



## ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 8, ARTICLE I, DIVISION III,  
OF THE MOUNTAIN VIEW CITY CODE, RELATING TO THE  
ADOPTION OF THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE TO  
INCLUDE LOCAL GREEN BUILDING REQUIREMENTS

WHEREAS, on March 24, 2009, the Council approved the Environmental Sustainability Action Plan, a document that identifies strategic short-term goals to achieve environmental sustainability in Mountain View, one of which was the development of a green building ordinance for private development; and

WHEREAS, on November 3, 2009, the Council approved community-wide Greenhouse Gas Reduction Targets which align the City with the provisions of California Assembly Bill 32 (Global Warming Solutions Act). The City is currently developing a Greenhouse Gas Reduction program for new development that focuses on energy-use reduction to which the implementation of the Mountain View Green Building Code helps achieve; and

WHEREAS, the San Francisco Public Utilities Commission has limited the water supply available to the Bay Area Water Supply and Conservation Agency (BAWSCA) member agencies until at least 2018 to preserve the limited resource. The Mountain View Green Building Code is a strategic step in achieving water use reduction to meet the reduced supply; and

WHEREAS, green building design, construction, restoration, operation and maintenance can have a significant positive effect on energy, water and resource conservation, waste management and pollution generation, and on the health and productivity of building occupants over the life of the building and/or site; and

WHEREAS, the California Green Building Standards Code Section 101.7 provides that a local government may establish more stringent building standards if they are reasonably necessary due to local climatic, geological, topographical or environmental conditions; and

WHEREAS, the Public Resource Code Section 25402.1(h)(2) states that a local enforcement agency may adopt more restrictive energy standards when they are cost-effective and approved by the California Energy Commission; and

WHEREAS, the City of Mountain View has local conditions which allow amendments to the California Green Building Standards Code to add local green

building and energy requirements to achieve local and regional goals and initiatives;  
and

WHEREAS, the City of Mountain View has made amendments and adopted the California Building Codes as Chapter 8, Articles I, Division III, to address environmental conditions;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Articles I, Division III of Chapter 8 of the Mountain View City Code is hereby amended to read as follows:

**"ARTICLE I.  
BUILDING CODE.**

**DIVISION III. GREEN BUILDING CODE.**

**SEC. 8.20.\_\_\_\_. California Green Building Standards Code—Adopted.**

The California Green Building Standards Code, 2010 edition, which regulates the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction for all new construction. One (1) copy of the California Building Code, including the Mountain View amendments, is on file and open to public inspection in the building inspection office.

**SEC. 8.20.\_\_\_\_. Subsection 101.1 —Amended—Title.**

Subsection 101.1 of the 2010 California Green Building Standards Code is amended to read as follows:

**101.1 Title.** These regulations shall be known as the Mountain View Green Building Code and may be cited as such and will be referred to herein as "this code." The Mountain View Green Building Code is an amendment to Part 11 of 12 parts of the official compilation and publication of the adoption, amendment and repeal of building regulations to the California Code of Regulations, Title 24, also referred to as the California Building Standards Code.

**SEC. 8.20.\_\_. Subsection 101.3—Amended.**

Subsection 101.3 of the 2010 California Green Building Standards Code is amended to read as follows:

**101.3 Scope.** The provisions of this code shall apply to the planning, design, operation, construction, use and occupancy of every privately owned, newly constructed building, addition or tenant improvement as regulated in this code throughout the City of Mountain View.

It is not the intent that this code substitute or be identified as meeting the certification requirements of any private, third-party green building program.

**SEC. 8.20.\_\_. Subsection 101.3.2—Added.**

Subsection 101.3.2 is added to the 2010 California Green Building Standards Code to read as follows:

**101.3.2 Exempted projects.** Projects that are exempted from complying with the Mountain View Green Building Code are:

1. Accessory structures;
2. Registered or eligible to be registered local, state or federal historic structures;
3. Natural disaster repairs;
4. Temporary structures;
5. Improvements that include residential interior alterations (i.e., remodels) only;
6. Residential additions less than 1,000 square feet; and
7. Nonresidential tenant improvements less than 15,000 square feet with a construction valuation less than \$100,000.

**SEC. 8.20.\_\_. Subsection 101.9.1—Added.**

Subsection 101.9.1 is added to the 2010 California Green Building Standards Code to read as follows:

**101.9.1 Adoption of Mountain View Amendments.** Mountain View amendments to the 2010 California Green Building Standards Code shall be effective 30 days after adoption by the city council.

**SEC. 8.20.\_\_. Subsection 101.10—Amended.**

Subsection 101.10 of the 2010 California Green Building Standards Code is amended to read as follows:

**101.10 Mandatory requirements.** This code contains the minimum mandatory green building measures and energy requirements as required by the City of Mountain View. All new structures in the City of Mountain View must comply with the mandatory measures of the 2010 California Green Building Standards Code as adopted by the state in addition to local amendments included in this code. This includes all residential new construction projects regardless of height or number of stories. Additionally, applicants must demonstrate that the area of improvement or new construction has an energy efficiency that is, at minimum, a specified percentage above the 2008 Building Energy Efficiency Standards in Title 24, Part 6.

**SEC. 8.20.\_\_. Subsection 101.10.1—Added.**

Subsection 101.10.1 is added to the 2010 California Green Building Standards Code to read as follows:

**101.10.1 Project types.** Table 101.10 Mandatory Green Building Requirements, details the project types that are required to comply with this code.

**SEC. 8.20.\_\_. Subsection 101.10.1.1—Added.**

Subsection 101.10.1.1 is added to the 2010 California Green Building Standards Code to read as follows:

**101.10.1.1 Residential projects.** All residential projects (single-family and multi-family) regulated by this code must comply with Mountain View's energy and green building requirements as listed below.

**SEC. 8.20. Subsection 101.10.1.1.1—Added.**

Subsection 101.10.1.1.1 is added to the 2010 California Green Building Standards Code to read as follows:

**101.10.1.1.1 Residential additions.** All residential additions with conditioned space greater than or equal to 1,000 square feet (gross) must comply with the applicable section of the code listed below if the addition (including interior improvements within the existing structure) includes any of the following:

- A. Additions or alterations to plumbing fixtures must comply with Section 4.303 (Indoor Water Use);
- B. Replacement or installation of new interior finish materials (i.e., flooring, carpeting, paint, etc.) must comply with Section 4.504 (Pollutant Control); and
- C. New square footage to the existing structure must demonstrate energy compliance at least 10 percent above Title 24, Part 6.

Additionally, projects that include additions and interior alterations may use the total area (in square feet) of improvements in the Title 24, Part 6 energy calculations and may account for energy-efficiency upgrades that already exist in the structure, assuming the upgrades comply with the 2008 Building Energy Efficiency Standards.

**SEC. 8.20. Subsection 101.10.1.1.2—Added.**

Subsection 101.10.1.1.2 is added to the 2010 California Green Building Standards Code to read as follows:

**101.10.1.1.2 Residential new construction—Less than five (5) units.** All residential new construction less than five (5) units must comply with the following:

- A. The mandatory measures of the California Green Building Standards Code and any Mountain View amendments; and
- B. Must demonstrate energy compliance at least 15 percent above Title 24, Part 6.

**SEC. 8.20.\_\_\_\_. Subsection 101.10.1.1.3—Added.**

Subsection 101.10.1.1.3 is added to the 2010 California Green Building Standards Code to read as follows:

**101.10.1.1.3 Residential new construction—Five (5) units or more.** All residential new construction with five (5) units or more must comply with the following:

A. The mandatory measures of the California Green Building Standards Code and any Mountain View amendments;

B. Meet the intent of seventy (70) GreenPoint Rated points; and

C. Must demonstrate the appropriate energy compliance above Title 24, Part 6 based on the following project characteristics:

1. Low-rise residential building (up to three stories in height)—15 percent above Title 24, Part 6; or

2. High-rise residential building (over three stories in height)—15 percent above Title 24, Part 6. Plug and lighting energies may be deducted from both the standard and proposed building models when conducting the energy calculations.

**SEC. 8.20.\_\_\_\_. Subsection 101.10.1.2—Added.**

Subsection 101.10.1.2 is added to the 2010 California Green Building Standards Code to read as follows:

**101.10.1.2 Nonresidential projects.** All nonresidential projects regulated by this code must comply with Mountain View's energy and green building requirements as listed below.

**SEC. 8.20.\_\_\_\_. Subsection 101.10.1.2.1—Added.**

Subsection 101.10.1.2.1 is added to the 2010 California Green Building Standards Code to read as follows:

**101.10.1.2.1 Nonresidential tenant improvements.** All nonresidential tenant improvements 15,000 square feet (gross) or greater with a \$100,000 construction valuation must comply with the applicable section of the code listed below if the improvements include any of the following:

A. Alterations to plumbing fixtures must comply with Section 5.303 (Indoor Water Use);

B. Replacement or installation of new interior finish materials (i.e., flooring, carpeting, paint, etc.) must comply with Section 5.504 (Pollutant Control); and

C. Any lighting improvements that require a Title 24, Part 6 energy calculation must demonstrate energy compliance at least 10 percent above Title 24, Part 6 for lighting only.

**SEC. 8.20. Subsection 101.10.1.2.2—Added.**

Subsection 101.10.1.2.2 is added to the 2010 California Green Building Standards Code to read as follows:

**101.10.1.2.2 Nonresidential new construction—Less than 5,000 square feet.** All nonresidential new construction less than 5,000 square feet (gross) must comply with the following:

A. Meet the mandatory measures of the California Green Building Standards Code and any Mountain View amendments; and

B. Must demonstrate energy compliance 10 percent above Title 24, Part 6.

**SEC. 8.20. Subsection 101.10.1.2.3—Added.**

Subsection 101.10.1.2.3 is added to the 2010 California Green Building Standards Code to read as follows:

**101.10.1.2.3 Nonresidential new construction—5,000 through 25,000 square feet.** All nonresidential new construction of 5,000 through 25,000 square feet (gross) must comply with the following:

A. Meet the mandatory measures of the California Green Building Standards Code and any Mountain View amendments;

B. Meet the intent of LEED® certified; and

C. Must demonstrate energy compliance 10 percent above Title 24, Part 6.

**SEC. 8.20.\_\_. Subsection 101.10.1.2.4—Added.**

Subsection 101.10.1.2.4 is added to the 2010 California Green Building Standards Code to read as follows:

**101.10.1.2.4 Nonresidential new construction—Greater than 25,000 square feet.** All nonresidential new construction greater than 25,000 square feet (gross) must comply with the following:

- A. Meet the mandatory measures of the California Green Building Standards Code and any Mountain View amendments;
- B. Meet the intent of LEED® Silver certified; and
- C. Must demonstrate energy compliance 10 percent above Title 24, Part 6.

**SEC. 8.20.\_\_. Subsection 101.10.1.3—Added.**

Subsection 101.10.1.3 is added to the 2010 California Green Building Standards Code to read as follows:

**101.10.1.3 Mixed-use projects.** All new mixed-use construction projects must comply with Mountain View's energy and green building requirements and meet the requirements applicable to each primary occupancy component. See Table 101.10 for mixed-use project types that apply.

SEC. 8.20. Table 101.10—Added.

Table 101.10 is added to the 2010 California Green Building Standards Code to read as follows:

**Table 101.10 Mandatory Green Building Requirements**

Project Type	Energy Requirement <sup>1</sup>	Green Building Standard and Requirement
<b>RESIDENTIAL PROJECTS (SINGLE-FAMILY, MULTI-FAMILY)</b>		
<b>New Construction</b>		
New Residential < 5 units	15% above Title 24, Part 6	Mandatory CalGreen Requirements
New Residential ≥ 5 units	15% above Title 24, Part 6 <sup>2</sup>	Meet the intent of 70 GreenPoint Rated points <u>and</u> Mandatory CalGreen Requirements
<b>Additions<sup>3</sup> (applies to conditioned space only)</b>		
Additions ≥ 1,000 square feet	10% above Title 24, Part 6	Mandatory CalGreen Requirements: Sec. 4.303 (Indoor Water Use) Sec. 4.504 (Pollutant Control)
<b>MIXED-USE PROJECTS</b>		
<b>New Construction</b>		
New Residential < 5 units <u>and</u> New Nonresidential Use < 25,000 square feet	15% above Title 24, Part 6 for Residential; 10% above Title 24, Part 6 for Nonresidential	Residential and Nonresidential criteria as applicable to each component of the project.
New Residential ≥ 5 units <u>and</u> New Nonresidential Use ≥ 25,000 square feet	15% above Title 24, Part 6 for Residential; 10% above Title 24, Part 6 for Nonresidential	
<b>NONRESIDENTIAL PROJECTS (INCLUDE HOTEL<sup>3</sup>)</b>		
<b>New Construction<sup>4</sup></b>		
New Nonresidential Buildings < 5,000 square feet	10% above Title 24, Part 6	Mandatory CalGreen Requirements
New Nonresidential Buildings 5,000 to 25,000 square feet	10% above Title 24, Part 6	Meet the intent of LEED <sup>®</sup> Certified <u>and</u> Mandatory CalGreen Requirements
New Nonresidential Buildings > 25,000 square feet	10% above Title 24, Part 6	Meet the intent of LEED <sup>®</sup> Silver <u>and</u> Mandatory CalGreen Requirements

<b>Tenant Improvements</b>		
Tenant Improvements $\geq$ 15,000 square feet with a \$100,000 construction valuation where the scope of work includes any of the following: (1) requires a Title 24 energy calculation; (2) the replacement or addition of any plumbing fixtures and/or interior finish materials (i.e., carpeting, paint, etc.).	10% above Title 24, Part 6 for Lighting Only	Mandatory CalGreen Requirements: Section 5.303 (Indoor Water Use) Section 5.504 (Pollutant Control)

1. On-site generation of renewable energy in an amount equivalent to the required reductions may be used as an alternate means to meet the local energy requirement. Energy production shall be determined through use of the CECPV Calculator provided by the California Energy Commission.
2. For high-rise residential buildings (over three stories in height) and hotels, plug and lighting energies can be deducted from both the standard and proposed building when conducting the Title 24, Part 6 energy calculations.
3. Residential additions that include interior alterations may use the total area (in square feet) of improvements in the Title 24 energy calculations and may account for energy-efficiency upgrades that already exist in the structure, assuming the upgrades comply with the 2008 Building Energy Efficiency Standards.
4. New shell construction with minimally installed systems are required to attain the following energy requirements above Title 24, Part 6: Cold Shell (no HVAC and no lighting)—5% or Warm Shell (includes HVAC and no lighting)—7%.

**SEC. 8.20.\_\_. Subsection 101.10.2—Added.**

Subsection 101.10.2 is added to the 2010 California Green Building Standards Code to read as follows:

**101.10.2 Alternate green building standards.** If an applicant proposes to use an alternate green building standard not included in this code, they must demonstrate that the alternate standard is, at minimum, equivalent to the referenced standard in terms of criteria, scope and certification process. The chief building official must approve the alternate standard prior to issuing a building permit.

**SEC. 8.20.\_\_. Subsection 101.10.3—Added.**

Subsection 101.10.3 is added to the 2010 California Green Building Standards Code to read as follows:

**101.10.3 Certification.** The city does not require projects to be certified by a third party green building organization unless certification is a condition of approval for a zoning permit. Applicants must demonstrate the project meets the intent of the required standard through documentation and verification consistent with the criteria and documentation process of the respective green building rating system. This

includes meeting all mandatory prerequisites and minimum point totals of each category, if required by the rating system.

**SEC. 8.20.\_\_. Subsection 101.11—Amended.**

Subsection 101.11 of the 2010 California Green Building Standards Code is amended to read as follows:

**101.11 Effective use of this code.** The following steps shall be used to establish which provisions of this code are applicable to a specific occupancy:

1. Establish the type of occupancy.
2. Verify which state agency has authority for the established occupancy by reviewing the authorities list in Sections 103 through 106.
3. Once the appropriate agency has been identified, find the chapter which covers the established occupancy.
4. The Matrix Adoption Tables at the beginning of Chapters 4 and 5 identify the mandatory green building measures necessary to meet the minimum requirements of this code for the established occupancy. Occupancies regulated by this code must also comply with the green building requirements included in Chapter 1.
5. Voluntary tier measures are contained in Appendix Chapters A4 and A5. A checklist containing each green building measure, both required and voluntary, is provided at the end of each appendix chapter. Each measure listed in the application checklist has a section number which correlates to a section where more information about the specific measure is available.
6. The application checklist identifies which measures are required by this code and allows users to check off which voluntary items have been selected to meet voluntary tier levels if desired or mandated by a city, county, or city and county.

**SEC. 8.20.\_\_. Subsection 102.1—Amended.**

Subsection 102.1 of the 2010 California Green Building Standards Code is amended to read as follows:

**102.1 Submittal documents.** Construction documents and other data shall be submitted in one or more sets with each application for a permit. Where special conditions exist, the City is authorized to require additional construction documents to be prepared by the applicant or a licensed design professional, depending on the size of the project (see Section 102.4 for details), and may be submitted separately.

When submitting for building permits for a project regulated by this code, the applicant shall submit the following materials:

1. The appropriate completed green building checklist;
2. Project construction documentation (plans and specifications) that verifies incorporation of the design and construction-related credits;
3. A letter of acknowledgement from the applicant, licensed professional or qualified green building professional indicating that the project has been designed to achieve the sustainability standards defined in this code and in accordance with the approved green building checklist. The letter shall indicate the number of points the project has been designed to achieve. The letter shall also commit to compliance with Mountain View's energy requirements;
4. Any additional documentation such as maps, calculations or product information that would be required by U.S. Green Building Council's Green Building Certification Institute for LEED® certification or by Build It Green for GreenPoint Rated certification; and
5. Any additional information believed to be relevant by the city in determining that a good-faith effort has been made to comply with this code.

**Exception:** The enforcing agency is authorized to waive the submission of construction documents and other data not required to be prepared by a licensed design professional.

**SEC. 8.20. Subsection 102.2—Amended.**

Subsection 102.2 of the 2010 California Green Building Standards Code is amended to read as follows:

**102.2 Information on construction documents.** Construction documents shall be of sufficient clarity to indicate the location, nature and scope of the proposed green building feature and show that it will conform to the provisions of this code, the California Building Standards Code and other relevant laws, ordinances, rules and regulations as determined by the City.

**SEC. 8.20.\_\_\_\_. Subsection 102.3—Amended.**

Subsection 102.3 of the 2010 California Green Building Standards Code is amended to read as follows:

**102.3 Hardship or infeasibility exemption.** If an applicant believes circumstances exist that make it a hardship or infeasible to meet the requirements of this code, the applicant may request an exemption. The applicant must still comply with the mandatory measures of the California Green Building Code and can only receive an exemption from the Mountain View amendments to the code. In applying for an exemption, the burden is on the applicant to show hardship or infeasibility. An exemption will only be granted in unusual circumstances where, due to exceptional characteristics of the structure or property involved, a literal enforcement of this code will result in practical difficulties or unnecessary hardships, provided that no such exception will be contrary to the intent of this code.

**SEC. 8.20.\_\_\_\_. Subsection 102.3.1—Added.**

Subsection 102.3.1 is added to the 2010 California Green Building Standards Code to read as follows:

**102.3.1 Proof of hardship or infeasibility.** The applicant shall submit a letter indicating the maximum threshold of compliance that is feasible for the project and the circumstances that create a hardship or make it infeasible to comply fully with this code.

**SEC. 8.20.\_\_\_\_. Subsection 102.3.2—Added.**

Subsection 102.3.2 is added to the 2010 California Green Building Standards Code to read as follows:

**102.3.2 Approval or denial of exemption.** The chief building official will determine if it is infeasible for the project to comply fully with this code and approve an alternative requirement. This alternative requirement can be, but is not limited to, reducing the energy efficiency requirement or the amount of green building measures required. For all approved exemptions, the project must continue to comply with the minimum requirements of the 2008 Building Energy Efficiency Standards (Title 24, Part 6) and the mandatory measures of the 2010 California Green Building Standards Code. The applicant will be notified of the final decision by the chief building official.

**SEC. 8.20.\_\_\_\_. Subsection 102.4—Added.**

Subsection 102.4 is added to the 2010 California Green Building Standards Code to read as follows:

**102.4 Verification.** Documentation of conformance for applicable green building measures shall be provided to the city. Alternate methods of documentation shall be acceptable when the city finds that the proposed alternate documentation is satisfactory to demonstrate substantial conformance with the intent of the proposed green building measure.

**SEC. 8.20.\_\_\_\_. Subsection 102.4.1—Added.**

Subsection 102.4.1 is added to the 2010 California Green Building Standards Code to read as follows:

**102.4.1 Self-verification.** The burden of proving compliance with this code is on the applicant. The verification professional must provide evidence of adequate green building compliance or documentation to the building division to satisfy the requirements of this code.

**SEC. 8.20.\_\_\_\_. Subsection 102.4.1.1—Added.**

Subsection 102.4.1.1 is added to the 2010 California Green Building Standards Code to read as follows:

**102.4.1.1 Verification professional.** The applicant or industry professional filing on behalf of the applicant must be the individual who verifies the project complies with the requirements of this code.

1. For residential additions and nonresidential tenant improvements regulated by this code, this individual can be a licensed industry professional, an authorized tenant or the property owner.

2. For all nonresidential and residential new construction projects regulated by this code, this individual must be a qualified green building professional with an industry license, such as an architect or contractor, or a professional with similar qualifications acceptable to the chief building official.

**SEC. 8.20. \_\_. Subsection 102.4.2—Added.**

Subsection 102.4.2 is added to the 2010 California Green Building Standards Code to read as follows:

**102.4.2 Noncompliance.** If, as a result of any inspection, the City determines that the project does not or is unlikely to comply with the approved plans or green building program, a stop work order shall be issued if the inspector determines that continuation of construction activities will lessen the project's ability to meet the required compliance threshold. The stop work order shall remain in effect until the chief building official determines the project will be brought into compliance with the approved plans and/or verification documents.

**SEC. 8.20. \_\_. Section 202—Amended.**

Section 202 of the 2010 California Green Building Standards Code is amended to add the following definitions:

**ADDITION.** New construction square footage added to an existing structure.

**ALTERNATE GREEN BUILDING STANDARD.** A private, third-party green building rating system not explicitly referenced in this code that achieves green building goals through a comprehensive checklist of requirements. To use an alternate standard, the applicant must prove it is at least equivalent to the referenced green building standard.

**APPLICANT.** Any entity or any subsequent owner of the site that applies to the city for the applicable permits to undertake any project types regulated by this code.

**AREA OF IMPROVEMENT.** The area (in square feet) where interior building improvements are proposed. Such improvements can include, but are not limited to, painting, installing carpet or flooring, replacing or upgrading mechanical, electrical or plumbing systems.

**CITY.** City means the City of Mountain View.

**ENFORCING AGENCY.** The community development department in the City of Mountain View as specified by this code.

**GREEN POINT RATED (GPR).** Refers to a residential green building rating system developed by Build It Green. Projects can use any of the adopted GPR checklists that most appropriately apply to the project type proposed.

**GREEN BUILDING CERTIFICATION INSTITUTE (GBCI™).** Oversees and administers the building certifications and professional designations for the U.S. Green Building Council's LEED® Green Building Rating Systems™.

**LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED®).** Refers to a green building rating system developed by U.S. Green Building Council for residential and nonresidential projects. Projects can use any of the adopted LEED® checklists that most appropriately apply to the project type proposed.

**MEET THE INTENT.** To demonstrate compliance with the green building requirements of LEED® or GPR without formally submitting documentation to U.S. Green Building Council's Green Building Certification Institute or Build It Green for verification and certification. The applicant must follow the approaches and procedures in the guidebook or reference guides for respective rating systems and submit the required documentation and verification materials as outlined in Section 102 of this code to the community development department. This includes meeting all mandatory prerequisites and minimum point totals of each category, if required per the rating system.

**MIXED-USE.** The construction of a building or buildings that include both commercial and residential uses.

**NONRESIDENTIAL BUILDING.** Any building constructed or occupied for a use other than residential, which may include, but is not limited to, commercial or hotel uses.

**PROJECT.** Any proposed development that is regulated by this code.

**QUALIFIED GREEN BUILDING PROFESSIONAL.** A licensed professional, such as an architect or contractor, trained through the Green Building Certification Institute as a LEED AP® or through Build It Green as a certified green building professional, or similar qualifications if acceptable to the chief building official.

**SELF-VERIFICATION.** Verification by the applicant or a qualified green building professional that the project has met the standards as indicated for the project type set forth in this code.

**SQUARE FEET (GROSS).** The gross square footage of a structure includes all floor area enclosed within the walls of the structure (measured from the outside perimeter of the wall).

**TENANT IMPROVEMENTS.** Any owner or authorized agent who intends to enlarge, alter or change the occupancy of a building or structure, or to erect, enlarge, alter or convert any electrical, gas, mechanical or plumbing system, the installation of

which is regulated by the California Building Code, or to cause any such work to be done, shall obtain the required permit and must comply with the requirements included in this code.

**ZONING PERMIT.** Any discretionary permit approval from the planning division that includes conditions of approval.

**SEC. 8.20. \_\_. Subsection 303.1.1.—Amended.**

Subsection 303.1.1 of the 2010 California Green Building Standards Code is amended to read as follows:

**303.1.1 Tenant improvements.** The provisions of this code shall apply to the applicable tenant or occupant improvements to a project.

**SEC. 8.20. \_\_. Subsection 4.106.2—Amended.**

Subsection 4.106.2 of the 2010 California Green Building Standards Code is amended to read as follows:

**4.106.2 Storm water drainage and retention during construction.** Projects which disturb less than one acre of soil and are not part of a larger common plan of development which in total disturbs one acre or more, shall manage storm water drainage during construction. In order to manage storm water drainage during construction, one or more of the following measures shall be implemented to prevent flooding of adjacent property, prevent erosion and retain soil runoff on the site.

1. Retention basins of sufficient size shall be utilized to retain storm water on the site.
2. Where storm water is conveyed to a public drainage system, collection point, gutter or similar disposal method, water shall be filtered by use of a barrier system, wattle or other method approved by the enforcing agency.
3. Storm water pollutant control measures must be installed at construction sites year round, in compliance with Section 35.32.10.1(T) of the Mountain View city code. The storm water pollutant control measures listed in the ordinance include erosion control, run-on and runoff control, sediment control, active treatment (as appropriate), good site management and nonstorm water management through all phases of construction until the site is fully stabilized by landscaping or the installation of permanent erosion control measures.

**SEC. 8.20. Subsection 4.304.1—Amended.**

Subsection 4.304.1 of the 2010 California Green Building Standards Code is amended to read as follows:

**4.304.1 Compliance with local water-efficient landscape ordinance.** Projects with landscape areas of 1,000 square feet or greater must comply with the City of Mountain View's Water Conservation in Landscaping Regulations, pursuant to Chapter 36, Article XII-A, Division A36.32 of the City Code. Projects with landscape areas of less than 1,000 square feet must comply with the requirements of Section 4.304.2 of this code.

1. Controllers shall be weather- or soil moisture-based controllers that automatically adjust irrigation in response to changes in plants' needs as weather conditions change.

2. Weather- and soil moisture-based controllers without integral rain sensors or communication systems that account for local rainfall shall have a separate wired or wireless rain sensor which connects or communicates with the controller(s).

**Note:** More information regarding irrigation controller function and specifications is available from the irrigation association.

**SEC. 8.20. Subsection 4.408.1—Amended.**

Subsection 4.408.1 of the 2010 California Green Building Standards Code is amended to read as follows:

**4.408.1 Compliance with local construction and demolition debris diversion program.** Projects adding or constructing 5,000 square feet or more of new floor area must comply with the City of Mountain View's Construction and Demolition Debris Ordinance, pursuant to Chapter 16, Article III of the city code. Projects adding or constructing 5,000 square feet or less of new floor area, if subject to this code, must comply with the requirements of Section 4.408 of this code.

**SEC. 8.20. Subsection 4.408.1.1—Added.**

Subsection 4.408.1.1 is added to the 2010 California Green Building Standards Code to read as follows:

**4.408.1.1 Construction waste reduction of at least 50 percent.** Recycle and/or salvage for reuse a minimum of 50 percent of the nonhazardous construction and demolition debris, or meet a local construction and demolition waste management ordinance, whichever is more stringent.

**Exceptions:**

1. Excavated soil and land-clearing debris.
2. Alternate waste reduction methods developed by working with local agencies if diversion or recycle facilities capable of compliance with this item do not exist or are not located reasonably close to the jobsite.

**SEC. 8.20.\_\_. Subsection 4.408.3—Added.**

Subsection 4.408.3 is added to the 2010 California Green Building Standards Code to read as follows:

**4.408.3 Excavated soil and land clearing debris.** One hundred percent (100%) of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on-site until the storage site is developed.

**SEC. 8.20.\_\_. Subsection 4.410.2—Added.**

Subsection 4.410.2 is added to the 2010 California Green Building Standards Code to read as follows:

**4.410.2 Recycling by occupants.** Provide readily accessible areas that serve the entire building and are identified for the depositing, storage and collection of nonhazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics and metals.

**SEC. 8.20.\_\_. Subsection 4.410.2.1—Added.**

Subsection 4.410.2.1 is added to the 2010 California Green Building Standards Code to read as follows:

**4.410.2.1 Sample ordinance.** Space allocation for recycling areas shall comply with Chapter 18, Part 3, Division 30 of the public resources code. Chapter 18 is known as the California Solid Waste Reuse and Recycling Access Act of 1991 (Act).

**SEC. 8.20. Subsection 4.503.1—Amended.**

Subsection 4.503.1 of the 2010 California Green Building Standards Code is amended to read as follows:

**4.503.1 General.** Any installed gas fireplace shall be a direct-vent sealed-combustion type. Any installed wood stove or pellet stove shall comply with U.S. EPA Phase II emission limits where applicable. Wood stoves, pellet stoves and fireplaces shall also comply with applicable local ordinances. Mountain View city code Chapter 8, Article 1, Division IV shall be referenced for wood-burning appliances.

**SEC. 8.20. Subsection 4.504.2.4—Amended.**

Subsection 4.504.2.4 of the 2010 California Green Building Standards Code is amended to read as follows:

**4.504.2.4 Verification.** Verification of compliance with this section shall be provided at the request of the City of Mountain View. Documentation may include, but is not limited to, the following:

1. Manufacturer's product specification.
2. Field verification of on-site product containers.

**SEC. 8.20. Subsection 5.106.1—Amended.**

Subsection 5.106.1 of the 2010 California Green Building Standards Code is amended to read as follows:

**5.106.1 Storm water sediment and erosion control plan.** For newly constructed projects of less than one acre, develop and implement a storm water sediment and erosion control plan that has been designed specific to its site. The storm water sediment and erosion control plan shall be developed to provide equivalent protection to projects regulated by the state storm water NPDES construction permit (greater than one acre of disturbed land), and Section 35.32.10.1(T) of the Mountain View city code. The storm water pollutant control measures that shall be included in the plan include erosion control, run-on and runoff control, sediment control, advanced treatment (as appropriate), good site management and nonstorm water management through all phases of construction until it is fully stabilized by landscaping or the installation of permanent erosion control measures.

**Note:** No state permit is required, but construction best management practices (BMPs) as approved by the City of Mountain View shall be followed. BMPs include, but are not limited to, the following:

1. Erosion and sediment control BMPs:
  - a. Scheduling construction activity.
  - b. Preservation of natural features, vegetation and soil.
  - c. Drainage swales or lined ditches to control storm water flow.
  - d. Mulching or hydroseeding to stabilize soils.
  - e. Erosion control covers to protect slopes.
  - f. Protection of storm drain inlets (gravel bags or catch basin inserts).
  - g. Perimeter sediment control (perimeter silt fence, fiber rolls).
  - h. Sediment trap or sediment basin to retain sediment on-site.
  - i. Stabilized construction exits.
  - j. Wind erosion control.
2. Housekeeping BMPs:
  - a. Material handling and waste management.
  - b. Building materials stockpile management.
  - c. Management of washout areas (concrete, paints, stucco, etc.).
  - d. Control of vehicle/equipment fueling to contractor's staging area.
  - e. Vehicle and equipment cleaning performed off-site.
  - f. Spill prevention and control.

**SEC. 8.20.\_\_. Subsection 5.302.1—Amended.**

Subsection 5.302.1 of the 2010 California Green Building Standards Code is amended to add the following definition:

**NEW WATER SERVICE.** A site that has not been connected to the City's water distribution system as determined by the public works department.

**SEC. 8.20.\_\_. Subsection 5.304.1—Amended.**

Subsection 5.304.1 of the 2010 California Green Building Standards Code is amended to read as follows:

**5.304.1 Compliance with Local Water-Efficient Landscape Ordinance.** Projects with landscape areas of 1,000 square feet or greater must comply with the City's Water Conservation in Landscaping Regulations, pursuant to Chapter 36, Article XII-A, Division A36.32 of the city code. Projects with landscape areas of less than 1,000 square feet must comply with the requirements of Section 5.304.

**SEC. 8.20.\_\_. Subsection 5.304.2—Amended.**

Subsection 5.304.2 of the 2010 California Green Building Standards Code is amended to read as follows:

**5.304.2 Water budget.** A water budget shall be developed for landscape irrigation use that conforms to the Local Water-Efficient Landscape Ordinance or to the California Department of Water Resources Model Water-Efficient Landscape Ordinance where no local ordinance is applicable.

**Note:** Prescriptive measures to assist in compliance with the water budget are listed in Sections 492.5 through 492.8, 492.10 and 492.11 of the ordinance, which may be found at: <http://www.owue.water.ca.gov/landscape/ord/ord.cfm>.

**SEC. 8.20.\_\_. Subsection 5.304.3—Amended.**

Subsection 5.304.3 of the 2010 California Green Building Standards Code is amended to read as follows:

**5.304.3 Outdoor potable water use.** For new water service for landscaped areas between 1,000 square feet and 5,000 square feet (the level at which Water Code §535 applies), separate meters or submeters shall be installed for indoor and outdoor potable water use.

**SEC. 8.20.\_\_. Subsection 5.304.4—Amended.**

Subsection 5.304.4 of the 2010 California Green Building Standards Code is amended to read as follows:

**5.304.4 Irrigation design.** In new nonresidential construction with between 1,000 and 2,500 square feet of landscaped area (the level at which the MLO applies), install irrigation controllers and sensors which include the following criteria, and meet manufacturer's recommendations.

**SEC. 8.20.\_\_. Subsection 5.304.4.1—Amended.**

Subsection 5.304.4.1 of the 2010 California Green Building Standards Code is amended to read as follows:

**5.304.4.1 Irrigation controllers.** Automatic irrigation system controllers installed at the time of final inspection shall comply with the following:

1. Controllers shall be weather- or soil moisture-based controllers that automatically adjust irrigation in response to changes in plants' needs as weather conditions change.

2. Weather- and soil moisture-based controllers without integral rain sensors or communication systems that account for local rainfall shall have a separate wired or wireless rain sensor which connects or communicates with the controller(s). Soil moisture-based controllers are not required to have rain sensor input.

**Note:** More information regarding irrigation controller function and specifications is available from the Irrigation Association.

**SEC. 8.20.\_\_. Subsection 5.408.1—Amended.**

Subsection 5.408.1 of the 2010 California Green Building Standards Code is amended to read as follows:

**5.408.1 Compliance with local construction and demolition debris diversion program.** Projects adding, constructing or renovating 5,000 square feet or more of floor area must comply with the City of Mountain View's Construction and Demolition Debris Diversion Ordinance, pursuant to Chapter 16, Article III of the city code. Projects adding or constructing 5,000 square feet or less of floor area, if subject to this code, must comply with the requirements of Section 5.408 of this code.

**SEC. 8.20. Subsection 5.408.1.1—Added.**

Subsection 5.408.1.1 is added to the 2010 California Green Building Standards Code to read as follows:

**5.408.1.1 Construction waste diversion.** Establish a construction waste management plan for the diverted materials, or meet local construction and demolition waste management ordinance, whichever is more stringent.

**SEC. 8.20. Subsection 5.503.1—Amended.**

Subsection 5.503.1 of the 2010 California Green Building Standards Code is amended to read as follows:

**5.503.1 General.** Install only a direct-vent sealed-combustion gas or sealed wood-burning fireplace, or a sealed wood stove or pellet stove, and refer to residential requirements in the California Energy Code, Title 24, Part 6, Subchapter 7, Section 150. Wood stoves, pellet stoves and fireplaces shall comply with applicable local ordinances. Mountain View city code Chapter 8, Article 1, Division IV shall be referenced for wood burning appliances.

**SEC. 8.20. Subsection 5.504.4.3.2—Amended.**

Subsection 5.504.4.3.2 of the 2010 California Green Building Standards Code is amended to read as follows:

**5.504.4.3.2 Verification.** Verification of compliance with this section shall be provided at the request of the City of Mountain View. Documentation may include, but is not limited to, the following:

1. Manufacturer's product specification.
2. Field verification of on-site product containers."

Section 2. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 3. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 4. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the proposed ordinance are posted.

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