

DRAFT 3/6/19 

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE TO UPDATE AND ADOPT THE GREEN
BUILDING TABLES FOR 2019**

WHEREAS, on March 24, 2009, the City Council adopted Resolution No. 368-09, the Green Building Tables, which included a phased approach to full implementation of green building intent for building construction throughout the City of Sunnyvale (“City”); and

WHEREAS, the Green Building Tables were reviewed and revised in 2011, 2012, and 2014, resulting in increased green building requirements for residential construction and alterations, non-residential construction and alterations, and public facilities; and

WHEREAS, since the 2014 update to the Green Building Tables, the State of California (“State”) has made updates to the Uniform Building Code in 2017, which made increases to the energy requirements and other updates to strengthen the State’s commitment to reduce greenhouse gas emissions; and

WHEREAS, on April 23, 2019, the Green Building tables are again reviewed and revised to provide increased requirements for residential construction and alterations, non-residential construction and alterations, and no changes to public facilities; and

WHEREAS, the Green Building Tables attached hereto as Exhibit “A” will be an integral part of shaping an improved future for development of property throughout the City of Sunnyvale, meeting the City’s goals of increased sustainability and fighting climate change; and

WHEREAS, pursuant to Section 15308 of the Guidelines to California Environmental Quality Act (CEQA), the amendments to the Green Building Tables are an action taken by a regulatory agency as authorized by state law to assure the maintenance, restoration, and enhancement of the environment; and

WHEREAS, the regulatory process for implementing the Green Building Tables includes procedures for protection of the environment, in that the City independently reviews the environmental effects of all projects as required by CEQA; and

WHEREAS, pursuant to Section 15061(b)(3) of the CEQA Guidelines, it can be seen with certainty that there is no possibility that the updates to the Green Buildings Tables will have a physical impact on the environment, in that the requirements are designed to reduce the environmental impacts of construction projects, and those project are subject to separate CEQA review; and

WHEREAS, pursuant to Section 15378(b) of the CEQA Guidelines, the adoption of the Green Building Tables is not a “project” within the meaning of CEQA.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE HEREBY:

1. Adopts the Green Building Tables for 2019 (as revised) attached hereto as "Exhibit A."
2. Finds that the action is exempt from environmental review under the California Environmental Quality Act (CEQA), Guidelines Sections 15308, 15061(b)(3), and 15378(b);
3. Directs staff to apply the requirements listed in the Green Building Tables to all building construction (as appropriate) in the City of Sunnyvale.
4. The Green Building Tables for 2019 shall be effective July 1, 2019.

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney



GREEN BUILDING PROGRAM

These requirements apply to projects with a planning application that is “deemed complete” on or after July 1, 2019. For projects that do not require a planning application, these requirements apply to building permits submitted on or after July 1, 2019.

On April 23, 2019, the City Council revised the green building standards for new construction, additions, and remodels of buildings. The new requirements are effective for projects with a Planning Application that is ‘deemed complete’ on or after July 1, 2019. For projects that do not require a Planning Application, these requirements apply to building permits submitted on or after July 1, 2019.

GREEN BUILDING PROGRAM

Following are the steps for complying with the green building program:

- Identify minimum standards: Minimum standards are based on the type of project and scope of work. Refer to the tables on the reverse side of this brochure to determine green building requirements, level of achievement, and verification necessary for various types of projects.
- Submit Building Permit Plans: Building permit plans shall include the applicable green building checklist on a plan sheet. All required/selected points/credits shall be incorporated in the plans.
- Verification of Green Building Measures: The type of verification is described in the tables on the reverse side of this brochure.

Green Point Rater/LEED AP verification requires the project LEED AP to provide a letter that confirms the project is designed to achieve the minimum points required. A similar letter, based on the actual construction, is required before occupancy/final inspection.

USGBC Certification verification requires the project’s LEED AP to provide a letter prior to permit issuance that confirms the project is designed to achieve the minimum points required and that the project has been registered with the USGBC. A similar letter, based on the actual construction, is required before occupancy/final inspection and shall also confirm if and when project will be submitted to the USGBC.

INCENTIVES

Incentives are offered for projects that exceed the minimum green building standards and are offered to encourage project applicants and developers to provide additional green building features.

Projects that add floor area to an existing site, qualify for the incentive if all buildings at the existing site meet the incentive level through an applicable LEED program (i.e. new construction, core and shell, commercial interiors, existing buildings). The LEED standard for the existing building(s) shall be met prior to occupancy of the new building(s).

MIXED-USE PROJECTS

Mixed use projects are required to meet the appropriate BIG standard for the residential portion and LEED for the non-residential portion. Alternatively, LEED may be applied to the entire project.

Build It Green (BIG) is a non-profit organization whose mission is to promote healthy, energy- and resource-efficient building practices in California.
www.builditgreen.org

The U.S. Green Building Council (USGBC), through the LEED program, encourages adoption of sustainable green building and development practices through the creation and implementation of universally understood and accepted tools and performance criteria.
www.usgbc.org

CALGreen was adopted by the State of California and is the nation’s first mandatory green building code which sets the minimum sustainability standards for new residential and non-residential construction.

RESIDENTIAL PROJECTS

Type of Project	Minimum Standard	Voluntary Incentives
One Single-Family or Duplex Dwelling		
New Construction	CALGreen Mandatory Measures and GreenPoint Rated Checklist with <u>90</u> points minimum and verification by a GreenPoint Rater	Projects may choose to increase lot coverage by 5% <u>or qualify for staff level design review with a FAR up to 50% or 4,000 sq. ft. (whichever is less) if the project achieves:</u> • <u>120 points, with Build It Green Certification; or</u> • <u>All-electric appliances³ for the entire home (e.g., no gas line connection).</u>
Addition (including new or converted ADUs)	CALGreen Mandatory Measures as applicable to the scope of work. Reviewed by City staff	
Remodels and Alterations	CALGreen Mandatory Measures as applicable to the scope of work. Reviewed by City staff	--
Multi-Family Residential Development		
New Construction	CALGreen Mandatory Measures and GreenPoint Rated Checklist with <u>90</u> points minimum <u>with Build It Green Certification.</u> <u>Applicants are highly encouraged to include any combination of the following items:</u> • <u>All-electric appliances³ in every unit (e.g. no gas line connection for the project); or</u> • <u>Installation of a "cool roof" or "green roof"; or</u> • <u>Install EV chargers²; or</u> • <u>Greywater, recycled water, and/or rainwater catchment system(s)</u>	Projects may choose to increase building height by 5', lot coverage by 5%, or receive a 5% density bonus ¹ if the project achieves: 1. <u>120 points with Build It Green Certification, and</u> 2. <u>All-electric appliances³ in every unit (e.g., no gas line connection for the project); and</u> 3. <u>Provides/installs one or more of the following items:</u> a. <u>A "cool roof" or "green roof"; or</u> b. <u>Electric Vehicle Chargers²; or</u> c. <u>Greywater, recycled water, and/or rainwater catchment system(s).</u>
Additions, Remodels and Alterations	CALGreen Mandatory Measures as applicable to the scope of work. Reviewed by City staff	--

1. Projects that take advantage of the 5% green building density bonus are subject to Sunnyvale's affordable housing requirements for all units provided.
2. Installation of Level 2 electric vehicle chargers are required at a rate of 12.5% of the required parking spaces for the development, with a minimum of one charger required.
3. All-electric appliances include heat pump water heater, heat pump space heaters, induction cooktops, electric clothes dryers, among others.

NON-RESIDENTIAL PROJECTS

Type of Project	Minimum Standard	Voluntary Incentives
New Construction and Initial Tenant Improvements¹		
≤ 5,000 sq. ft.	CALGreen Mandatory Measures. Reviewed by City staff	--
>5,000 sq. ft. – 30,000 sq. ft.	CALGreen Mandatory Measures and LEED <u>Gold Level</u> with verification by a LEED AP	Citywide (Excluding Moffett Park) Projects can increase FAR by 10% or height by 10' by achieving: • LEED Gold Level <u>with USGBC Certification² that achieves at least 75 total points with Design Phase Credits reviewed and approved by USGBC; and</u> • <u>All-electric³ (e.g., no gas line connection).</u> Moffett Park Projects can increase FAR by 15% (MP-I) or 20% (MP-TOD) by achieving: • LEED Gold Level <u>with USGBC Certification² that achieves at least 75 total points with Design Phase Credits reviewed and approved by USGBC; and</u> • <u>All-electric³ (e.g., no gas line connection).</u>
> 30,000 sq. ft.	CALGreen Mandatory Measures and <u>LEED Gold Level with USGBC Certification, including Design Phase Credits reviewed and approved by USGBC²</u>	In addition, projects in Moffett Park can increase FAR by another 10%⁴ by achieving: 1. <u>One of the following certifications:</u> a. <u>LEED Platinum with USGBC certification² with Design Phase Credits reviewed and approved by USGBC; or</u> b. <u>Zero Energy⁵ on the project site, certified by International Living Future Institute (ILFI); and</u> 2. <u>All-electric³ (e.g., no gas line connection), and</u> 3. <u>Demonstration of additional features that provide Community Benefit.</u>
Major Alterations (structural, mechanical, plumbing, and electrical alterations)⁶		
<u>All Major Alterations</u>	CALGreen Mandatory Measures and LEED Silver with verification by a LEED AP ² .	--

1. Projects in the Peery Park Specific Plan (PPSP) area are not eligible to receive incentives through the City's Green Building Program because they are eligible to achieve additional FAR for Green Building through the PPSP Community Benefits Program.
2. Although certification may occur after a project is finalized, the project's LEED AP must provide staff with a letter certifying that the building/project has been built to the plan and should be eligible to be certified at the approved LEED level prior to final sign-off of building permit(s).
3. All-electric appliances include heat pump water and space heaters, induction cooktops, electric clothes dryers, among others.
4. A Major Moffett Park Special Development Permit (reviewed and approved by City Council) is required for projects requesting the additional 10% FAR.
5. Although certification may occur after a project is finalized, the project's mechanical engineer must provide authorization that the design of the project meets all intent to achieve certification for Zero Energy prior to final sign-off of building permit(s).
6. See the Definition Section (last page) to identify which projects would be considered as Major Alterations.
7. Alternate means or methods that meet the intent of the Sunnyvale Green Building Program may be considered at the discretion of the Chief Building Official.

PUBLIC FACILITY¹

Type of Project	Minimum Standard	Voluntary Incentives
New Construction²		
≤ 5,000 sq. ft.	CALGreen Mandatory Measures as applicable to the scope of work. Reviewed by City staff.	--
> 5,000 sq. ft.	CALGreen Mandatory Measures and LEED Gold Level with verification by a LEED AP	--
Major Alterations		
<u>All Major Alterations</u>	CALGreen Mandatory Measures and LEED Silver with verification by a LEED AP	--

1. The City Council may provide direction on any public facility as to the desired green building standards to meet.
2. Provide electric car chargers at a minimum of 3% of the parking spaces.

DEFINITIONS

Cool Roof means a roofing product that has been designed to reflect more sunlight and absorb less heat than a standard roof to help reduce electricity used for air conditioning by lowering roof temperatures.

Design Phase Credits means credits a project can obtain during the Design Application Phase of the LEED application process. The Design Phase Credits are reviewed and approved by USGBC. No actual credits will be awarded as part of this process, but USGBC confirms that the project design is anticipated to be awarded for the design credits at the end of the LEED certification process.

Green Roof means a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. Green roofs are also commonly known as “living roofs,” and includes both roof gardens, rooftop gardens, and landscaped roof.

International Living Future Institute (ILFI) refers to a nonprofit organization that has developed a sustainable building certificate program that promotes the most advanced measurement of sustainability in the built environment, including zero energy and zero carbon buildings. ILFI’s certificate program includes different types of certifications: Living Building Certification, Petal Certification, Zero Energy Certification, Zero Carbon Certification. It has been certifying buildings since 2006.

Major Alteration means non-residential alterations where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed where areas of such construction are ten thousand gross square feet or more in existing commercial, office and industrial buildings (SMC Section 19.12.140).

Zero Energy Building means an energy-efficient building where 100% of the building energy needs on a net annual basis supplied by onsite renewable energy, usually without any onsite combustion, demonstrating zero energy performance.

Zero Energy Certification means a performance-based certification program administered and certified by ILFI. This certification requires 100% of the building energy offsets with the onsite renewable energy. The program requires 100% onsite energy generation and no combustion allowed on site, but some exceptions may be given for special circumstances for off-site renewable energy, onsite combustion, and other circumstances, with additional documentations required by ILFI.