

ORIGINAL

ORDINANCE NO. 2348

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY ADDING ARTICLE X OF CHAPTER 9 OF THE REDWOOD CITY MUNICIPAL CODE, CONSISTING OF SECTIONS 9.180 – 9.185, THE “GREEN BUILDING CODE”

The City Council of the City of Redwood City does ordain as follows:

Section 1: Article X, Chapter 9 of the City Code of Redwood City, consisting of Sections 9.180 – 9.185, is hereby adopted to read as follows:

ARTICLE X. GREEN BUILDING CODE

SECTION 9.180. PURPOSE. The purpose of the City of Redwood City Green Building Code is to enhance public health and welfare by encouraging green building measures in the design, construction, and maintenance of buildings. The green building practices referenced in this Article are intended to achieve the following goals:

- A. To encourage the conservation of natural resources;
- B. To reduce waste in landfills generated by construction projects;
- C. To increase energy efficiency and lower energy usage;
- D. To reduce the operating and maintenance costs for buildings;
- E. To promote a healthier indoor environment; and
- F. To promote use of recycled material.

SECTION 9.181. DEFINITIONS. For purposes of this Article, the following terms shall have the meanings set forth below:

- A. “Build It Green” means the non-profit organization that publishes the New Home Construction Green Building Guidelines, the Multi-Family Green Guidelines (Parts 1 and 2), Home Remodeling Green Building Guidelines, the Single-Family GreenPoint Checklist, the GreenPoint (Existing Home Checklist and the Multi-Family GreenPoint Checklist,) and any successor entity that assumes responsibility for the programs and operations of Build It Green.

- B. "Green building" means a whole systems approach to the design, construction, location and operation of buildings and structures that helps to mitigate the environmental, economic, and social impacts of construction, demolition, and renovation. Green building practices recognize the relationship between the natural and built environments and seek to minimize the use of energy, water, and other natural resources and promote a healthy, productive indoor environment.
- C. "GreenPoints" means credits assigned under the applicable GreenPoint Checklist for residential project.
- D. "GreenPoint Rated" means a residential green building rating system developed by the Build It Green organization.
- E. "GreenPoint Rated Verification" means verification of compliance by a certified GreenPoint Rater by Build It Green.
- F. GreenPoint Rater means person certified by Build It Green organization.
- G. "LEED®" means the "Leadership in Energy and Environmental Design" green building rating system developed by the U.S. Green Building Council.
- H. "LEED®/USGBC Verification" means verification to meet the standards of the U.S. Green Building Council (USGBC) and resulting in LEED® certification of the project by the USGBC. Minimum level: Certified.
- I. "Mixed use" means the construction of a building or buildings that include both non-residential and residential uses.
- J. "Non-residential project" means the construction of retail, office, industrial, warehouse, services, hotels, motels, or similar building(s).
- K. "Qualified green building professional" means a person trained through the USGBC as a LEED AP (accredited professional) or through Build It Green as a Green Point Rater or similar qualifications if acceptable to the Building Official. For projects requiring "self-verification," a Certified Green Building Professional or the project architect or designer or builder or building inspector is considered a qualified green building professional.
- L. "Residential project" means the construction of occupancy classification R2, R3, R3.1, and R4 buildings, except hotels and motels.
- M. "Self verification" means verification by the project architect, designer, building inspector, builder or a qualified green building professional certifying that the project has met the standards and has attained the

compliance threshold as indicated for the project checklist submitted and included in approved building permit plans.

- N. "Threshold Verification by LEED AP" means verification by a LEED accredited professional certifying that each LEED checklist point listed was verified to meet the requirements to achieve that point. The LEED AP shall provide supporting information from qualified professionals (e.g. civil engineer, electrical engineer, Title 24 consultant, commissioning agent, etc.) to certify compliance with each point on the checklist. Documentation of construction consistent with building plans calculated to achieve energy compliance is sufficient verification in lieu of post-construction commissioning.

SECTION 9.182. STANDARDS FOR GREEN BUILDING COMPLIANCE FOR RESIDENTIAL PROJECTS. Approval of any building permit for new construction or an addition of 1,000 square feet or more for a residential project shall not be granted unless the applicant submits a checklist demonstrating that the project receives:

- A. New Single-Family and Two-Family Residential: Single-Family GreenPoint, the minimum GreenPoint as published by BuildIt Green or higher, or LEED-H checklist required.
- B. Additions to Single-Family and Two-Family Residential: Existing Home GreenPoint, the minimum GreenPoint as published by BuildIt Green or higher, checklist required.
- C. New or additions to multi-family projects: GreenPoint or LEED- NC or LEED-H checklist required.

SECTION 9.183. STANDARDS FOR GREEN BUILDING COMPLIANCE FOR NON-RESIDENTIAL PROJECTS. Approval of any building permit for non-residential construction of a new building(s), and additions of 1,000 sq ft or greater to an existing building, shall not be granted unless the applicant submits a LEED-NC checklist prepared by a LEED AP demonstrating that the project meets minimum level.

SECTION 9.184. FINAL APPROVAL. Prior to final building inspection and occupancy for the above projects, a qualified building professional shall provide evidence of adequate green building compliance or documentation to the Building Official to satisfy the requirements of the Standards for Compliance for Residential and Non-Residential. This information shall include, but not limited to:

1. BuildIt Green: Residential projects less than 10,000 sq.ft. : A letter from the qualified green building professional who verifies that "the project" has been constructed in accordance with the approved green building project checklist. Self verification required.
2. LEED: Residential and non-residential projects less than 10,000 sq ft: A letter from the qualified green building professional who verifies that "the project" has been constructed in accordance with the approved green building project checklist. Self verification required.
3. BuildIt Green: Residential projects equal to or greater than 10,000 sq ft: A letter from the GreenPoint Rater who verifies that "the project" has been constructed in accordance with the approved green building project checklist. GreenPoint Rated verification required.
4. LEED: Residential and Non-Residential projects equal to or greater than 10,000 sq ft: A letter from the LEED AP who verifies that "the project" has been constructed in accordance with the approved green building project checklist. Threshold verification by LEED AP required.
5. Any additional information that the applicant believes is relevant to determining that a good faith effort has been made to comply with this chapter.

SECTION 9.185. APPEAL. Any decision or determination by the Building Official that the material or type of construction is not deemed to be in compliance with this Article, may be appealed by the applicant or any interested person to the Board of Building Review, pursuant to Section 2.126, Article IX (Boards and Commissions), Division 3, of Chapter 2 of this Code, as the same now exists or is hereafter amended.

Section 2: This ordinance shall be in full force and effective thirty (30) days after adoption by the City of Redwood City Council, or upon finding by the California Energy Commission pursuant to Section 10-106 of Title 24 of the California Code of Regulations, Part 1, "Locally Adopted Energy Standards," that the proposed ordinance will require buildings to be designed to consume no more energy than permitted by California Title 24, Part 6, whichever is later.

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ORDINANCE NO. 2348

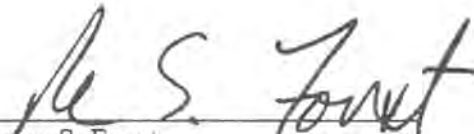
At a Joint Meeting thereof held on the 26th day of October, 2009 by the following votes:

AYES, and in favor of the passage and adoption of the foregoing ordinance:
Council Members Aguirre, Bain, Hartnett, Howard, Ira, Pierce and Mayor Foust


NOES: None

ABSTAIN: None

ABSENT: None

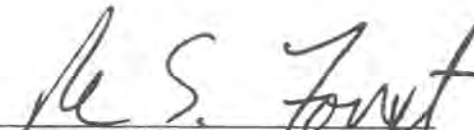


Rosanne S. Foust
Mayor of Redwood City

Attest:


Silvia Wunderhinden
City Clerk of Redwood City

I hereby approve the foregoing
Ordinance this 27th day of October 2009



Rosanne S. Foust
Mayor of Redwood City

ORIGINAL

RESOLUTION NO. 14979

RESOLUTION FINDING AND DETERMINING THAT, BECAUSE OF LOCAL CONDITIONS, THE PUBLIC HEALTH, SAFETY, WELFARE, AND NECESSITY, REQUIRE THE ADDITION OF ARTICLE X OF CHAPTER 9 OF THE MUNICIPAL CODE OF THE CITY OF REDWOOD CITY ADOPTING A GREEN BUILDING CODE

WHEREAS, the City Council of the City of Redwood City proposes to enact an ordinance adding Sections 9.180-9.185 to the Redwood City Municipal Code, consisting of a Green Building Code ("the Ordinance"); and

WHEREAS, California Health and Safety Code Sections 18938 and 17958 provide that the California Building Standards Code establishes building standards for all occupancies throughout the State; and

WHEREAS, Sections 17958.5 and 17958.7 of the California Health and Safety Code enable a city to make changes and modifications to the California Building Standards, where the governing body makes express findings that such changes are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, in connection therewith, the Ordinance will result in certain modifications and changes to the substantive provisions of the California Building Standards, which changes or modifications are reasonably necessary due to local conditions (the "Local Amendments"); and

WHEREAS, this action is categorically exempt from CEQA pursuant to Section 15308 of the California Code of Regulations ("CEQA Guidelines"), which exempts actions taken by regulatory agencies for enhancement or protection of

the environment and the proposed regulations are intended to protect and enhance the environment by encouraging the construction of buildings in a more environmentally-friendly manner.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REDWOOD CITY, AS FOLLOWS:

1. In connection with the adoption of that certain ordinance entitled, "Ordinance Adopting Article X of Chapter 9 of the Code of the City of Redwood City, Consisting of Sections 9.180-9.185, the Green Building Code" (the "Ordinance") it is hereby expressly found and determined that modifications or changes made to the California Building Standards as set forth in the Ordinance are reasonably necessary to provide for a system of protection, and that modifications or changes are reasonably necessary because of local climatic, geologic or topographic conditions as fully set forth in the Finding of Facts attached hereto and incorporated herein by reference as Exhibit A.

2. The Local Amendments enacted pursuant to the authority of Sections 17958.5 and 17958.7 of the California Health and Safety Code, for the purposes of addressing and meeting certain "local conditions" unique and peculiar to the City of Redwood City, are more specifically described in Exhibit A.

3. The City Clerk is hereby authorized and directed to transmit a certified copy of this Resolution, together with a copy of the Ordinance referred to in paragraph 1 hereof to the California Building Standards Commission.

* * *

Passed and adopted by the Council of the City of Redwood City at a Joint City Council/Redevelopment Agency Board Meeting thereof held on the 26th day of October, 2009 by the following votes:

A YES, and in favor of the passage and adoption of the foregoing resolution,

Council members: Aguirre, Bain, Hartnett, Howard, Ira, Pierce and
Mayor Foust

NOES: None

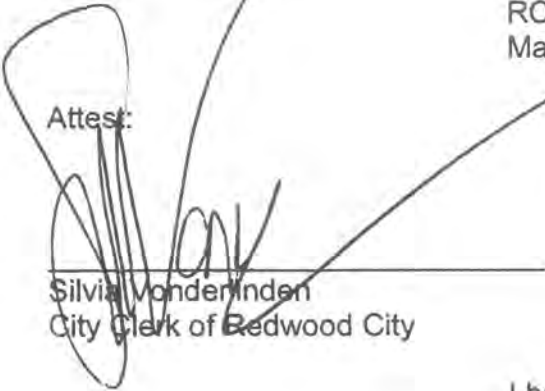
ABSTAIN: None

ABSENT: None



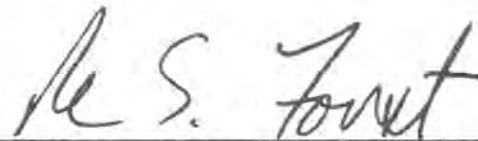
ROSANNE S. FOUST
Mayor of the City of Redwood City

Attest:



Silvia Vonderinden
City Clerk of Redwood City

I hereby approve the foregoing
resolution this 27th day of October, 2009.



ROSANNE S. FOUST
Mayor of the City of Redwood City

Finding of Facts

Topographical 1 – Redwood City is located adjacent to the San Francisco Bay. Significant areas of the city would be impacted by sea level rise due to global warming. The proposed Green Building Code will reduce the potential for global warming and sea level rise.

Climatic 1 – Redwood City has a moderate climate with a relatively clean atmosphere. The proposed Green Building Code will encourage the use of this moderate climate for increased energy efficiency and the use of the clean air to promote a healthier indoor environment.

Climatic 2 – Redwood City is in an area subject to drought. The proposed Green Building Code will encourage the implementation of water conservation measures, reducing the effects of a drought.

The City Council of the City of Redwood City hereby makes a finding of necessity as set forth in Section 101.8 of the California Building Code and California Health and Safety Code Sections 17958.5 and 17958.7 for the code amendments listed in Redwood City Code Sections 9.180 through 9.185 (Topographical 1, Climatic 1, and Climatic 2).

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