

CHAPTER 3 GREEN BUILDING



Chapter 3 provides general information regarding the scope of subsequent *CALGreen* chapters. It also provides scoping clarification for additions and alterations, mixed occupancy buildings and phased projects. Voluntary tiers are addressed, including those adopted by the Department of Housing and Community Development, the California Building Standards Commission and the Office of Statewide Health Planning and Development. An explanation of a new civil code that pertains to plumbing fixture upgrades has been added, as well as new requirements for waste diversion.

301.3 Nonresidential additions and alterations. [BSC-CG] The provisions of individual sections of Chapter 5 apply to newly constructed buildings, building additions of 1,000 square feet or greater, and/or building alterations with a permit valuation of \$200,000 or above (for occupancies within the authority of California Building Standards Commission). Code sections relevant to additions and alterations shall only apply to the portions of the building being added or altered within the scope of the permitted work.

A code section will be designated by a banner to indicate where the code section only applies to newly constructed buildings [N] or to additions and/

or alterations [A]. When the code section applies to both, no banner will be used.

Intent:

The intent of this code section is to clarify that certain additions and alterations must comply with the applicable mandatory portions of *CALGreen*. E.g., building additions of 1,000 square feet or greater and/or building alterations with a permit valuation of \$200,000 or above shall comply with *CALGreen*. If the addition and/or the alteration (tenant improvement) does not meet the criteria above, then the project is exempt from *CALGreen*.

Banners [N] or [A] are used to designate which code sections apply to newly constructed buildings [N] or to additions and/or alterations [A]. In the absence of the banner, the code section applies to both.

301.3.1 Nonresidential additions and alterations that cause updates to plumbing fixtures only:

Note: On and after January 1, 2014, certain commercial real property, as defined in *Civil Code* Section 1101.3, shall have its noncompliant plumbing fixtures replaced with appropriate water-conserving plumbing fixtures under specific circumstances. See *Civil Code* Section 1101.1 *et seq.* for definitions, types of commercial real property affected, effective dates, circumstances necessitating replacement of noncompliant plumbing fixtures, and duties and responsibilities for ensuring compliance.

Intent:

The intent of this code section is to direct the code user to the newly effective *Civil Code* Section 1101.1, *et seq.* provisions. This reference to the *Civil Code* will alert the code user and local jurisdictions to review the law and verify if the nonresidential additions and alterations project will require updates to the existing plumbing fixtures as required by the *Civil Code*.

301.3.2 Waste diversion. The requirements of Section 5.408 shall be required for additions and alterations whenever a permit is required for work.

Intent:

The intent of this requirement is to ensure that for additions and alterations where a permit is required, construction waste and demolition debris is diverted from land fills. Additionally the purpose of this section is to encourage material resource efficiency through reuse and recycling of construction waste products.

Note: See Chapter 8 of this guide for forms and templates.

Change for 2016: Section 301.3.2 has been added to the 2016 *CALGreen* Code as a new requirement.

SECTION 302 MIXED OCCUPANCY BUILDINGS

302.1 Mixed occupancy buildings. In mixed occupancy buildings, each portion of a building shall comply with the specific green building measures applicable to each specific occupancy.

Intent:

The intent of this requirement is to clarify that *CALGreen* requires that each portion of a mixed occupancy building comply with the specific green building measures applicable to that occupancy. Therefore, if a building is a combination of a nonresidential and residential uses, then both the nonresidential and residential code requirements apply to the respective portion of the building based on use.

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Suggestion: Determine if your project is “mixed use”—a combination of residential and nonresidential uses.

Example: A new five-story building with the first level having a nonresidential occupancy retail space with the above four levels consisting of residential occupancies would be considered a mixed occupancy building. *CALGreen* nonresidential provisions would apply to the first level portion of the building for the retail spaces and the residential *CALGreen* provisions would apply to the four-level residential occupancy portion of the building spaces above.

SECTION 303 PHASED PROJECTS

303.1 Phased projects. For shell buildings and others constructed for future tenant improvements, only those code measures relevant to the building components and systems considered to be new construction (or newly constructed) shall apply.

303.1.1 Initial tenant improvements. The provisions of this code shall apply only to the initial tenant improvements to a project. Subsequent tenant improvements shall comply with the scoping provisions in Section 301.3 nonresidential additions and alterations.

Intent:

The intent of this requirement is to clarify that *CALGreen* provisions apply to new construction or newly constructed buildings. For shell buildings and others constructed for future tenant improvements, only certain mandatory measures may be pertinent or applicable at the initial construction phase based on the scope of work. However, required *CALGreen* provisions still apply to the initial tenant or occupancy improvements to the shell building to achieve full compliance with *CALGreen*. That said, the provisions of this code shall apply only to the initial tenant or occupant improvements to a project, and subsequent tenant improvements shall comply with the scoping provisions in *CALGreen* Section 301.3 “Nonresidential additions and alterations.”

Example 1: for phased projects. A new nonresidential shell building (only) is constructed for future phased tenant improvement development. Pursuant to *CALGreen* Code Section 303.1, only certain *CALGreen* Code provisions for the shell structure based on the scope are applicable initially. Therefore, any building components and systems that are part of the project need to comply with the respective applicable code provisions from the various code divisions, (e.g., the shell building design would need to comply with divisions 5.1 through 5.5). For Division 5.1, the design must comply with site development, bicycle parking, electric vehicle infrastructure, grading and paving, and for Division 5.3, the design must comply for water efficiency. For Division 5.4 the design must comply with any applicable provision for material conservation and resource efficiency measures, and for Division 5.5, the design must comply with environmental quality provisions.

Example 2: for initial tenant improvements. The shell building in *Example 1* is now constructed and the first tenant occupant is going to develop a portion of the shell building space. Pursuant to code Section 303.1.1 the *CALGreen* Code applies to the new tenant improvements since they are considered new construction. Any subsequent improvements to that initial tenant space would be considered an addition and/or alteration and subject to the scoping provisions of *CALGreen* Code Section 301.1.

SECTION 304 VOLUNTARY TIERS

304.1 Purpose. Voluntary tiers are intended to further encourage building practices that improve public health, safety and general welfare by promoting the use of building concepts which minimize the building’s impact on the environment and promote a more sustainable design.

304.1.1 Tiers. The provisions of Divisions A4.6 and A5.6 outline means, in the form of voluntary tiers, for achieving enhanced construction levels by incorporating additional measures for residential and nonresidential new construction. Voluntary tiers may be

adopted by local governments and, when adopted, enforced by local enforcing agencies. Buildings complying with tiers specified for each occupancy contain additional prerequisite and elective green building measures necessary to meet the threshold of each tier. See Section 101.7 of this code for procedures and requirements related to local amendments, additions or deletions, including changes to energy standards.

[BSC & HCD] Where there are practical difficulties involved in complying with the threshold levels of a tier, the enforcing agency may grant modifications for individual cases. The enforcing agency shall first find that a special individual reason makes the strict letter of the tier impractical and that modification is in conformance with the intent and purpose of the measure. The details of any action granting modification shall be recorded and entered in the files of the enforcing agency.

Intent:

The intent of this requirement is to clarify that *CALGreen* has voluntary tiers that are intended to further encourage building practices that improve public health, safety and general welfare by promoting the use of building concepts that minimize the building's impact on the environment and promote a more sustainable design. The voluntary tier measures are found in Chapter A5 and tiers checklists are found in Chapter A6, Division A5.6.