

**45-DAY INITIAL EXPRESS TERMS
FOR
PROPOSED BUILDING STANDARDS
OF THE
CALIFORNIA BUILDING STANDARDS COMMISSION**

**REGARDING THE
2019 CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGREEN)
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11**

(BSC 06/18)

LEGEND FOR EXPRESS TERMS

1. Existing California amendments appear upright.
2. Amended or new California amendments appear underlined.
3. Repealed California language appears ~~upright and in-strikeout~~.

INITIAL EXPRESS TERMS

ITEM 01. CBSC Proposes to amend Chapter 2, DEFINITIONS

**CHAPTER 2
DEFINITIONS**

...
**SECTION 202
DEFINITIONS**

...
Maximum Incremental Reactivity (MIR)...

...
MERV Filter minimum efficiency reporting value, ~~based on ASHRAE 52.2-2007.~~

...

ITEM 1. CBSC Proposes to amend Chapter 5, Section 5.302

**Section 5.302
DEFINITIONS**

5.302.1 Definitions. The following terms are defined in Chapter 2.

CONSTRUCTION SITE

DISINFECTED TERTIARY RECYCLED WATER
RECLAIMED (RECYCLED) WATER
RECYCLED WATER SUPPLY SYSTEM

...

Notation:

Authority: *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

Reference – *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

ITEM 2. CBSC Proposes to amend Chapter 5, Section 5.106.5.3.5

5.106.5.3.5 [N] Future charging spaces. Future charging spaces qualify as designated parking as described in Section 5.106.5.2 Designated parking for clean air vehicles.

Notes:

- ~~1. The California Department of Transportation adopts and publishes the California Manual on Uniform Traffic Control Devices (California MUTCD) to provide uniform standards and specifications for all official traffic control devices in California. Zero Emission Vehicle Signs and Pavement Markings can be found in the New Policies & Directives number 13-01. www.dot.ca.gov/hq/traffops/policy/13-01.pdf.~~
- ~~2. See Vehicle Code Section 22511 for EV charging spaces signage in off-street parking facilities and for use of EV charging spaces.~~
- ~~3. The Governor's Office of Planning and Research published a Zero Emission Vehicle Community Readiness Guidebook which provides helpful information for local governments, residents and businesses. www.opr.ca.gov/docs/ZEV_Guidebook.pdf.~~

Notation:

Authority: *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

Reference – *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

ITEM 2.1. CBSC Proposes to amend Chapter 5, Section 5.106.8 Light Pollution.

5.106.8 Light pollution reduction. [N] Outdoor lighting systems shall be designed and installed to comply with the following:

1. The minimum requirements ...
2. Backlight, ratings as defined...
3. Uplight and Glare ratings as defined...
4. Allowable BUG ratings ...

Comply with a local ordinance lawfully enacted pursuant to Section 101.7, whichever is more stringent.

Exceptions: [N]

1. Luminaires that qualify...
2. Emergency...
3. Building façade meeting the requirements...
4. Custom lighting features as allowed by the local enforcing...

Notes:

1. [N] See also *California Building Code*...
2. Refer to Chapter 8...
3. Refer to the *California Energy Code* for requirements for additions and alterations.

ITEM 3. BSC proposes to amend and repeal language in Sections 5.304.1 through 5.304.5

5.304.1 Scope. Outdoor potable water use in landscape areas. ~~The provisions of Section 5.304, Outdoor Water Use reference the mandatory Model Water Efficiency Landscape Ordinance (MWELO) contained within Chapter 2.7, Division 2, Title 23, *California Code of Regulations*. Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent.~~

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.
2. MWELO and supporting documents, including a water budget calculator, are available at: <https://www.water.ca.gov/>.

~~5.304.2 Outdoor water use in landscape areas equal to or greater than 500 square feet. When water is used for outdoor irrigation for new construction projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review, one of the following shall apply:~~

- ~~1. A local water efficient landscape ordinance that is, based on evidence in the record, at least as effective in conserving water as the updated model ordinance adopted by the Department of Water Resources (DWR) per Government Code Section 65595 (c).~~
- ~~2. The California Department of Water Resources Model Water Efficient Landscape Ordinance (MWELO) commencing with Section 490 of Chapter 2.7, Division 2, Title 23, California Code of Regulations.~~

~~5.304.3 Outdoor water use in rehabilitated landscape projects equal to or greater than 2,500 square feet. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review shall comply with Section 5.304.2, items 1 or 2.~~

~~5.304.4 Outdoor water use in landscape areas of 2,500 square feet or less. Any project with an aggregate landscape area of 2,500 square feet or less may comply with the performance requirements of MWELO or conform to the prescriptive compliance measures contained in MWELO's Appendix D.~~

~~5.304.5 Graywater or rainwater use in landscape areas. For projects using treated or untreated graywater or rainwater captured on site, any lot or parcel within the project that has less than 2,500 square feet of landscape and meets the lot or parcel's landscape water requirement (Estimated Total Water Use) entirely with treated or untreated graywater or through stored rainwater captured on site is subject only to Appendix D section (5).~~

Notes:

- ~~1. DWR's Model Water Efficient Landscape Ordinance, definitions and supporting documents are available at the following link:
<http://water.ca.gov/wateruseefficiency/landscapeordinance/>~~
- ~~2. A water budget calculator is available at the following link:
<http://water.ca.gov/wateruseefficiency/landscapeordinance/>~~
- ~~3. The MWELO prescriptive compliance measure Appendix D may be found at the following link:
<http://water.ca.gov/wateruseefficiency/landscapeordinance/>. In addition, a copy of MWELO Appendix D may be found in Chapter 8 of this code.~~

Notation

Authority: *Health and Safety Code Sections 18930.5.*

Reference: *Health and Safety Code Section 18930.5.*

ITEM 4. CBSC Proposes to amend Chapter 5, Section 5.305

**Section 5.305
WATER REUSE SYSTEMS**

5.305.1 Recycled Water supply systems. Recycled water supply systems...

5.305.1.1 Outdoor recycled water supply systems [N]. All newly constructed
...

5.305.1.2 Technical requirements for outdoor recycled water supply systems [N].
recycled water supply systems...

Notation:

Authority: *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

Reference – *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

ITEM 5. CBSC Proposes to amend Chapter 5, Section 5.407.1

**SECTION 5.407
WATER RESISTANCE AND MOISTURE MANAGEMENT**

5.407.1 Weather protection. Provide a weather-resistant exterior wall and foundation envelope as required by California Building Code Section 14032.2 (Weather Protection) and ~~California Energy Code Section 150 (Mandatory Features and Devices)~~, manufacturer's installation instructions or local ordinance, whichever is more stringent.

Notation:

Authority: *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

Reference – *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

ITEM 6. CBSC Proposes to amend Chapter 5, Sections 5.504.4.4 and 5.504.4.6

**SECTION 5.504
POLLUTANT CONTROL**

...

5.504.4.4 Carpet systems.

All carpet installed in the building interior shall meet at least one of the following testing and product requirements:

1. Carpet ...
2. Compliant ..
3. NSF/ANSI ..
4. Scientific ..
5. Compliant with the Collaborative for High Performance Schools California (2014 CA-CHPS) Criteria Interpretation for EQ 7.0 and EQ 7.1 (formerly EQ

~~2.2) dated July 2012 and listed in the CHPS High Performance Product Database.~~

...

Notation:

Authority: *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

Reference – *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

5.504.4.6 Resilient flooring systems. For 80 percent of floor area receiving resilient flooring, install resilient flooring which meets one of the following:

1. Certified under ...;
2. Compliant with the VOC-emission ...;
3. Compliant with the Collaborative for High Performance Schools California (2014 CA-CHPS) Criteria Interpretation for EQ 7.0 and EQ 7.1 (formerly EQ 2.2) dated July 2012 and listed in the CHPS High Performance Product Database;
4. Products ...

...

Notation:

Authority: *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

Reference – *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

ITEM 7. CBSC Proposes to amend Chapter 5, Section 5.504.5.3

**SECTION 5.504
POLLUTANT CONTROL**

...

5.504.5.3 Filters. In mechanically ventilated buildings, provide regularly occupied areas of the building with air filtration media for outside and return air that provides at least a Minimum Efficiency Reporting Value (MERV) of ~~8~~ 13. MERV ~~8~~ 13 filters shall be installed prior to occupancy, and recommendations for maintenance with filters of the same value shall be included in the operation and maintenance manual.

Exceptions:

- ~~1. An ASHRAE 10-percent to 15-percent efficiency filter shall be permitted for an HVAC unit meeting the 2013 California Energy Code having 60,000 Btu/h or less capacity per fan coil, if the energy use of the air delivery system is 0.4 W/cfm or less at design air flow.~~

- 1.2. Existing mechanical equipment.

Notation:

Authority: *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*
Reference – *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

ITEM 8. CBSC Proposes to amend Chapter 5, Section 5.505.1

5.505.1 Indoor moisture control. Buildings shall meet or exceed the provisions of the California Building Code, CCR, Title 24, Part 2, Section 12032(Ventilation) and Chapter 14 (Exterior Walls). For additional measures ~~not applicable to low-rise residential occupancies,~~ see Section 5.407.2 of this code.

...

Notation:

Authority: *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*
Reference – *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

**ITEM 9: CBSC proposes to update Chapter 8 to repeal DWR’s Appendix D
MWELO references**

Title 23, Waters, California Code of Regulations
MWELO and supporting documents, including a water budget calculator, are available
at: <https://www.water.ca.gov/>.

~~Appendix D
Prescriptive Compliance Option~~

~~**Note:** Appendix D—Prescriptive Compliance Option is reprinted from the Model Water Efficient Landscape Ordinance (MWELO) contained in the California Code of Regulations, Title 23, Division 2, Chapter 2.7, Section 490, as adopted by the Department of Water Resources (DWR) on July 15, 2015. The language contained in Appendix D is reprinted herein as a resource. Please contact DWR to verify the applicable Title 23 requirements prior to using this document for enforcement purposes. For questions regarding this appendix (interpretation, effectiveness, applicability, etc.), DWR may be contacted by the following information:~~

~~**California Department of Water Resources**
Urban Water Use Efficiency Unit
ATTN: Julie Saare-Edmonds, Senior Environmental Scientist
P.O. Box 942836
Sacramento, CA 94236-0001 Email: Julie.Saare-Edmonds@water.ca.gov
Telephone: 916-651-9676~~

<http://water.ca.gov/wateruseefficiency/landscapeordinance/>

Appendix D – Prescriptive Compliance Option

~~(a) This appendix contains prescriptive requirements which may be used as a compliance option to the Model Water Efficient Landscape Ordinance.~~

~~(b) Compliance with the following items is mandatory and must be documented on a landscape plan in order to use the prescriptive compliance option:~~

~~(1) Submit a Landscape Documentation Package which includes the following elements:~~

~~(A) date~~

~~(B) project applicant~~

~~(C) project address (if available, parcel and/or lot number(s))~~

~~(D) total landscape area (square feet), including a breakdown of turf and plant material~~

~~(E) project type (e.g., new, rehabilitated, public, private, cemetery, homeowner installed)~~

~~(F) water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well~~

~~(G) contact information for the project applicant and property owner~~

~~(H) applicant signature and date with statement, "I agree to comply with the requirements of the prescriptive compliance option to the MWELO".~~

~~(2) Incorporate compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into landscape area (unless contra-indicated by a soil test);~~

~~(3) Plant material shall comply with all of the following;~~

~~(A) For residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water; For non-residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 100% of the plant area excluding edibles and areas using recycled water;~~

~~(B) A minimum three inch (3") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.~~

~~(4) Turf shall comply with all of the following:~~

~~(A) Turf shall not exceed 25% of the landscape area in residential~~

- areas, and there shall be no turf in non-residential areas;
- ~~(B) Turf shall not be planted on sloped areas which exceed a slope of 1 foot vertical elevation change for every 4 feet of horizontal length;~~
- ~~(C) Turf is prohibited in parkways less than 10 feet wide, unless the parkway is adjacent to a parking strip and used to enter and exit vehicles. Any turf in parkways must be irrigated by sub-surface irrigation or by other technology that creates no overspray or runoff.~~
- (5) Irrigation systems shall comply with the following:
- ~~(A) Automatic irrigation controllers are required and must use evapotranspiration or soil moisture sensor data and utilize a rain sensor.~~
- ~~(B) Irrigation controllers shall be of a type which does not lose programming data in the event the primary power source is interrupted.~~
- ~~(C) Pressure regulators shall be installed on the irrigation system to ensure the dynamic pressure of the system is within the manufacturers recommended pressure range.~~
- ~~(D) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be installed as close as possible to the point of connection of the water supply.~~
- ~~(E) All irrigation emission devices must meet the requirements set in the ANSI standard, ASABE/ICC 802-2014. "Landscape Irrigation Sprinkler and Emitter Standard," All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.~~
- ~~(F) Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.~~
- ~~(6) For non-residential projects with landscape areas of 1,000 sq. ft. or more, a private submeter(s) to measure landscape water use shall be installed.~~
- ~~(c) At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule and a schedule of landscape and irrigation maintenance.~~

Notation

Authority: *Health and Safety Code Sections 18930.5.*
Reference: *Health and Safety Code Section 18930.5.*

ITEM 10. CBSC Proposes to amend Appendix Chapter A5, Section A5.504.4.7 and

A5.504.4.7.1

A5.504.4.7 Resilient flooring systems, Tier 1. For 90 percent of floor area receiving resilient flooring, install resilient flooring that is

1. Certified under ...;
2. Compliant with the VOC...;
3. Compliant with the Collaborative for High Performance Schools California (2014 CA-CHPS) Criteria ~~Interpretation for EQ 7.0 and EQ 7.1 (formerly EQ 2.2) dated July 2012~~ and listed in the CHPS High Performance Product Database ;or
4. Products ...

A5.504.4.7.1 Resilient flooring systems, Tier 2. For 100 percent of floor area receiving resilient flooring, install resilient flooring that is

1. Certified under...
2. Compliant with ...
3. Compliant with the Collaborative for High Performance Schools California (2014 CA-CHPS) Criteria ~~Interpretation for EQ 7.0 and EQ 7.1 (formerly EQ 2.2) dated July 2012~~ and listed in the CHPS High Performance Product Database ;or
4. Products ...

Exception: . . .

...

Notation:

Authority: *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

Reference – *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

ITEM 11. CBSC Proposes to amend Appendix Chapter A5, SectionA5.504.4.8

A5.504.4.8 Thermal insulation, Tier 1. Comply with the following standards:

1. Chapters 12-13 ...,
2. The VOC-emission limits defined in ~~2009~~ 2014 CA-CHPS criteria and listed on its High Performance Products Database.
3. California Department ...

Notation:

Authority: *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

Reference – *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

ITEM 12. CBSC Proposes to repeal Sections A5.504.5.3.1 and A5.504.5.3.1.1 in Appendix Chapter A5.

**SECTION A5.504
POLLUTANT CONTROL**

...

~~**A5.504.5.3.1 Filters, Tier 1.** In mechanically ventilated buildings, provide regularly occupied areas of the building with air filtration media for outside and return air prior to occupancy that provides at least a Minimum Efficiency Reporting Value (MERV) of 11.~~

~~**A5.504.5.3.1.1 Filters, Tier 2.** In mechanically ventilated buildings, provide regularly occupied areas of the building with air filtration media for outside and return air prior to occupancy that provides at least a Minimum Efficiency Reporting Value (MERV) of 13.~~

...

Notation:

Authority: *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

Reference – *Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).*

ITEM 13. CBSC proposes to update Appendix Chapter A5, Section A5.602

**A5.602
CALGreen VERIFICATION GUIDELINES
MANDATORY MEASURES CHECKLIST**

Application: This checklist shall be used for nonresidential projects that meet one of the following: new construction, building additions of 1,000 sq. ft. or greater or building alterations with a permit valuation of \$200,000 or more pursuant to Section 301.1 AND do not trigger a Tier 1 or Tier 2 requirement:

Y = Yes (section has been selected and/or included)

N/A = Not Applicable (Code section does not apply to the project, mainly used for additions and alterations)

O = Other (provide explanation)

[N]=New construction pursuant to Section 301.3

[A]=Additions and/or Alterations pursuant to Section 301.3

CHAPTER 5 DIVISIONS		SECTION TITLE	CODE SECTION	Y	N/A	O	Plan sheet, Spec or Attach Reference
DIVISION 5.3 Water Efficiency and Conservation				
	Mandatory	Outdoor water use in landscape areas equal to or greater than 500 sf	5.304.2				
	Mandatory	Outdoor water use in rehabilitated landscape projects with areas equal to or greater than	5.304.3				
	Mandatory	Outdoor water use in landscape areas of 2,500 sf or less	5.304.4				
	Mandatory	Graywater or rainwater use in landscaped areas	5.304.5				
	Mandatory	Outdoor water supply systems (with exceptions 1-4)	5.305.1.1				
	Mandatory	Technical requirements for outdoor recycled water supply systems	5.305.1.2				
...					
		END OF MANDATORY PROVISIONS					

**A5.602.1
CALGreen VERIFICATION GUIDELINES
TIER 1 CHECKLIST**

Application: This checklist shall be used for nonresidential projects that meet the following: new construction, or building additions of 1,000 sq. ft. or greater, or building alterations with a permit valuation of \$200,000 or more pursuant to Section 5.301.1, AND are adopting Tier 1 voluntary measures.

Note: All applicable mandatory requirements in chapter 5 shall be met prior to applying Tier 1 voluntary measures.

Instructions:

Comply with all Tier prerequisite measures from the various categories shown on the table below.

Add a “Y” to all Mandatory and Tier 1 prerequisite provisions in the appropriate

columns.

Select the required number of additional electives from those categories shown on the table below and add a “Y” on the selected elective and add an “N” on the rest. Count the total number of Tier 1 prerequisite measures plus the additional electives and write down the total number at the end of the checklist. Determine if the required number of Tier 1 measures have been selected to achieve Tier 1 compliance.

Y=Yes (section has been selected and/or included)

N=No (section has not been selected and/or included)

O=Other (provide explanation)

[N]=New construction pursuant to Section 301.3

[A]=Additions and/or Alterations pursuant to Section 301.3

CHAPTER 5 DIVISIONS		SECTION TITLE	CODE SECTION	Y	N	O	Plan sheet, Spec or Attach Reference
				
Water Efficiency and Conservation	Mandatory	Outdoor water use in landscape areas equal to or greater than 500 sf	5.304.2				
	Mandatory	Outdoor water use in rehabilitated landscape projects with areas equal to or greater than	5.304.3				
	Mandatory	Outdoor water use in landscape areas of 2,500 sf or less	5.304.4				
	Mandatory	Graywater or rainwater use in landscaped areas	5.304.5				
	Mandatory	Outdoor water supply systems (with exceptions 1-4)	5.305.1.1				
	Mandatory	Technical requirements for outdoor recycled water supply systems	5.305.1.2				
				
Additional Measures		Select 1 additional measure	Add section #				

Total number of Measures required for Tier 1	15	
Total number of Measures selected		

**A5.602.2
CALGreen VERIFICATION GUIDELINES
TIER 2 CHECKLIST**

Application: This checklist shall be used for nonresidential projects that meet the following: new construction, or building additions of 1,000 sq. ft. or greater, or building alterations with a permit valuation of \$200,000 or more pursuant to Section 5.301.1, AND are adopting Tier 2 voluntary measures.

Note: All applicable mandatory requirements in chapter 5 shall be met prior to applying Tier 2 voluntary measures.

Instructions:

Comply with all Tier 2 prerequisite measures from the various categories shown on the table below.

Add a “Y” to all Mandatory and Tier 2 prerequisite provisions in the appropriate columns.

Select the required number of additional electives from those categories shown on the table below and add a “Y” on the selected elective and add an “N” on the rest.

Count the total number of Tier 1 prerequisite measures plus the additional electives and write down the total number at the end of the checklist. Determine if the required number of Tier 2 measures have been selected to achieve Tier 2 compliance.

Y=Yes (section has been selected and/or included)

N=No (section has not been selected and/or included)

O=Other (provide explanation)

[N]=New construction pursuant to Section 301.3

[A]=Additions and/or Alterations pursuant to Section 301.3

CHAPTER 5 DIVISIONS		SECTION TITLE	CODE SECTION	Y	N	O	Plan sheet, Spec or Attach Reference
				

Water Efficiency and Conservation	Mandatory	Outdoor water use in landscape areas equal to or greater than 500 sf	5.304.2				
	Mandatory	Outdoor water use in rehabilitated landscape projects with areas equal to or greater than	5.304.3				
	Mandatory	Outdoor water use in landscape areas of 2,500 sf or less	5.304.4				
	Mandatory	Graywater or rainwater use in landscaped areas	5.304.5				
	Mandatory	Outdoor water supply systems (with exceptions 1-4)	5.305.1.1				
	Mandatory	Technical requirements for outdoor recycled water supply systems	5.305.1.2				
				
Additional Measures		Select 3 additional measures	Add section #				
Total number of Measures required for Tier 2			25				
Total number of Measures selected							

Notation:

Authority: Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).

Reference – Health & Safety Code Sections 18930.5, 18934.5 and 18931.7(b).