



Municipal Green Building Waiver Request

REF: Environment Code Chapter 7

Project Information

Project name:	Project/Job number:	Date of waiver request:
Project street address:	Project sponsor (City department):	
Current design phase percent completion:		
City project manager:	Phone:	Email:

San Francisco Environment Code Chapter 7: Municipal Green Building Requirements

SEC. 705. WAIVERS.

- (a) Waivers for any requirement of this Chapter, except any requirement that is mandated by other local or state policy, are available under the following circumstances:
- (1) **Emergency.** When it is necessary to respond to an emergency that endangers public health or safety, the Director of a City Department may grant itself a waiver from any requirement of this Chapter. The City Department shall report within five business days to the Director, on a form provided by the Director, and explain the emergency that prevented compliance with the requirement(s) of this Chapter.
 - (2) **Cost Prohibitive.** If the sponsoring City Department of a Municipal Construction Project determines that compliance with any requirement of this Chapter is cost prohibitive, that City Department may request a waiver on a form provided by the Director and submitted to the Task Force. The Task Force shall propose a recommended action to the Director (or the Executive Director of the Port of San Francisco for a project that is located on property owned or controlled by the Port of San Francisco), who may grant a waiver upon a finding that the Municipal Construction Project's team has:
 - (A) Ascertained the specific requirement(s) is cost prohibitive, as measured against the potential economic, environmental, societal, and health benefits posed by that requirement; and
 - (B) Developed a reasonable plan to maximize the sustainability strategies for the Municipal Construction Project, and counterbalance the requirement that cannot be met to the extent that it is practicable.
 - (3) **Alternate Compliance.** The sponsoring City Department of a Municipal Construction Project may request a waiver from LEED Gold if using a Green Building Rating System or standard that is determined by the Task Force to be at least as stringent as LEED or to be more appropriate for a specific project. Such waiver request shall document justification and details for alternate compliance on a form provided by the Director and submitted to the Task Force. The Task Force shall propose a recommended action to the

Director (or the Executive Director of the Port of San Francisco for a project that is located on property owned or controlled by the Port of San Francisco), who may grant a waiver upon finding that the Municipal Construction Project's team has provided adequate justification.

- (4) **Other.** If, due to specific circumstances, compliance with a requirement would defeat the intent of this Chapter or create an unreasonable burden on the Municipal Construction Project or sponsoring City Department, that City Department may request a waiver on a form provided by the Director. The Task Force shall propose a recommended action to the Director (or the Executive Director of the Port of San Francisco for a project that is located on property owned or controlled by the Port of San Francisco), who may grant a waiver upon a finding that the requesting City Department has:
- (A) Documented the circumstances and burdens at issue; and
 - (B) Developed a reasonable plan to maximize the sustainability strategies for the Municipal Construction Project, and counterbalance the requirement that cannot be met to the extent that it is practicable.
- (b) After the end of the 50% design development phase, the Director (or the Executive Director of the Port of San Francisco for a project that is located on property owned or controlled by the Port of San Francisco) will only accept a waiver request for consideration if the project design team can demonstrate extenuating circumstances, including but not limited to unforeseen site conditions or unavailability of a specified system or product.
- (c) The Director shall respond to a waiver request within 35 days.
- (d) The Director (or the Executive Director of the Port of San Francisco for a project that is located on property owned or managed by the Port of San Francisco) may not grant a waiver for the requirements of Sections 704(c)(1)(B) or 704(c)(2)(A). Granting a waiver for any requirement of this Chapter does not eliminate any requirement of other local or state codes.
- (e) The Director, in consultation with the Task Force, shall report to the Commission on the Environment regularly on waivers requested, granted, and denied.

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INDICATE TYPE OF WAIVER REQUESTED (SELECT ONE):

Cost prohibitive

Alternate compliance

Other: _____

Please complete the Waiver Request Information Form on the next two pages and include the following attachments with this Waiver Request as PDF files:

- Attachment 1: Floor Plan(s), Roof Plan(s), and other relevant diagrams
- Attachment 2: Completed and signed permit application submittal form GS6
- Attachment 3: Current LEED Scorecard indicating credits and points being pursued

Signature of requesting Department Director:

Date:

Printed name:

Waiver Request Information Form

Project narrative (use, size, location, schedule, budget, etc.):

Requirement for which a waiver is requested and explanation of request:

Description of and plans to maximize green building design strategy and environmental benefits of the project (site, water, energy, materials, indoor environmental quality, health, equity, carbon, innovation, etc.):

Submit completed and signed form and attachments to: eden.brukman@sfgov.org, San Francisco Environment Department, 1155 Market Street, Third Floor, San Francisco, CA 94103. Attention: Senior Green Building Coordinator. Questions? Call the San Francisco Environment Department at (415) 355-3710.

FOR OFFICIAL CITY USE ONLY

Date of Municipal Green Building Task Force hearing:

Recommendation by Municipal Green Building Task Force:

Action taken by San Francisco Environment Department (SFE):

APPROVED

NOT APPROVED

Signature of Director, SFE:

Date:

Printed name:

Conditions of waiver: