction and major renovation
23 projects to achieve a LEED® Silver certification from the US Green Building Council. In 2006,
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1 San Francisco adopted Ordinance No. 27-06 mandating the recycling of construction and
2 demolition debris.

3 In 2006, San Francisco adopted two programs to encourage the use of green building
4 standards in the private sector. First, the San Francisco Building and Planning Departments
5 developed criteria to reduce the cost of solar permits and streamline the permitting process.
6 Solar permits now cost less than \$90 and can be issued over the counter, without the delays
7 of in-house reviews. The Department of Building Inspection has estimated that 90 percent of
8 photovoltaic system applications meet the requirements for the streamlined permit process.

9 Second, the San Francisco Department of Building Inspection, Planning Department,
10 and Department of the Environment established a priority permitting process for LEED® Gold
11 certified, or equivalent, building projects. Eight projects have presently been accepted, with
12 four more pending.

13 (ix) In 2004, San Francisco committed to the goals of diverting over 75 percent of its
14 waste from landfill by the year 2010 and to achieve Zero Waste to landfill by 2020. These
15 ambitious targets can only be realized through continued implementation and expansion of
16 recycling and composting programs, increased construction and demolition debris recycling,
17 and source reduction programs in the public and private sectors.

18 (x) In 2006, the State enacted the California Global Warming Solutions Act of 2006
19 (AB 32), which added Section 38501 et seq. to the California Health and Safety Code. This
20 legislation requires, among other actions, that by January 1, 2008, the State Air Resources
21 Board approve a statewide greenhouse gas emissions limit that is equivalent to the emissions
22 level in 1990. This ordinance will further the State's efforts to reduce greenhouse gas
23 emissions statewide by reducing San Francisco's emissions.

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1 (xi) In 2007, Mayor Gavin Newsom established a Task Force on Green Building for
2 the City and County of San Francisco comprised of ten members from San Francisco's
3 ownership, developer, financial, architectural, engineering, and construction community. The
4 mission of the Task Force was to advise and recommend to San Francisco's policy makers
5 mandates, incentives, education, and outreach in order to increase the number and improve
6 the quality of green buildings in San Francisco and to assess the impacts of the Task Force's
7 recommendations. The Task Force issued its Report and Recommendations in June 2007.

8 (xii) In its Report, the Green Building Task Force Report recommends that San
9 Francisco take a leadership role in addressing environmental impacts, which include
10 consumption of natural resources, accelerated effects on climate change, and increased
11 pollution. It further recommends that San Francisco look at a broad range of policies and
12 programs to improve sustainability and recognize that construction activity for and operational
13 energy used by buildings are primary contributors to man-made CO₂ production and have
14 significant other impacts on air quality, landfill, transportation, energy consumption, resource
15 use, and occupant health and productivity. The Task Force Report states that it is essential
16 that sustainable practices become standards of the building industry.

17 (xiii) By implementing the recommendations of the Mayor's Task Force on Green
18 Building, this Ordinance continues San Francisco's efforts to address environmental impacts
19 in order to improve the health and economic well being of San Francisco's residents, workers
20 and visitors, and to mitigate the effects of global warming on San Francisco's weather, water
21 resources, physical landscape, ecosystem, human health, economy, and infrastructure. Some
22 of the significant cumulative benefits this ordinance is very conservatively expected to achieve
23 through 2012 are: reducing CO₂ emissions by 60,000 tons, saving 220,000 megawatt hours of
24 power, saving 100 million gallons of drinking water, reducing wastewater and stormwater by
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1 90 million gallons of water, reducing construction and demolition waste by 700 million pounds,
2 increasing the valuations of recycled materials by \$200 million, reducing automobile trips by
3 540,000, and increasing green power generation by 37 thousand megawatt hours.

4 (c) Findings required by Public Resources Code Section 25402.1(h)(2) and Section
5 10-106 of the California Code of Regulations, Title 24, Part 1, Locally Adopted Energy
6 Standards (“Section 10-106”).

7 (i) Public Resources Code Section 25402.1(g) provides that the building
8 department of every city, county, or city and county shall enforce Section 25402(a) and (b),
9 Section 25402.1, and the rules and regulations of the California Energy Commission adopted
10 pursuant thereto. Section 25402(a) requires the Commission to prescribe, by regulation,
11 lighting, insulation climate control system, and other building design and construction
12 standards that increase the efficiency in the use of energy for new residential and new
13 nonresidential buildings. Section 25402(b) requires the Commission to prescribe, by
14 regulation, performance-based energy conservation design standards for new residential and
15 new nonresidential buildings.

16 (ii) Public Resources Code Section 25402.1(h)(2) and Section 10-106 authorize the
17 adoption and enforcement of more stringent local energy standards, provided that the local
18 jurisdiction makes a determination that the local standards are cost effective and will save
19 more energy than the current Statewide standards and the local jurisdiction files an
20 application for approval with the California Energy Commission together with documentation
21 supporting the cost-effectiveness determination. A proposed ordinance may take effect only
22 after the California Energy Commission has reviewed and formally approved the proposed
23 local energy standards.

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1 (iii) Based upon the findings of a study of this Ordinance performed by Gabel
2 Associates LLC, the Board of Supervisors hereby determines that the Ordinance's standards
3 are cost effective and will save more energy than the current Statewide standards.

4 (iv) This Ordinance establishes increased minimum energy efficiency standards
5 within the City and County of San Francisco for certain new construction, additions and
6 alterations; and is intended to supplement (a) the 2005 California Building Energy Efficiency
7 Standards, as specified in California Code of Regulations, Title 24, Parts 1 and 6 (2005
8 Standards); and (b) when they become effective, subsequent California Building Energy
9 Efficiency Standards, as specified in California Code of Regulations, Title 24, Parts 1 and 6.
10 Compliance with the applicable California Building Energy Efficiency Standards is required
11 even if the increased minimum energy efficiency standards specified in this Ordinance do not
12 apply.

13 (v) Given that the purpose of this Ordinance is to adopt stricter local energy
14 efficiency standards for the construction of new buildings within the City and County of San
15 Francisco, the Board of Supervisors recognizes that the adoption of new standards without
16 additional education and training for City staff responsible for enforcement of the standards
17 could diminish compliance and potentially undermine the efficacy of the Ordinance.
18 Therefore, in order to ensure greater compliance and enforcement of the applicable green
19 building standards, to better equip the staff of the Department of Building Inspection, and to
20 provide a greater resource to the City's building community, the City and County of San
21 Francisco will seek out additional education and training opportunities for staff in green
22 building technologies, including in the areas of energy standards, building energy technology
23 and energy code implementation.

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1 Section 2. The San Francisco Building Code is hereby amended by adding Chapter
2 13C, to read as follows:

3 Chapter 13C

4 GREEN BUILDING REQUIREMENTS

5 SECTION 1301C. INTENT

6 The purpose of this chapter is to promote the health, safety and welfare of San
7 Francisco residents, workers, and visitors by minimizing the use and waste of energy, water
8 and other resources in the construction and operation of the City and County of San
9 Francisco's building stock and by providing a healthy indoor environment. The green building
10 practices required by this chapter will also further the goal of reducing the City and County of
11 San Francisco's greenhouse gas emissions to 20 percent below 1990 levels by the year 2012,
12 as stated in Board of Supervisors Resolution No. 158-02 and the City and County of San
13 Francisco's 2004 Climate Action Plan.

14 SECTION 1302C. DEFINITIONS

15 For the purposes of this chapter, certain terms are defined as follows:

16 DEMOLITION means, where the existing building is determined to be an historical
17 resource under the California Environmental Quality Act, proposed removal of sufficient
18 material from an existing building to meet the definition in Planning Code Section 1005(f), or,
19 where the existing building is determined not to be an historical resource under the California
20 Environmental Quality Act, proposed removal of sufficient material from an existing building to
21 meet the definition in Planning Code Section 317(b)(2), whether the occupancy of the existing
22 building is residential or commercial.

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1 GREENPOINT RATED, GREENPOINTS and GREENPOINTS CHECKLIST mean the
2 residential green building rating system and checklist and certification methodology used by
3 the non-profit organization Build It Green.

4 HIGH-RISE BUILDING means a building that meets the definition of "high-rise building"
5 in Section 202 of this Code.

6 HIGH-RISE RESIDENTIAL BUILDING means an R occupancy residential building that
7 is a high-rise building.

8 LARGE COMMERCIAL OFFICE BUILDING means a commercial building or addition
9 of B or M occupancy that is 25,000 gross square feet or more or is a high-rise building.

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10 LEED® and LEED® Checklist mean the Leadership in Energy and Environment
11 Design rating system, certification methodology, and checklist of the United States Green
12 Building Council (USGBC).

13 MAJOR ALTERATIONS means alterations where interior finishes are removed and
14 significant upgrades to structural and mechanical, electrical and/or plumbing systems are
15 proposed where areas of such construction are over 25,000 gross square feet or more in B, M
16 or R occupancy areas of existing buildings,

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17 MID-SIZE COMMERCIAL BUILDING means a commercial building of B or M
18 occupancy that is 5,000 or more and less than 25,000 gross square feet, and is not a high-rise
19 building.

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20 MID-SIZE RESIDENTIAL BUILDING means an R occupancy residential building that
21 has five or more dwelling units and is not a high-rise building.

22 NEW LARGE COMMERCIAL INTERIORS means first-time tenant improvements
23 where areas of such construction are over 25,000 gross square feet or more in B or M
24 occupancy areas of existing buildings,

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1 | SMALL RESIDENTIAL BUILDING means an R occupancy building that has four or
2 fewer dwelling units and is not a high-rise building.

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3 | SECTION 1303C. SCOPE

4 | Projects in the City and County of San Francisco that are within the scope of this
5 chapter are: (1) newly constructed R occupancy buildings, (2) newly constructed commercial
6 office buildings of Groups B and M occupancies that are 5,000 gross square feet or more (3)
7 new commercial interiors that are 25,000 gross square feet or more in buildings of groups B
8 and M occupancies, and (4) major alterations that are 25,000 gross square feet or more in
9 existing buildings of B, M or R occupancies, where interior finishes are removed and
10 significant upgrades to structural and mechanical, electrical and/or plumbing systems are
11 proposed.

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12 | Exempt from this chapter are (1) City and County of San Francisco projects, which are
13 covered by Chapter 7 of the San Francisco Environment Code, (2) any new building in which
14 laboratory use of any occupancy classification is the primary use, and (3) any building
15 undergoing renovation in which the area of renovation will be primarily for laboratory use of
16 any occupancy classification.

17 | SECTION 1304C. GREEN BUILDING REQUIREMENTS

18 | 1304.0 Applicability. The following green building requirements shall apply to all
19 projects within the scope of this chapter. Wherever reference is made to the LEED® or
20 GreenPoint Rated systems, a comparable equivalent rating system may be used if approved
21 by the Director. The applicable LEED®, GreenPoint Rated or equivalent versions of
22 performance standards for any applications subject to this legislation, regardless of
23 application dates, are:

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24 | LEED® -CI v2.0 - LEED® for Commercial Interiors (June 2005)

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1 LEED® -CS v2.0 - LEED® for Core and Shell (July 2006)
2 LEED® -NC v2.2 - LEED® for New Construction (July 2007)
3 GreenPoint Rated (GPR) – GPR v2007 (March 2007)

4 Wherever specific LEED® prerequisites or credits are cited, such references are to
5 LEED-NC v2.2.

6 Wherever the LEED® or GreenPoint Rated systems include a minimum energy or
7 other performance requirement, the permit applicant may choose to meet the minimum
8 performance requirements with an alternative equivalent method approved by the Director.

9 1304C.0.1. Compliance. Compliance with any of these requirements may be verified
10 and/or certified by any means, including third-party equivalent, as approved by the Director.

11 1304C.0.2. Solar electric systems. The installation of any solar photovoltaic energy
12 system must meet all installation criteria the California Energy Commission's Guidebook
13 "Eligibility Criteria and Conditions for Incentives for Solar Energy Systems." An energy credit
14 from solar photovoltaic (PV) energy systems may be used to demonstrate compliance with the
15 Ordinance's general compliance requirements. This credit is available if the solar PV energy
16 system is capable of generating electricity from sunlight, supplying the electricity directly to the
17 building, and the system is connected, through a reversible meter, to the utility grid. The
18 methodology used to calculate the energy equivalent to the photovoltaic credit shall be the
19 CECPV Calculator, using the most recent version prior to the permit application date, which
20 may be found on the web site of the California Energy Commission.

21 1304C.0.3. Stormwater. Stormwater management shall meet the "Best Management
22 Practices" and "Stormwater Design Guidelines" of the San Francisco Public Utilities
23 Commission, and shall meet or exceed the applicable LEED SS 6.1 and 6.2 guidelines.

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1 1304C.0.4. Solid waste. Areas provided for recycling, composting and trash storage,
2 collection and loading, including any chute systems, must be designed for equal convenience
3 for all users to separate those three material streams, and must provide space to
4 accommodate a sufficient quantity and type of containers to be compatible with current
5 methods of collection.

6 1304C.0.5. Building demolition. Applications subject to this Section, whereby
7 construction of a new building is proposed within 5 years of the demolition of a building on the
8 site, where such demolition occurred after the effective date of this ordinance, shall be subject
9 to the following requirements:

10 1304C.0.5.1. The sustainability requirements for new buildings pursuant to Sections
11 1304C.1, et seq. shall be increased as follows:

12 1304C.0.5.1.1. For projects attaining a LEED certification and where the building
13 demolished was an historical resource, the required points shall be increased by 10% of the
14 total available in the required LEED system. Where the building demolished was not an
15 historical resource, the required points shall be increased by 10% of the total required absent
16 a demolition. For projects attaining GreenPoint ratings, 25 additional points must be achieved,
17 where the building demolished was an historical resource, or 20 additional points must be
18 achieved where the building demolished was not an historical resource. The Director shall
19 determine, on a case-by-case basis, increased requirements in similar proportions for projects
20 achieving compliance using other green building rating systems.

21 For projects subject to 1304C.2.1, Mid-Size Commercial Buildings, and this Section
22 1304C.0.5, where the building demolished was not an historical resource, the following
23 requirements apply:

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1 The water use reduction required in 1304C.2.1.4 shall take effect on January 1, 2009,
2 and permit applicants must submit documentation to verify that a minimum 30 percent
3 reduction in the use of potable water was achieved. (LEED® WE3.1)

4 The enhanced commissioning required by section 1304C.2.1.6 shall take effect
5 January 1st 2010.

6 The energy generation or purchase required by section 1304C.2.1.7 shall take effect
7 January 1st 2011.

8 Effective January 1, 2012 permit applicants must submit documentation to verify
9 achievement of one additional credit in accord with LEED® MR3, MR4, MR5, MR6, or MR7.

10 In addition to the above, where the building demolished was an historical resource,
11 effective January 1, 2009 through January 1, 2011 permit applicants must submit
12 documentation to verify achievement of one additional credit in accord with LEED® MR3,
13 MR4, MR5, MR6, or MR7. Effective January 1, 2012, two additional credits in accord with
14 LEED® MR3, MR4, MR5, MR6, or MR7 are required.

15
16 1304C.0.5.1.2. Except where the demolished building was determined to be an
17 historical resource, if the occupant loads of the commercial portion of the replacement
18 structure calculated in accord with Section 1004 of this Code and the number of dwellings in
19 the residential portion are each tripled, for those buildings attaining LEED certification, the
20 required points shall be increased by 8% of the total required absent a demolition. For such
21 projects pursuant to demolitions attaining GreenPoint ratings, 17 additional points must be
22 achieved. Where occupant loads and residential density are quadrupled, the required points
23 for projects attaining LEED certification shall be increased by 6% of the total required absent a
24 demolition, and for those attaining GreenPoint ratings, 15 additional points must be achieved.

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The Director shall determine, on a case-by-case basis, appropriate increased requirements in similar proportions for projects achieving compliance using other green building rating systems.

1304C.0.6. On-site retention of historical features. For alterations of buildings determined to be historical resources, additional points or credits shall be granted for retention and in-situ reuse or restoration of certain elements that have retained their historic integrity, as follows:

HISTORICALLY INTACT ELEMENT	PERCENT RETAINED *	LEED POINTS FOR RETENTION	GREENPOINTS FOR RETENTION
Windows @ Principal Façade(s)	100	2	7
Other windows	50	1	3
Other windows	100	2	6
Exterior Doors @ Principal Façade(s)	100	1	3
Siding or Finish @ Principal Façade(s)	80	1	4
Trim & Casing @ Wall Openings on Principal Façade(s)	100	1	3
Cornices, Water Tables, Belt Courses, and Running Trim	80	1	3
Exterior Ornamentation	100	1	3

* Retention includes historically appropriate restoration (and replacement of material unable to be restored) where determined by the Planning department to meet the Secretary of the Interior Standards for Rehabilitation

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1 | 1304C.0.7. Maintenance of required features. Any structure subject to this chapter
2 shall maintain the green building features required herein, regardless of subsequent
3 alterations, additions, or changes of use, unless subject to more stringent requirements.

4 | 1304C.1. Requirements for New R Occupancy Buildings

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5 1304C.1.1. Small Residential Buildings. Upon the effective date of this ordinance, the
6 permit applicant must submit a GreenPoints New Home Construction Checklist, but no points
7 are required to be achieved. Effective January 1, 2009, applicants must submit documentation
8 demonstrating that a minimum of 25 GreenPoints from the checklist will be achieved. Effective
9 January 1, 2010 through 2011, applicants must submit documentation to be GreenPoint
10 Rated and must achieve a minimum of 50 GreenPoints. Effective January 1, 2012, applicants
11 must submit documentation to be GreenPoint Rated and must achieve a minimum of 75
12 GreenPoints.

13 1304C.1.2. Midsize Residential Buildings. Upon the effective date of this ordinance,
14 the permit applicant must submit a GreenPoints Multifamily Checklist, but no points are
15 required to be achieved. Effective January 1, 2009, applicants must submit documentation
16 demonstrating that a minimum of 25 GreenPoints from the checklist will be achieved. Effective
17 January 1, 2010, a new building must be GreenPoint Rated and applicants must submit
18 documentation demonstrating that a minimum of 50 GreenPoints from the checklist will be
19 achieved. Effective January 1, 2011, a new building must be GreenPoint Rated and applicants
20 must submit documentation demonstrating that a minimum of 75 GreenPoints from the
21 checklist will be achieved.

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1 1304C.1.3. High-Rise Residential Buildings.

2 1304C.1.3.1. Rating requirement. Upon the effective date of this ordinance, applicants
3 must submit documentation to achieve LEED® “Certified” certification. Effective January 1,
4 2010, applicants must submit documentation to achieve a LEED® “Silver” certification.

5 1304C.1.3.2. Water efficient landscaping. Upon the effective date of this ordinance,
6 permit applicants must submit documentation to achieve a minimum 50 percent reduction in
7 use of potable water for landscaping. (LEED® WE1.1)

8 1304C.1.3.3. Water use reduction. Upon the effective date of this ordinance, permit
9 applicants must submit documentation to achieve a minimum 20 percent reduction in the use
10 of potable water. (LEED® WE3.1) Effective January 1, 2011, the required reduction in use of
11 water is 30 percent. (LEED® WE3.1)

12 1304C.1.3.4. Construction debris management. Upon the effective date of this
13 ordinance, permit applicants must submit documentation to verify that diversion of at least 75
14 percent of the project’s construction debris has been achieved. (LEED® MR2.1)

15 1304C.2. Requirements for New B and M Occupancy Buildings.

16 1304C.2.1. Mid-Size Commercial Buildings.

17 1304C.2.1.1. Rating requirement. Upon the effective date of this ordinance, permit
18 applicants must complete and submit a LEED® Checklist but no points are required to be
19 achieved.

20 1304C.2.1.2. Fundamental commissioning of the building energy systems. Beginning
21 January 1, 2009, permit applicants must submit documentation prepared by a Commissioning
22 Agent demonstrating compliance with LEED® EA Prereq 1.

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1 1304C.2.1.3. Water efficient landscaping. Beginning January 1, 2009, permit
2 applicants must submit documentation demonstrating achievement of a minimum 50 percent
3 reduction in use of potable water for landscaping. (LEED® WE1.1)

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4 1304C.2.1.4. Water use reduction. Beginning January 1, 2009, and effective through
5 2010, permit applicants must submit documentation to verify that a minimum 20 percent
6 reduction in the use of potable water was achieved. (LEED® WE3.1) Effective January 1st
7 2011, the required reduction in use of water is 30 percent. (LEED® WE3.1)

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8 1304C.2.1.5. Construction debris management. Effective January 1, 2009, permit
9 applicants must submit documentation to verify that diversion of at least 75 percent of its
10 construction debris was achieved. (LEED® MR2.1)

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11 1304C.2.1.6. Enhanced commissioning. Effective January 1st 2011, a new building
12 must achieve enhanced commissioning. (LEED® EA3.0)

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13 1304C.2.1.7. Energy. Effective January 1st 2012, permit applicants must submit
14 documentation to verify renewable on-site energy or purchase green energy credits in accord
15 with LEED® EA2 and EA6.

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17 1304C.2.2. New Large Commercial Buildings.

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18 1304C.2.2.1. Rating requirement. Upon the effective date of this ordinance, permit
19 applicants must submit documentation to achieve LEED® “Certified” Certification. Effective
20 January 1, 2009, permit applicants must submit documentation to achieve a LEED® Silver
21 rating. Effective January 1, 2012, permit applicants must submit documentation to achieve a
22 LEED® Gold rating.

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1 1304C.2.2.2. Water efficient landscaping. Upon the effective date of this ordinance,
2 permit applicants must submit documentation verifying that a minimum 50 percent reduction in
3 use of potable water for landscaping was achieved. (LEED® WE1.1)

4 1304C.2.2.3. Water use reduction. Upon the effective date of this ordinance, permit
5 applicants must submit documentation demonstrating achievement of a minimum 20 percent
6 reduction in the use of potable water. (LEED® WE3.1) Effective January 1, 2011, the required
7 reduction in use of potable water is 30 percent. (LEED® WE3.1)

8 1304C.2.2.4. Construction debris management. Upon the effective date of this
9 ordinance, permit applicants must submit documentation to verify diversion of at least 75
10 percent of the project's construction debris. (LEED® MR2.1)

11 1304C.2.2.5. Enhanced commissioning. Effective January 1, 2010, a new building
12 must achieve enhanced commissioning. (LEED® EA3.0)

13 1304C.2.2.6. Energy. Effective January 1, 2012, permit applicants must submit
14 documentation to verify renewable on-site energy or purchase of green energy credits in
15 accord with LEED® EA2 and EA6.

16 1304C.3. New Large Commercial Interiors and Major Alterations to Existing Office
17 Buildings

18 1304C.3.2.1. Rating requirement. Effective January 1, 2009, permit applicants for such
19 construction must submit documentation to achieve LEED® "Certified" Certification. Effective
20 January 1, 2010, permit applicants must submit documentation to achieve a LEED® Silver
21 rating. Effective January 1st 2012, permit applicants must submit documentation to achieve a
22 LEED® Gold rating.

23 1304C.3.2.2. Use of low-emitting materials. Upon the effective date of this ordinance,
24 permit applicants for alterations as described in this subsection must submit documentation to
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1 verify the use of low-emitting materials under LEED® EQ4.1, 4.2, and 4.3.

2 1305C. Implementation. Rules and regulations regarding the implementation of this
3 chapter shall be detailed in an Administrative Bulletin to be prepared and issued by the
4 Department of Building Inspection.

5 1306C. Hardship or Infeasibility Exemption

6 1306C.1. Exemption. If a permit applicant for a project believes that circumstances
7 exist that make it a hardship or infeasible to meet fully the requirements of this chapter, the
8 applicant may apply to the Director for an exemption as set forth below. In applying for an
9 exemption, the burden is on the permit applicant to demonstrate hardship or infeasibility.

10 1306C.2. Application. A permit applicant seeking an exemption shall submit the
11 following information in support of the application:

12 1. the maximum number of credits or other compliance that the permit applicant
13 believes is practical or feasible

14 2. the circumstances that the permit applicant believes make it a hardship or
15 infeasible to comply fully with this chapter. Such circumstances may include, but are not
16 limited to, availability of markets for materials to be recycled, availability of green building
17 materials and technologies, and compatibility of green building requirements with other
18 regulations.

19 1306C.3. Granting an Exemption. If the Director determines that it is a hardship or
20 infeasible for the applicant to meet fully the requirements of this chapter based on the
21 information submitted with the application for an exemption, the Director shall determine the
22 maximum feasible number of credits or other compliance reasonably achievable for the
23 project and shall indicate this on the documentation submitted by the permit applicant. If an
24 exemption is granted, the permit applicant must achieve the number of credits or compliance

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1 the Director determines to be achievable and shall comply with this chapter in all other
2 respects.

3 1306C.4. Exemption for Historic Structure. The Director shall grant an exemption for
4 an historic structure if the Director determines that compliance with certain requirements
5 would impair the structure's historic integrity. The historic structure shall comply with this
6 chapter in all other respects.

7 1306C.5. Denial of Exemption. If the Director determines that it is possible for the
8 application to meet fully the requirements of this chapter, the Director shall notify the permit
9 applicant in writing. The permit applicant must then submit all documentation required by
10 Section 1304C. If the applicant does not submit the documentation within the time period
11 required by Section 106A.3.7, or the documentation does not comply with the requirements of
12 Section 1304C, the Director shall disapprove the building permit.

13 1306C.6. Appeal. Determinations of the Director related to this chapter are appealable
14 to the Building Inspection Commission pursuant to the procedure set forth in Chapter 77 of the
15 San Francisco Administrative Code. Denial of a building permit is appealable to the Board of
16 Appeals pursuant to the procedure set forth in Section 8 et seq. of the San Francisco
17 Business and Tax Regulations Code.

18 1307C. Enforcement. The applicant's failure to build a project in accordance with
19 approved construction documents and plans shall be subject to the procedures governing
20 abatement of unsafe structures set forth in Section 102A of this Code. In addition, the Director
21 may require other reasonable green building measures to mitigate the failure to comply fully
22 with this Chapter.

23 1308C. Conflict With Other Provisions of This or Other Codes. In the event that the
24 requirements of this chapter conflict with other provisions of this Code or the other codes
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1 enforced by the Department of Building Inspection, the requirements of this Chapter shall
2 apply and the more restrictive building design standards of this or the other codes shall
3 prevail.

4 1309C. Effective Date of this Ordinance. This ordinance shall apply to applications
5 submitted 30 days after the effective date of this ordinance and thereafter.

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7 APPROVED AS TO FORM:
8 DENNIS J. HERRERA, City Attorney

9 By: _____
10 JUDITH A. BOYAJIAN
11 Deputy City Attorney

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