

DOCKETED	
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Project Title:	Local Ordinances Exceeding the 2019 Energy Code
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Document Title:	City of San Francisco - 2019 0. SFGBC 2019 Application to CEC Cover Letter Feb.10
Description:	Plain text of SF application cover letter to the CEC
Filer:	Danuta Drozdowicz
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SF Environment

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A Department of the City and County of San Francisco

London Breed
Mayor

Deborah O. Raphael
Director

February 10, 2020

Danuta Drozdowicz
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5514

RE: Application for approval of energy standards in 2019 San Francisco Green Building Code

Dear Ms. Drozdowicz,

This package contains materials documenting two local ordinances duly adopted by the City and County of San Francisco which would require certain buildings to be designed and constructed to consume less energy than otherwise allowed by California's Title 24 Part 6 2019 Building Energy Standards. It is submitted in application for approval by the California Energy Commission pursuant to PRC § 25402.1(h)(2) of two local ordinances:

- **San Francisco Green Building Code 2019 (SF BOS File #190964):** Transmitted to the CEC November 20, 2019 by the Clerk of the San Francisco Board of Supervisors. This ordinance repealed the 2016 Edition of the San Francisco Green Building Code (SFGBC) on December 31, 2019, and enacted the 2019 Edition of SFGBC, effective January 1, 2020.

The purpose of SF BOS File #190964 is to maintain continuity of applicable local requirements. The 2019 Edition of SFGBC is consistent with the 2016 Edition of SFGBC, with updates where necessary due to changes in related California codes and standards.

While the ordinance predominantly consists of green building standards which are now in effect, the ordinance includes four subsections containing provisions related to energy use, itemized in Attachment 1. These energy-related provisions are generally consistent with local requirements previously approved by the CEC on November 9, 2016, with two significant changes:

- The local ordinance approved by the CEC on November 9, 2016 required installation of solar photovoltaics or solar water heating on new non-residential and residential buildings of 10 occupied floors or less. This local ordinance was amended, effective January 1, 2017, to allow for the installation of a living roof (e.g. a vegetated or 'green' roof) in lieu of solar energy systems. The 2019 Edition of SFGBC contains these amendments, e.g. SFGBC 2019 continues to allow living roof as an alternative to installing solar energy systems, except where superseded by Title 24 Part 6 (2019).
- The local ordinance does not regulate installation of solar energy systems on newly constructed low-rise residential buildings, because installation of photovoltaics is required for low-rise residential by Title 24 Part 6 (2019). However, 2019 Edition of SFGBC continues to require

installation of solar photovoltaics, solar hot water, or living roof on newly constructed high-rise residential or commercial buildings of 10 occupied floors or less.

SF BOS File #190964 was adopted in a manner consistent with CCR Title 24 Part 6 § 10-106 and § 10-110 and approval by the CEC is requested and welcomed.

- **Ordinance establishing energy performance requirements in certain newly constructed buildings, aka “Electric Preferred” reach code (SF BOS File #190974):** Transmitted to your office January 21, 2020 by the Clerk. This ordinance requires newly constructed mixed-fuel buildings to consume less energy than permitted by Title 24, Part 6. The ordinance received final approval by the Mayor on January 17, 2020 and will become operative on February 17, 2020. Enforcement action for failure to comply will not commence prior to California Energy Commission approval. However, requirements are applicable based on date of permit application and the operative dates of local ordinances. Therefore, projects subject to the ordinance are being notified of its provisions.

The San Francisco Planning Department found both ordinances are exempt from the requirements of the California Environmental Quality Act. San Francisco’s Green Building Standards will ensure that newly constructed residential and non-residential buildings in the City and County of San Francisco will be designed and constructed to consume no more energy than permitted by Title 24, Part 6, and the City and County of San Francisco remains committed to ensuring local projects comply with all applicable California building standards, including the 2019 Energy Standards and local amendments.

Please find the following materials enclosed, in support of this application:

Thank you,



Barry Hooper
Senior Green Building Coordinator

List of Materials Submitted in Application for Approval of San Francisco Local Ordinance

Item Name	Description
1. Summary...	Summary of Energy-Related Requirements in San Francisco Ordinances
2. BoS_190964 Transmittal	<p>San Francisco Board of Supervisors File #190964 transmittal memo. Signed documentation of approval of an ordinance repealing the 2016 Edition of the San Francisco Green Building Code (SFGBC) on December 31, 2019, and enacting the 2019 Edition of SFGBC on January 1, 2020. File includes:</p> <ul style="list-style-type: none"> • Documentation of passage November 5, 2019 and Mayoral approval November 15, 2019. • Determination of CEQA exemption by San Francisco Planning Department for Board of Supervisors File #190964
3. BoS_190964 Board Packet_SFGBC 2019	<p>San Francisco Board of Supervisors File #190964 packet documenting approval of an ordinance repealing the 2016 Edition of the San Francisco Green Building Code (SFGBC) on December 31, 2019, and enacting the 2019 Edition of SFGBC on January 1, 2020. Packet Includes, in order of appearance:</p> <ul style="list-style-type: none"> • Memo from City Clerk documenting committee approval October 28, 2019 • Ordinance <ul style="list-style-type: none"> • Section 1 –CEQA compliance. • Sections 2 & 3 – General findings and documentation of approval by San Francisco Building Inspection Commission at a public hearing • Section 4 – Finding of cost-effectiveness referencing cost effectiveness studies. • Section 5 – Repeal of 2016 SFGBC and enactment of 2019 SFGBC • Legislative digest • Letter from San Francisco Building Inspection Commission documenting approval at a public hearing and submitting the legislation to the Board of Supervisors. Includes determination by San Francisco Planning Department that the ordinance is not a project under CEQA Guidelines Sections 15378 and 15060(c)(2). • Text of 2019 San Francisco Green Building Code (SFGBC) as amended. • Exhibit A – Standard Findings for San Francisco Building Standards Code Amendments, and index of applicability by section • 2019 Nonresidential New Construction Reach Code Cost Effectiveness Study • 2019 Cost-effectiveness Study: Low-Rise Residential New Construction • San Francisco Building Inspection Commission transmittal based on unanimous vote to support • October 21, 2019 Board of Supervisors Land Use and Transportation Committee – Committee Report recommending approval • Department of Building Inspection letter recommending approval
4. BoS_190974 Transmittal to CEC, HCD	<p>San Francisco Board of Supervisors File #190974 packet documenting approval of an ordinance amending the San Francisco Green Building Code 2019 Edition requiring mixed-fuel buildings to be designed and constructed to use less energy than otherwise permitted by the 2019 California Energy Standards, and affirming all-electric buildings must be designed and constructed to use no more energy than permitted by the 2019 California Energy Standards. Packet Includes:</p> <ul style="list-style-type: none"> • Contents List • Ordinance <ul style="list-style-type: none"> • Section 1 – Affirmation of determination of CEQA compliance. • Sections 2, 3, and 4 – Findings, including finding of cost-effectiveness based on the cost-effectiveness studies reviewed by the Board of Supervisors in BoS File #190964. • Section 5 – Amendments to San Francisco Green Building Code 2019 Edition
5. BoS_190974 CEQA	Determination of CEQA exemption by San Francisco Planning Department for Board of Supervisors File #190974
6. Staff Briefing	Staff report summarizing both BoS #190964 and BoS #190974
7. BoS_190974 Comments	Written public comments submitted to the Building Inspection Commission and Board of Supervisors