

CHAPTER 3

GREEN BUILDING

This chapter provides general information regarding the scope of subsequent *California Green Building Standards Code (CALGreen)* chapters. It also provides an introduction to voluntary tiers, and guidance and direction for mixed occupancy buildings or when the project is completed as a phased development.

SCOPE:

CALGreen applies to all residential structures—both low-rise and high-rise. *CALGreen* also applies to additions and alterations of residential structures that increase the building's conditioned area, volume or size.

301.1.1 Additions and alterations. [HCD] The mandatory provisions of Chapter 4 shall be applied to additions or alterations of existing residential buildings where the addition or alteration increases the building's conditioned area, volume or size. The requirements shall apply only to and/or within the specific area of the addition or alteration.

The mandatory provisions of Section 4.106.4.2 may apply to additions or alterations of existing parking facilities or the addition of new parking facilities serving existing multifamily buildings. See Section 4.106.4.3 for application.

Note: Repairs including, but not limited to, resurfacing, restriping, and repairing or maintaining existing lighting fixtures are not considered alterations for the purpose of this section.

COMMENTARY

PURPOSE:

These provisions have been amended to clarify that *CALGreen* may apply to additions or alterations of existing parking facilities or new parking facilities added to existing multifamily residential buildings. An additional note was added to further clarify the types of repairs that are not subject to this section.

EXAMPLES OF ACCEPTABLE METHODS OF IMPLEMENTATION AND/OR COMPLIANCE:

Installation of EV charging infrastructure:

- When new parking facilities are added.
- When electrical systems or lighting of existing parking facilities are added or altered.
- When work requires a building permit.

Note: Repairs include, but are not limited to, resurfacing, restriping, and repairing or maintaining existing lighting fixtures. These are not considered alterations for the purpose of this section.

BACKGROUND:

The current provisions of Section 301.1.1 limit the application of *CALGreen* to additions or alterations that increase the building's conditioned area, volume or size. In an effort to demonstrate the commitment to support a successful and growing EV market, the scope of this section has been expanded to require a percentage of the total number of parking spaces added or altered to be EV charging spaces (EV spaces) as specified in Section 4.106.4.3. HCD's proposal was in response to Governor Gavin Newsom's veto message of Assembly Bill 684 (2019). Although the bill was vetoed by the Governor, he stated in the veto message that it would be best to address the issue administratively to balance charging infrastructure objectives with efforts to expand affordable housing.

301.2 Low-rise and high-rise residential buildings. [HCD] The provisions of individual sections of *CALGreen* may apply to either low-rise residential buildings, high-rise residential buildings, or both. Individual sections will be designated by banners to indicate where the section applies specifically to low-rise only (LR) or high-rise only (HR). When the section applies to both low-rise and high-rise buildings, no banner will be used.

MIXED OCCUPANCY BUILDINGS:

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's design includes commercial and residential uses, both nonresidential and residential provisions apply to appropriate portions of the building.

PHASED PROJECTS:

CALGreen provisions generally apply to a newly constructed building. As a result, when a building is constructed as a shell, only certain mandatory measures may be pertinent or applicable at the initial construction phase. However, required *CALGreen* provisions still apply and other mandatory measures are required of the initial tenant or occupancy improvements to achieve full compliance with *CALGreen*. Phased residential construction may occur in multifamily, mixed-use or live/work developments; however, it is less common with single-family buildings.

VOLUNTARY TIERS:

Voluntary tiers and the checklist of measures, located in Appendix A4 of *CALGreen*, can be used by enforcing agencies that wish to exceed the mandatory minimum requirements of this code. During the development of *CALGreen*, stakeholders expressed concern that there was a lack of consistent and streamlined methods for local governments to use to further enhance their local green building requirements. State agencies supported this concern, and the tier concept was viewed as a vehicle to increase the use and acceptability of advanced technology, which could ultimately translate to significant reduction in the impact to resources and the amount of construction waste entering landfills, increase indoor air quality and reduce energy consumption. These tiers may serve to raise mandatory requirements in the future on a statewide basis.

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.

HCD has adopted language that allows modification of *CALGreen* tier requirements based on feedback that there have been practical difficulties with the adoption of more stringent local ordinances and green building standards in some jurisdictions. This “adjustment” in the regulatory text recognizes the many variables existing in the housing market and ensures that local agencies are not discouraged from adopting the voluntary tiers and are able to achieve compliance with the tiers to the greatest extent possible.

This Page Intentionally Left Blank

CHAPTER 4

RESIDENTIAL MANDATORY MEASURES

This chapter discusses select mandatory requirements in the 2025 *California Green Building Standards Code (CALGreen)*. Sections and items that include general information (e.g., scope, definitions and informational notes) are omitted.

The 2025 *CALGreen* becomes effective on January 1, 2026.

Division 4.1—Planning and Design

SECTION 4.106 SITE DEVELOPMENT

4.106.1 General. Preservation and use of available natural resources shall be accomplished through evaluation and careful planning to minimize negative effects on the site and adjacent areas. Preservation of slopes, management of storm water drainage and erosion controls shall comply with this section.

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. Compliance with a lawfully enacted storm water management ordinance.

Note: Refer to the State Water Resources Control Board for projects which disturb one acre or more of soil, or are part of a larger common plan of development which in total disturbs one acre or more of soil.

(Website: https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html)

COMMENTARY

PURPOSE:

Implementation of this standard is intended to help prevent flooding, damage to adjacent property and pollution from storm water runoff, by retaining soil on-site or by providing soil containment methods to prevent sediment from reaching storm water drainage systems and receiving creeks, streams, rivers, lakes or the ocean.

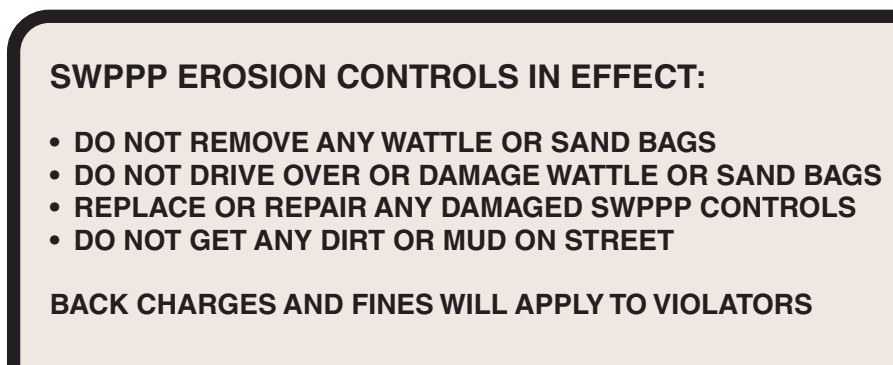


FIGURE 1 Notification sign for projects one acre or larger and addressed by a Storm Water Pollution Prevention Plan (SWPPP). (Based on State Housing Law Program staff photo.)

EXAMPLES OF ACCEPTABLE METHODS OF IMPLEMENTATION AND/OR COMPLIANCE:

- Retention basins sized and shown on the site plan.
- Filtering storm water and routing to a public drainage system.
- Compliance with local storm water ordinances.
- Develop and implement additional best management practices (BMPs), including, but not limited to:
 - Silt fencing.
 - Hay bales/mulch.
 - Cutback curbs.