

## Legal Updates & News

### Legal Updates

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#### California Green Building Code Update: Coming to a Location Near You

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Effective August 1, 2009, the California Green Building Standards Code ("Green Building Code") will govern the planning, design, operation, construction, replacement, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such building structures throughout the State of California. However, not every requirement in the Green Building Code applies to every type of building, and several requirements may be voluntary for some buildings while mandatory for others. Different government agencies govern particular types of buildings. For example:

- the Department of Housing and Community Development regulates apartments, condominiums, hotels, motels, dormitories, and other types of housing, and
- the Office of Statewide Health Planning and Development regulates general acute-care hospitals and other health facilities.

One year ago, the California Building Standards Commission, the state agency that oversees the adoption and implementation of the State's building codes, adopted the Green Building Code, the first statewide green building regulation of its kind. The Green Building Code sets a minimum green building standard. Local governments are free to adopt more stringent green building requirements. The Green Building Code includes Green Building Measures to improve five key areas of building design and construction: (1) planning and design, (2) energy efficiency, (3) water efficiency and conservation, (4) material conservation and resource efficiency, and (5) environmental air quality.

As of August 1, 2009, the mandatory Green Building Measures will generally apply to publicly owned buildings. However, several other Green Building Measures that will be voluntary on August 1, 2009, will be required in 2010 or 2011. For example, the Department of Housing and Community Development will require that the housing projects that it regulates:

- Recycle and/or salvage a minimum of fifty percent (50%) of nonhazardous construction and

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demolition debris (effective date of requirement – 2010 California Building Code).

- Develop a plan to manage storm water drainage during construction if the project disturbs less than one acre of soil and is not part of a larger common plan of development which in total disturbs one acre or more (effective date of requirement – 2010 California Building Code).
- Reduce potable indoor water use by twenty percent (20%) (effective date of requirement – July 1, 2011).

Anyone looking to develop or manage buildings in California needs to be familiar with these new standards. One of our Land Use and Environmental Law associates, Michelle Moore, recently became a Leadership in Energy and Environmental Design Accredited Professional (LEED AP). If you are interested in learning more about green building regulation, contact one of our attorneys with expertise in the field of green building regulation: [Michelle Moore](#), [Mitch Randall](#), [David Gold](#), or [Miles Imwalle](#).