

HCD Revision to 2019 CALGreen Express Terms
**INITIAL EXPRESS TERMS ADDENDUM
FOR
PROPOSED BUILDING STANDARDS
OF THE
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
REGARDING THE ADOPTION OF THE
2019 CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGreen)
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11**

(HCD XXX) Addendum

4A. HCD proposes to continue adoption of Chapter 4 from the 2016 CALGreen into the 2019 CALGreen with new modifications as follows:

**CHAPTER 4
RESIDENTIAL MANDATORY MEASURES**

Division 4.3 – WATER EFFICIENCY AND CONSERVATION

**SECTION 4.304
OUTDOOR WATER USE**

4.304.1 Outdoor potable water use in landscape areas. After December 1, 2015, new residential developments with an aggregate landscape area equal to or greater than 500 square feet shall comply with one of the following options: 1. A local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent; or

2. Projects with aggregate landscape areas less than 2,500 square feet may comply with the MWELO's Appendix D Prescriptive Compliance Option.

Notes:

1. The Model Water Efficient Landscape Ordinance (MWELO) is located in the California Code of Regulations (CCR), Title 23, Chapter 2.7, Division 2, and supporting documents are available at: <https://www.water.ca.gov/wateruseefficiency/landscapeordinance/>
2. A water budget calculator is available at: <https://www.water.ca.gov/wateruseefficiency/landscapeordinance/>
MWELO and supporting documents, including a water budget calculator, are available at: <https://www.water.ca.gov/>

Rationale: HCD proposes to continue adoption of the above referenced section with modification. The modification provides a more generic reference to the Model Water Efficient Landscape Ordinance (MWELO) for purposes of mandatory landscape irrigation requirements for residential developments, and repeals details on specific conditions, such as square footage of landscaped areas. Notes for the section will also be modified to replace current references to MWELO resources with a reference to the California Code of Regulations, Title 23, where MWELO is located, and more generic link to the DWR website.

Chapter 576/Statutes of 2016 (Assembly Bill 2515) requires DWR to update the MWELO on or before January 1, 2020, and every three years thereafter. However, based upon information from the CBSC, these regulations will not be adopted by the California Water Commission and will not be suitable for referencing in CALGreen during the 2018 Triennial Code Adoption Cycle. HCD coordinated with the BSC and concluded that there was no other option but to repeal the specific details related to scope and application of MWELO (square footage of landscaped areas).

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The proposed modification provides clarity to the code user and prevents potential conflicts if the MWELO is updated after the adoption of 2019 CALGreen.

8A. HCD proposes to continue adoption of Appendix Chapter A4 from the 2016 CALGreen into the 2019 CALGreen with new modifications as follows:

APPENDIX A4 RESIDENTIAL VOLUNTARY MEASURES

A4.304.2 Potable water elimination. When landscaping is provided and as allowed by local ordinance, a water efficient landscape irrigation design that eliminates the use of potable water beyond the initial requirements for plant installation and establishment ~~should~~ **shall** be provided. Methods used to accomplish the requirements of this section ~~must be designed to~~ **shall comply with** the requirements of the *California Building Standards Code* and shall include, but not be limited to, the following:

1. Use of captured rainwater.
2. Use of recycled water.
3. Water treated for irrigation purposes and conveyed by a water district or public entity.
4. Use of graywater.

Rationale: HCD proposes to continue adoption of the above referenced section with editorial modification. The proposed modification provides consistency with other parts of Title 24. The term “shall” is used in the California Building Standards Code to denote a mandatory specification or requirement.

The proposed modification provides clarity and consistency to the code user. There is no intended change in regulatory effect.

Division A4.5 – ENVIRONMENTAL QUALITY

SECTION A4.506 INDOOR AIR QUALITY AND EXHAUST

A4.506.1 Filters. ~~Return air filters with a value greater than MERV 6 shall be installed on HVAC systems. Pressure drop across the filter shall not exceed 0.1 inches water column.~~ **Reserved**

Rationale: HCD proposes to repeal the above referenced section. Section A4.506.1 offers an enhanced compliance option (elective) for use of return air filters with value greater than MERV 6 with associated press drop requirements. Since the California Energy Commission has adopted air filter requirements of MERV 13 (greater efficiency) for both return and incoming air, the MERV 6 enhanced option is no longer valid. HCD proposes to reserve this section if new requirements related to filters are needed in the future.

A4.506.2 Construction filter. [HR] Provide filters on return air openings rated at MERV **6 8** or higher during construction.

Rationale: HCD proposes to continue adoption of the above referenced section with modification. HCD proposes to modify the requirements for construction filters by correcting the MERV value from 6 to 8. The proposed modification provides consistency with Section 5.504.1 of CALGreen, applicable to commercial buildings.