CITY OF SAN MATEO
RESOLUTION NO. 155 (2010)

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OFFICE OF CITY CLERK
SAN MATEO, CA

FINDINGS IN SUPPORT OF LOCALLY ADOPTED ENERGY STANDARDS AS SET FORTH IN SMMC CHAPTER 23.70 AND AMENDMENT OF THE COMPLIANCE MATRIX AS ADOPTED IN SMMC CH 23.70

WHEREAS, Pursuant to Sections 17958.5, 17958.7, and 18941.5 of the State of California Health and Safety Code, the City Council for the City of San Mateo has determined and finds that the attached changes or modifications to the 2010 California Building Standards Codes are needed and are reasonably necessary because of local climatic, geological, and topographical conditions; and

WHEREAS, pursuant to Sections 25402.1(h)(2) of the of the Public Resources Code, a local enforcement agency may adopt more restrictive energy standards when they are cost-effective and approved by the California Energy Commission; and

WHEREAS, based upon information provided by staff in support of these proposed amendments to the Building Standards Code and similar information provided in support of prior amendments and facts on which a local court could take judicial notice documenting the unique conditions found in the City of San Mateo, it is expressly found by the City Council of the City of San Mateo that the following unique conditions are undisputed and do exist in the City of San Mateo and that as a result, modifications to the 2010 California Building Standards Code are reasonably necessary for the City of San Mateo; and

WHEREAS the energy cost effectiveness study prepared by Gabel Associates, LLC for San Mateo County concluded that the energy efficiency standards contained in this Ordinance are cost-effective. The study also provided support analysis demonstrating how energy savings are achieved by requiring 15% above the 2008 California Energy Efficiency Standards. The City Council hereby adopts as the basis of its findings the conclusions of the study and authorizes the filing the ordinance with the California Energy Commission in compliance with Public Resources Code 25402.1(h) (2). This Ordinance shall be enforceable subject to the requirements set forth in such state code; and

WHEREAS, nothing in this ordinance is intended to duplicate, contradict, or infringe upon provisions of state law, including the California Building Standards Code. The ordinance and the associated checklist provide many opportunities to achieve required points and credits that do not impact areas where state law has established building standards; and

WHEREAS, the intention of this ordinance is to ensure that all buildings subject to this ordinance will consume no more energy than what is permitted by the 2008 Building Energy Efficiency Standards (Title 24, Part 6) of the California Building Code. The Compliance Matrix (SMMC 23.70.140) has been amended to include the notation that all covered projects must demonstrate compliance with the requirements of the 2008 Building Energy Efficiency Standards (Title 24, Part 6) in addition to any applicable requirements of the Matrix.

ORIGINAL

NOW, THEREFORE, THE SAN MATEO CITY COUNCIL HEREBY MAKES THE FOLLOWING FINDINGS:

CHAPTER 23.70 – Green Building Code, the following findings shall apply:

Local Climatic Conditions – The City is located in Climatic Zone 3 with precipitation averaging approximately 20 inches per year. Most precipitation falls during the months of November through April, leaving a relatively dry period of approximately six months each year. Year round average temperatures range from 58 in the winter to 81 degrees during the summer, however high temperatures have ranged from 75 in the winter to 110 degrees in the summer. Local prevailing winds come from the southwest with a mean speed of 10-15 miles per hour. There are indications that such conditions may be changing. City potable water, storm water collection, and wastewater collection and treatment systems are designed to accommodate and make use of historically consistent weather patterns and supplies. Current construction practices and materials are relied upon to deal with the weather conditions. The amendments made to the California Green Building Code would address the weather patterns and the construction practices and materials to minimize the emission of greenhouse gases that may pose a threat to such services and potable water supplies.

Local Topographical Conditions – The City is topographically diverse, with elevations ranging from sea level to over 500 feet. The area also a number of small waterways, including San Mateo Creek, Polhemus Creek, Laurel Creek, Beresford Creek, Leslie Creek and Borel Creek. The San Mateo Creek provides a natural outlet of Crystal Springs Reservoir through the Crystal Springs Dam. The protection of water quality, the prevention of pollutant infiltration, and the reduction of construction area runoff are important concerns due to the topography of the City, which could be addressed by the use of sustainable and energy efficient building practices, materials, and designs.

ATTEST:

NORMA GOMEZ, CITY CLERK

JOHN LEE, MAYOR

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Resolution adopted by the City Council of the City of

San Mateo, California, at a regular meeting held on

December 6, 2010, by the following vote of the Council:

AYES: Council Members LIM, MATTHEWS, GROTTE, ROSS and LEE

NOES: NONE

ABSENT: NONE

(SEAL) /s/ NORMA GOMEZ, City Clerk

EXHIBIT A

Mandatory Green Building Program

Compliance Matrix (SMMC 23.70.140)[1]

Project Description		Building Improvements		
		Required Checklist[2]	Minimum Standard	Verification
COMMERCIAL	a) New construction ≥ 10,000 SF b) Tenant improvements, other than retail ≥ 10,000 SF	LEED	LEED Silver	Yes
COMMERCIAL	New construction: 1,000 SF<Area<10,000 SF	LEED	LEED Certified	Yes
COMMERCIAL	a) All retail TI b) Other TI < 10,000 SF	None	None	No
MULTI-FAMILY	New Construction	GPR	75 points	Yes
MULTI-FAMILY	Remodel	None	None	No
SINGLE FAMILY and DUPLEXES	New Construction and / or Substantial Removal[3]	GPR	75 points	Yes
SINGLE FAMILY and DUPLEXES	Additions and / or Remodels ≥ $100,000 in valuation	GPR	25 pts for Element approach[4] 50 pts for Whole-house approach	Yes
SINGLE FAMILY and DUPLEXES	Additions and / or Remodels < $100,000 in valuation	None	None	No
MIXED USE BLDGS	New Construction of a mixed-use building	GPR and /or LEED as appropriate	LEED Silver or GPR 75 points	Yes

Note: All covered projects must demonstrate compliance with the requirements of the 2008 Building Energy Efficiency Standards (Title 24, Part 6) in addition to any applicable requirements of the above table.

1. Definitions

   a. **Mixed Use Buildings**: the construction of one or more buildings that includes a combination of residential, commercial and/or industrial uses.

   b. **Multi-family**: a building containing three or more attached dwelling units.

   c. **New Construction, Commercial**: any new construction of a retail, office, industrial, warehouse, churches, institutional or service building, or portion of a building, which is not a residential project or a city project. Facilities wherein rooms or suites are rented for transient occupancy, such as hotels, motels or similar accommodations, shall be considered commercial projects.

   d. **New Construction, Residential**: any new residential construction projects whether composed of single family or multi-family or any combination thereof.

   e. **Tenant Improvement**: any rehabilitation, repair, remodeling, change, or modification to an existing building which requires a building permit. For the purpose of this code, work which requires only a plumbing, electrical, mechanical or demolition permit is not considered a tenant improvement.

   f. **Tenant Improvement Areas**: the area within the smallest space altered by the construction.

   g. **Single-family** or **Two-family Residential**: a single detached dwelling unit, two units in a single building or two units on a single lot.

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[1] A rating system other than LEED or Build It Green may be used with equivalent thresholds at the discretion of the Compliance Official.
[2] All references to LEED or GPR refer to the most current version of LEED or GPR approved y the City Council at the time of project application.
[3] Substantial Removal refers to the definition specified in the San Mateo Municipal Code Chapter 27.18.035
[4] Element approach and Whole-house approach refer to the definitions specified in the Build It Green Existing Home Checklist and Guidelines