DOCKETED	
Docket Number:	25-BSTD-04
Project Title:	Applications for Local Ordinances Exceeding the 2025 Energy Code
TN #:	267673
Document Title:	City of Encinitas Ordinance No 2025-11
Description:	Plain text of City of Encinitas ordinance no. 2025-11
Filer:	Anushka Raut
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	11/19/2025 4:26:05 PM
Docketed Date:	11/19/2025

ORDINANCE 2025-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ENCINITAS, CALIFORNIA, AMENDING ENCINITAS MUNICIPAL CODE CHAPTER 23.12 (BUILDING CODES FOR CONSTRUCTION) TO MAKE CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS RELATED TO ELECTRIC VEHICLES, WATER CONSERVATION AND ENERGY EFFICIENCY

CASE NUMBER: PLCY-008282-2025; CITYWIDE

SECTION ONE. The City Council of the City of Encinitas hereby finds and declares as follows:

WHEREAS, the City of Encinitas desires to amend Sections 23.12.080 and 23.12.110 of Chapter 23.12 (Building Codes for Construction) of Title 23 (Building and Construction) of the City of Encinitas Municipal Code to implement goals and objectives set forth in the City's Climate Action Plan for reducing greenhouse gas (GHG) emissions, conserving energy, encouraging green buildings, protecting the natural environment, and protecting the health of residents and visitors;

WHEREAS, the California Global Warming Solutions Act of 2006, known as AB 32, established a statewide goal of reducing greenhouse gas emissions to 1990 levels by 2020 and directs the California Air Resources Board to develop a strategy to achieve such reductions;

WHEREAS, Executive Order S-3-05, established a statewide goal of reducing emissions to 80 percent below 1990 levels by 2050;

WHEREAS, the California Global Warming Solutions Act of 2016, known as SB 32, established a binding target to reduce statewide GHG emissions to at least 40 percent below 1990 levels by 2030;

WHEREAS, California Assembly Bill 1279 (2022) set a statewide target of achieving carbon neutrality no later than 2045 and to ensure that by 2045, statewide greenhouse gas emissions are reduced at least 85 percent below 1990 levels;

WHEREAS, the State of California Climate Strategy identifies key strategies for addressing climate change that includes increasing renewable energy usage, doubling energy efficiency savings in existing buildings, making heating fuels cleaner, and reducing emissions from transportation;

WHEREAS, California Governor Gavin Newsom signed Executive Order N-79-20 on September 23, 2020, setting a target of 100 percent of in-state sales of new passenger vehicles will be zero-emission by 2035, as well as ambitious targets for zero-emission medium- and heavy-duty vehicles;

WHEREAS, the State of California recent adopted Assembly Bill 1236, which requires local agencies to adopt an ordinance that creates an expedited and streamlined permitting process for electric vehicle charging systems;

WHEREAS, the City Council of the City of Encinitas adopted and updated CEQA-qualified Climate Action Plan on November 18, 2020, aligning local climate action policies with the State of California Climate Strategy including the adoption strategies and goals to procure grid available electricity from 100 percent renewable energy sources, increase energy efficiency in residential and non-residential buildings, and promote the installation of local renewable energy sources at homes and businesses;

WHEREAS, the City of Encinitas Climate Action Plan found that buildings are the second largest contributor to GHG emissions, accounting for 39 percent of its total emissions in 2012;

WHEREAS, the United Nations Intergovernmental Panel on Climate Change (IPCC) has warned that failure to address the causes of global climate change within the next few years will result in sea level rise, increased frequency of wildland fires, and reduced freshwater resources, which will significantly increase the cost of providing local governmental services and protecting public infrastructure;

WHEREAS, the City Council of the City of Encinitas adopted Resolution 2020-90 Declaring a Climate Emergency on December 16, 2020;

WHEREAS, the 2025 California Building Standards Code adopted by the California Building Standards Commission sets minimum statewide building standards and, within the code, expressly stated that the standards are viewed as "minimal" and that local government entities retain discretion, pursuant to Health and Safety Code Section 17958 to exceed the standards established by the code based on express findings that such changes or modifications are reasonably necessary because of local climatic, topographical, or geological conditions pursuant to Health and Safety Code Section 17985.5, 17958.7, and 18941.5;

WHEREAS, Health and Safety Code (HSC) Section 18941.5, with reference to HSC Section 17958.7, allows for more restrictive local amendments to the California Building Standards Code that are reasonably necessary because of local climatic, geological, or topographical conditions;

WHEREAS, the proposed amendments and changes to the California Energy Code, Part 6 and the California Green Building Standards Code, Part 11 of the California Building Standards Code, are reasonably necessary because of the following climatic, geologic, and topographical conditions:

1. The City of Encinitas has over six (6) miles of beaches, several creeks, and other low-lying areas prone to flooding. The City is at risk to coastal storms, erosion, and flooding. There is broad scientific consensus that the earth will continue to warm, and sea levels will rise impacting beaches, roads, properties, infrastructure, and environmentally sensitive areas.
2. The City of Encinitas has experienced increases in annual temperature. Annual temperatures have increased more than 1-degree Fahrenheit in many parts of the state and have exceeded increases of 2-degree Fahrenheit in areas that include the San Diego region. Temperature increases are expected to continue into the future.
3. The City of Encinitas is situated in hilly, coastal and inland terrain. Approximately 50 percent of the City is covered by native vegetation on steep and frequently inaccessible hillsides. The native vegetation consists of highly combustible grasses, dense brush, and chaparral, and could pose a wildfire risk. Natural firebreaks in these areas are significantly lacking.
4. The City of Encinitas experiences seasonal climatic conditions during the late summer and fall that can result in frequent Santa Ana weather patterns. Dry, hot, strong, and gusty Santa Ana wind conditions produce extreme dryness and some of the highest wind events in San Diego County, resulting in some of the region's most catastrophic wildfires. These fires impact public health in the populated coastal zone through extreme heat and smoke.
5. The City of Encinitas has a responsibility to act to address environmental conditions that impact public health and welfare. Sustainability and resiliency are core values of the City's General Plan and Climate Action Plan. Energy efficiency promotes public health and welfare by enhancing the environmental and economic health of the City through green practices in design, construction, maintenance, and operation of new and existing buildings. Construction of energy efficient buildings and installation of renewable energy

systems protects the public health and welfare by reducing air pollution, greenhouse gas emissions, average and peak energy demand, and adverse impacts from power outages.

6. The City of Encinitas is largely built out creating more demand for additions and alterations to existing buildings;
7. Due to the relatively mild climate in the San Diego region, some new homes are not built with air conditioners and may not have a suitable location for a future outdoor heat pump coil;
8. Due to the development patterns and terrain of the San Diego region, private automobiles are expected to remain a significant mode of local transportation into the foreseeable future;
9. Due to the increased risk of drought in the region, alternative sources of irrigation are needed to maintain a healthy urban environment;
10. Amendments to the California Energy Code and the California Green Building Code to require additional improvements for certain additions and alterations, designate locations for heat pumps in new single family homes, require graywater-ready plumbing in new single family homes, and increase requirements for electric vehicle charging infrastructure are reasonably necessary to promote energy efficiency and conservation in the City, reduce GHG emissions, promote green development patterns, and maintain a long-term balance between environmental, social, and economic impacts that protect public health and welfare.

WHEREAS, Public Resources Code (PRC) Section 25402.1(h)(2) and the California Energy Code, Title 24, Part 6, Section 10-106 establish a process by which local governments may adopt more stringent standards to the energy efficiency and conservation provisions in the California Energy Code, Title 24, Part 6, provided that the standards have been determined to be cost effective and will require buildings to be designed to consume less energy than permitted by the California Energy Code;

WHEREAS, the following studies commissioned by the California Statewide Energy Codes and Standards Program demonstrate that the local amendments are cost effective and will require buildings to be designed to consume less energy than is permitted by the California Energy Code:

1. Application of the 2022 Studies to the 2025 Energy Code: Existing Single Family Building Upgrades; and
2. Application of the 2019 Studies to the 2022 Energy Code: Existing Low-Rise Residential Building Upgrades;

WHEREAS, by adopting this ordinance, the City Council has determined, in a public hearing, that the standards are cost-effective;

WHEREAS, California Assembly Bill 130 (2025) establishes a statewide moratorium on local code amendments applicable to residential units between October 1, 2025 and June 1, 2031, unless certain conditions are met, as enumerated in Section 17958 of the Health and Safety Code;

WHEREAS, consistent with Section 17958 of the Health and Safety Code, these amendments have been adopted on September 24, 2025;

WHEREAS, the City Council of the City of Encinitas has adopted local code amendments under the 2022, 2019, and 2016 California Building Standards Code cycles;

WHEREAS, consistent with Section 17958 of the Health and Safety Code, the amendments are substantially equivalent to changes or modifications that were previously filed by the City of Encinitas and were in effect on and prior to September 30, 2025.

WHEREAS, consistent with Section 17958 of the Health and Safety Code, these amendments are necessary to align with the Housing Element of the General Plan, adopted April 7, 2021, and the Climate Action Plan, as adopted and certified by the Encinitas City Council on November 18, 2020. One of the objectives under the Housing Element of the General Plan is to "Continue to develop and promote energy efficiency conservation measures consistent with the strategies outlined in the City's Climate Action Plan."

WHEREAS, the Climate Action Plan, the City's adopted greenhouse gas emissions reduction strategy, outlines energy conservation measures implemented by local code amendments which include requiring residential renovations to implement energy efficiency retrofits, requiring new residential units to be constructed all-electric to the extent permitted by federal law, and requiring new residential units to install electric vehicle chargers.

WHEREAS, the City Council finds in its independent judgment that the proposed amendment to the Encinitas Municipal Code to adopt State uniform codes is exempt from environmental review as per Section 15378(b)(5) of the CEQA Guidelines since the activity in question is not considered a "project" as defined therein. The action being considered by the City Council is an administrative activity of government that will not result in the direct or indirect physical change in the environment. This action entails adoption of State mandated Building Codes that are enforceable upon the City. Minor amendments will not have a significant effect on the environment because the strengthened requirements reduce hazards and accommodate features and thereby reduce environmental effects. Furthermore, the amendments were previously evaluated in the Final Negative Declaration (ND) for the Climate Action Plan (Case No. 17-224), dated December 5, 2017, and Addendum to the ND (Case No. ENV-004106-2020), dated October 20, 2020. The ND and the Addendum evaluated the potential environmental effects of the implementation of the Climate Action Plan including the adoption and enforcement of energy efficiency and renewable energy ordinances. This project is within the scope of the Final ND and the Addendum and no further California Environmental Quality Act (CEQA) compliance is required. The City Council therefore finds that there is no possibility that the minor local amendments may have a significant effect on the environment; therefore pursuant to Section 15061(b)(3) of the CEQA Guidelines the activity is exempt from the provisions of CEQA; and

NOW, THEREFORE, the City Council of the City of Encinitas, California, hereby ordains as follows:

SECTION TWO:

Ordinance Nos. 2022-13 and 2024-04 amending Section 23.12.080 of Chapter 23.12 of the Encinitas Municipal Code are hereby repealed in their entirety. Section 23.12.080 of Chapter 23.12 of the Encinitas Municipal Code is hereby amended to add, modify or remove the following sections as specified herein:

A. There is adopted and incorporated by reference herein as the City's Energy Code for the purpose of prescribing regulations in the City of Encinitas for the conservation of energy, the 2025 California Energy Code, Part 6, Title 24 of the California Code of Regulations, a portion of the 2025 California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq. Except as otherwise provided by this section of the City of Encinitas Municipal Code, all construction of buildings where energy will be utilized shall be in conformance with 2025 California Energy Code and any rules and regulations

promulgated pursuant thereto, including the California Energy Code, 2025 Edition, published by the California Energy Commission.

B. The first paragraph of Section 150.2(a) is amended to read:

(a) Additions. Additions to existing single-family residential buildings shall meet the requirements of Sections 110.0 through 110.9, Sections 150.0(a) through (n), (p), (q), Section 150.2(d), and either Section 150.2(a)1 or 2.

C. The first paragraph of Section 150.2(b) is modified to read:

(b) Alterations. Alterations to existing single-family residential buildings or alterations in conjunction with a change in building occupancy to a single-family residential occupancy shall meet the requirements of Section 150.2(d) and either Item 1 or 2 below.

D. Section 150.2 of the California Energy Code is amended to add Section (d) as follows:

(d) Single Family Additions or Alterations.

The following requirements shall apply to the entire dwelling unit, not just the addition or altered portion. All additions and alterations of single family residential buildings with a building permit valuation of $50,000 or higher shall include any one of the measures identified as Available in Table 150.2-H, Single Family Requirements, where vintage shall refer to the year in which the building was originally permitted for construction. The measures shall be installed to the specifications in Table 150.2-I, Single Family Measure Specifications. Existing measures that meet the specifications in Table 150.2-I may be used to satisfy the requirements.

Note: To the extent the provisions of Section 150.2(d) conflict with other provisions of the California Energy Code, then the most energy conserving provisions shall supersede and control.

Exception to Section 150.2(d): The requirement for inclusion of energy efficiency measures does not apply to residential buildings that receive a rating of seven or higher on the U.S. Department of Energy's Home Energy Score rating system based upon an assessment by a Home Energy Score Certified Assessor, to the satisfaction of the Development Services Director or designee.

Table 150.2-H: Single Family Requirements

Measures	Building Vintage		
	Pre-1978	1978-1991	Post-1991
Water Heating Package	Available*	Available*	Available*
Cool Roof	Available*	Available*	Available
R-38 Attic Insulation and Air Sealing	Available*	Available	Available
Duct Sealing	Available*	Available*	Available
New Ducts + Duct Sealing	Available*	Available	Available
Windows	Available	Available	Available
R-15 Wall Insulation	Available	Not applicable	Not applicable
Heat Pump Water Heater (HPWH)	Available	Available	Available
Heat Pump HVAC	Available	Available	Available
Heat Pump Clothes Dryer	Available	Available	Available
Induction Cooktop	Available	Available	Available
PV + Electric Ready Pre-Wire	Available*	Available*	Available

* Measures that have been shown to be cost effective in this region.

Table 150.2-I: Single Family Measure Specifications
Water Heating Package: Add exterior insulation meeting a minimum of R-6 to existing storage water heaters. Insulate all accessible hot water pipes with pipe insulation a minimum of ¾ inch thick. This includes insulating the supply pipe leaving the water heater, piping to faucets underneath sinks, and accessible pipes in attic spaces or crawlspaces. Upgrade fittings in sinks and showers to meet current California Green Building Standards Code (Title 24, Part 11) Section 4.303 water efficiency requirements.
Cool Roof: Install a cool roof. For steep-sloped roofs (ratio of rise to run greater than 2:12) install a roofing product rated by the Cool Roof Rating Council to have an aged solar reflectance equal to or greater than 0.25, and a thermal emittance equal to or greater than 0.75. For low-sloped roofs, install a roofing product meeting the requirements of Section 150.2(b)1Iiia, and insulate the roof in accordance with Section 150.2(b)1Iiib. Only areas of roof that are to be re-roofed are subject to the cool roof upgrade. All exceptions as stated in 2025 Title 24, Part 6, Section 150.2(b)1Ii for steep slope roofs and 150.2(b)1Iii for low slope roofs are allowed.

Table 150.2-I: Single Family Measure Specifications
R-38 Attic Insulation and Air Sealing. **Attic Insulation:** Attic insulation shall be installed to achieve a weighted assembly U-factor of 0.026 or insulation installed at the ceiling level shall have a thermal resistance of R-38 or greater for the insulation alone. Recessed downlight luminaires in the ceiling shall be covered with insulation to the same depth as the rest of the ceiling. Luminaires not rated for insulation contact must be replaced or fitted with a fire-proof cover that allows for insulation to be installed directly over the cover. Existing R-19 insulation satisfies this requirement. **Air Sealing:** Seal all accessible cracks, holes, and gaps in the building envelope at walls, floors, and ceilings. Pay special attention to penetrations including plumbing, electrical, and mechanical vents, recessed can light luminaires, and windows. Weather-strip doors if not already present. Verification shall be conducted following a prescriptive checklist that outlines which building aspects need to be addressed by the permit applicant and verified by an inspector. Compliance can also be demonstrated with blower door testing conducted by a certified ECC Rater no more than three years prior to the permit application date that either: a) shows at least a 30 percent reduction from pre-retrofit conditions; or b) shows that the number of air changes per hour at 50 Pascals pressure difference (ACH50) does not exceed ten for Pre-1978 vintage buildings, seven for 1978 to 1991 vintage buildings and five for post 1991 vintage buildings. If combustion appliances are located within the pressure boundary of the building, conduct a combustion safety test by a certified ECC Rater or a professional certified by the Building Performance Institute in accordance with the BPI Technical Standards for the Building Analyst Professional.
Duct Sealing: Air seal all space conditioning ductwork to meet the requirements of the 2025 Title 24, Part 6, Section 150.2(b)1E. The duct system must be tested by a certified ECC Rater no more than three years prior to the permit application date to verify the duct sealing and confirm that the requirements have been met. This measure may not be combined with the New Ducts + Duct Sealing measure in this Table.
New Ducts + Duct Sealing: Replace existing space conditioning ductwork with new R-8 ducts that meet the requirements of 2025 Title 24, Part 6, Section 150.0(m)11. This measure may not be combined with the Duct Sealing measure in this Table. To qualify, a preexisting measure must have been installed no more than three years before the covered single family project permit application date.
Windows: Replace all existing windows with high performance windows with an area-weighted average U-factor no greater than 0.30.
R-15 Wall Insulation: Install wall insulation in all exterior walls to achieve a weighted U-factor of 0.095 or install wall insulation in all exterior wall cavities that shall result in an installed thermal resistance of R-15 or greater for the insulation alone.
Heat Pump Water Heater (HPWH): Replace existing electric resistance or gas water heater with a heat pump water heater that meets the requirements of Sections 110.3 and 150.2(b)1.H.iii.b.
HVAC Heat Pump: Replace existing gas space heating system or all existing electric resistance heating systems with an electric heat pump system that meets the requirements of Sections 110.3, 150.2(b)1.C, 150.2(b)1.E, 150.2(b)1.F, and 150.2(b)1.G.
Heat Pump Clothes Dryer: Replace existing gas or electric resistance clothes dryer with a heat pump dryer with no resistance element and cap gas line.

Table 150.2-I: Single Family Measure Specifications
Induction Cooktop: Replace existing gas and electric resistance stove top with an induction stove top and cap the gas line.
PV+ Electric Ready Pre-Wire: Install a solar PV system that meets the requirements of 2025 Title 24, Part 6, Section 150.1(c)14. The system shall be sized such that the estimated annual kWh production shall not exceed the projected annual kWh demand. Upgrade the panelboard serving the individual dwelling to provide circuit breaker spaces for a heat pump water heater, heat pump space heater, electric cooktop and electric clothes dryer with the capacities specified in California Energy Code Section 150.0 (n), (t), (u) and (v); or, provide electrical load calculations and appliance specifications for serving all of these end-uses with a minimum 100-amp panel. Install any two circuits for electric appliances from the list below: 1. Heat Pump Water Heater Ready, as specified in Section 150.0(n)1 2. Heat Pump Space Heater Ready, as specified in Section 150.0(t) 3. Electric Clothes Dryer Ready, as specified in Section 150.0(v) 4. Electric Cooktop Ready, as specified in Section 150.0(u) 5. Energy Storage Systems (ESS) Ready, as specified in Section 150.0(s) 6. EV Charger Ready. Install a dedicated 208/240-volt branch circuit as specified in the California Green Building Code, Title 24, Part 11, Section A4.106.8.1, which otherwise applies to new construction

E. Section 180 of the **California Energy Code** is amended to add Section 180.5 as follows:

Section 180.5 - MULTIFAMILY ADDITIONS OR ALTERATIONS

The following requirements shall apply to the entire dwelling unit, not just the addition or altered portion. All additions and alterations of individual residential dwelling units (within the multifamily building), with a building permit valuation of $50,000 or higher shall include any one of the measures identified as Available in Table 180.5-A, Multifamily Requirements, where vintage shall refer to the year in which the building was originally permitted for construction. The measures shall be installed to the specifications in Table 180.5-B, Multifamily Measure Specifications. Existing measures that meet the specifications in Table 180.5-B may be used to satisfy the requirements.

Note: To the extent the provisions of Section 180.5 conflict with other provisions of the California Energy Code, then the most energy conserving provisions shall supersede and control.

Table 180.5-A: Multifamily Requirements

Measures	Building Vintage		
	Pre-1978	1978-1991	Post-1991
Water Heating Package	Available*	Available*	Available*
Cool Roof	Available*	Available*	Available
R-38 Attic Insulation and Air Sealing	Available*	Available	Available
Duct Sealing	Available*	Available*	Not applicable
New Ducts + Duct Sealing	Available*	Available	Available
Windows	Available	Available	Available
R-15 Wall Insulation	Available	Not applicable	Not applicable
Floor Insulation	Available	Not applicable	Not applicable
Heat Pump Water Heater (HPWH)	Available	Available	Available
Heat Pump HVAC	Available	Available	Available
Heat Pump Clothes Dryer	Available	Available	Available
Induction Cooktop	Available	Available	Available
PV + Electric Ready Pre-Wire	Available*	Available*	Available

* Measures that have been shown to be cost effective in this region.

Table 180.5-B: Multifamily Measure Specifications
Water Heating Package: Add exterior insulation meeting a minimum of R-6 to existing storage water heaters. Insulate all accessible hot water pipes with pipe insulation a minimum of ¾ inch thick. This includes insulating the supply pipe leaving the water heater, piping to faucets underneath sinks, and accessible pipes in attic spaces or crawlspaces. Upgrade fittings in sinks and showers to meet current California Green Building Standards Code (Title 24, Part 11) Section 4.303 water efficiency requirements.
Cool Roof: Install a cool roof. For steep-sloped roofs (ratio of rise to run greater than 2:12) install a roofing product rated by the Cool Roof Rating Council to have an aged solar reflectance equal to or greater than 0.25, and a thermal emittance equal to or greater than 0.75. Low slope roofs (ratio of rise to run of 2:12 or less) shall meet the requirements of Section 180.2(b)1Ii of 2019 Title 24, Part 6. All exceptions as stated in 2025 Title 24, Part 6, Section 180.2(b)1Ii for low slope roofs and 180.2(b)1Iii for steep slope roofs are allowed.

Table 180.5-B: Multifamily Measure Specifications
R-38 Attic Insulation and Air Sealing **Attic Insulation:** Attic insulation shall be installed to achieve a weighted assembly U-factor of 0.026 or insulation installed at the ceiling level shall have a thermal resistance of R-38 or greater for the insulation alone. Recessed downlight luminaires in the ceiling shall be covered with insulation to the same depth as the rest of the ceiling. Luminaires not rated for insulation contact must be replaced or fitted with a fire-proof cover that allows for insulation to be installed directly over the cover. Existing R-19 insulation satisfies this requirement. **Air Sealing:** Seal all accessible cracks, holes, and gaps in the building envelope at walls, floors, and ceilings. Pay special attention to penetrations including plumbing, electrical, and mechanical vents, recessed can light luminaires, and windows. Weather-strip doors if not already present. Verification shall be conducted following a prescriptive checklist that outlines which building aspects need to be addressed by the permit applicant and verified by an inspector. Compliance can also be demonstrated with blower door testing conducted by a certified ECC Rater no more than three years prior to the permit application date that either: a) shows at least a 30 percent reduction from pre-retrofit conditions; or b) shows that the number of air changes per hour at 50 Pascals pressure difference (ACH50) does not exceed ten for Pre-1978 vintage buildings, seven for 1978 to 1991 vintage buildings and five for post 1991 vintage buildings. If combustion appliances are located within the pressure boundary of the building, conduct a combustion safety test by a certified ECC Rater or a professional certified by the Building Performance Institute in accordance with the BPI Technical Standards for the Building Analyst Professional.
Duct Sealing: Air seal all space conditioning ductwork to meet the requirements of 2025 Title 24, Part 6, Section 180.2(b)2Aiii. The duct system must be tested by a certified ECC Rater no more than three years prior to the low-rise multifamily covered project permit application date to verify the duct sealing and confirm that the requirements have been met.
New Ducts + Duct Sealing: Replace existing space conditioning ductwork with new R-8 ducts that meet the requirements of 2025 Title 24, Part 6, Section 160.3(b)5.K, with the exception that the maximum duct leakage be reduced from the current code requirement of 12 percent to five percent. To qualify, a preexisting measure must have been installed no more than three years before the low-rise multifamily covered project permit application date.
Windows: Replace all existing windows with high performance windows with an area-weighted average U-factor no greater than 0.32.
R-15 Wall Insulation: Install wall insulation in all exterior walls to achieve a weighted U-factor of 0.095 or install wall insulation in all exterior wall cavities that shall result in an installed thermal resistance of R-15 or greater for the insulation alone.
Floor Insulation: Install floor insulation in the floor cavity of all exterior raised floors to achieve a weighted U-factor of 0.037 or an installed thermal resistance of R-19 or greater for the insulation alone.
Heat Pump Water Heater (HPWH): Replace existing electric resistance or gas water heater with a heat pump water heater that meets the requirements of Sections 110.3 and 170.2(d)1.
HVAC Heat Pump: Replace existing gas space heating system or all existing electric resistance heating systems with an electric heat pump system that meets the requirements of Sections 110.3 and 170.2(c).

Table 180.5-B: Multifamily Measure Specifications
Heat Pump Clothes Dryer: Replace existing gas or electric resistance clothes dryer with a heat pump dryer with no resistance element and cap gas line.
Induction Cooktop: Replace existing gas and electric resistance stove top with an induction stove top and cap the gas line.
PV+ Electric Ready Pre-Wire: Install a solar PV system that meets the prescriptive requirements in Section 170.2(f). The system shall be sized such that the estimated annual kWh production shall not exceed the projected annual kWh demand. Upgrade the panelboard serving the individual dwelling to provide circuit breaker spaces for a heat pump water heater, heat pump space heater, electric cooktop and electric clothes dryer in accordance with Section 160.9(a); or, provide electrical load calculations and appliance specifications for serving all of these end-uses with a minimum 100-amp panel. Install any two circuits for electric appliances from the list below: 1. Heat Pump Water Heater Ready, as specified in Section 160.9(e) 2. Heat Pump Space Heater Ready, as specified in Section 160.9(b) 3. Electric Clothes Dryer Ready, as specified in Section 160.9(d) 4. Electric Cooktop Ready, as specified in Section 160.9(c) 5. Energy Storage Systems (ESS) Ready, as otherwise specified for Single Family buildings in Section 150.0(s) 6. EV Charger Ready. Install a dedicated 208/240-volt branch circuit as specified in the California Green Building Code, Title 24, Part 11, Section A4.106.8.1, which otherwise applies to single family new construction

F. Section 150.0(t) of the California Energy Code is hereby amended to read:

Section 150.0(t) Heat Pump Space Heater Ready.

Systems using gas or propane furnace to serve individual dwelling units shall include the following:

1. A dedicated 240-volt branch circuit wiring shall be installed within 3 feet from the furnace and accessible to the furnace with no obstructions. The branch circuit conductors shall be rated at 30 amps minimum. The blank cover shall be identified as "240V ready". All electrical components shall be installed in accordance with the California Electrical Code.
2. The main electrical service panel shall have a reserved space to allow for the installation of a double pole circuit breaker for a future heat pump space heater installation. The reserved space shall be permanently marked as "For Future 240V use".
3. A designated exterior location for a future heat pump compressor unit that meets the requirements of Section 150.0(h)3 with either a drain or natural drainage for condensate.

G. Applicability. These requirements apply to all building permit applications filed on or after January 1, 2026 after approval by the California Energy Commission, or after the effective date, whichever is later.

SECTION THREE:

Ordinance Nos. 2022-14 and 2024-04 amending Section 23.12.010 of Chapter 23.12 of the Encinitas Municipal Code are hereby repealed in their entirety. Section 23.12.010 of Chapter 23.12 of the Encinitas Municipal Code is hereby amended to add, modify or remove the following sections as specified herein:

A. There is adopted and incorporated by reference herein as the City's Green Building Code for the purpose of prescribing regulations in the City of Encinitas for enhancing the design and construction of buildings, through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices the 2025 California Green Building Standards Code, Part 11, Title 24 of the California Code of Regulations, a portion of the 2025 California Buildings Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq., and the California Green Building Standards Code, 2025 Edition. Except as otherwise provided by this section of the City of Encinitas Municipal Code, all construction of buildings shall be in conformance with the 2025 California Building Standards Code and any rules and regulations promulgated pursuant thereto, including the California Green Building Standards Code, 2025 Edition, published by the California Building Standards Commission.

B. Section 202 DEFINITIONS, is hereby amended to add or modify the following definitions to the 2025 California Green Building Standards Code to read:

Newly Constructed Building (or New Construction) shall have the meaning defined in Title 24, Part 2, Chapter 2, Section 202, as amended.

C. Section 4.304.2 Graywater Systems is hereby added to the 2025 California Green Building Standards Code to read:

4.304.2 Graywater systems. Newly Constructed single-family dwelling units shall be preplumbed for a graywater system permitted and constructed in accordance with Chapter 15 of the California Plumbing Code and including a connection to a convenient location for integration of the graywater system with landscape irrigation systems and accepting graywater from all sources permissible in conformance with the definition of graywater as per Section 14876 of the California Water Code.

Exception:

A graywater system shall not be permitted where a qualified soils engineer determines in a written, stamped report, or a percolation test shows, that the absorption capacity of the soil at the project site is unable to accommodate the discharge of a graywater irrigation system.

D. Sections E through G cover Electric Vehicle Service Equipment requirements and includes the following sections:

E. A4.106.8 Electric vehicle charging for new one- and two-family dwellings and townhouses with attached private garages.

F. 5.106.5.7 Additional electric vehicle charging equipment (EVCE) requirements for nonresidential buildings.

G. Section 102.4: Electric vehicle service equipment streamlined permitting for AB 1236 compliance.

E. The first paragraph of Section A4.106.8 and the entirety of Section A4.106.8.1 are hereby added as amended to the 2025 California Green Building Standards Code as mandatory requirements to read:

A4.106.8 Electric vehicle (EV) charging for new construction. New construction shall comply with Section A4.106.8.1 to facilitate the installation and use of EV ready spaces. Electric vehicle supply equipment (EVSE) shall comply with the California Electrical Code.

A4.106.8.1 Electric vehicle charging for new one- and two-family dwellings and townhouses with attached private garages.

Tier 1 and Tier 2. For each dwelling unit a dedicated 208/240-volt branch circuit shall be installed in the raceway required by Section 4.106.4.1. The branch circuit and associated overcurrent protective device shall be rated at 40 amperes minimum. Other electrical components, including a receptacle or blank cover, related to this section shall be installed in accordance with the California Electrical Code.

A4.106.8.1.1 Identification. The service panel or subpanel circuit director shall identify the overcurrent protective device designated for future EV charging purposes as "EV READY" in accordance with the California Electrical Code. The receptacle or blank cover shall be identified as "EV READY."

F. Section 5.106.5.7 Additional Electric Vehicle Charger Requirements for Nonresidential Buildings, is hereby added to the 2025 California Green Building Standards Code Section to read:

5.106.5.7 Additional electric vehicle charging station requirements for nonresidential buildings.

1. In addition to the requirements of Section 5.106.5.4, for any nonresidential alteration or addition that requires a building permit with a permit valuation of $500,000 or more as determined by the City of Encinitas Building Division, at least 8% of the total number of required parking spaces provided for all types of parking facilities allocated to the tenant space(s), but in no case less than one, shall be electric vehicle charging spaces (EV spaces). Each such space shall be equipped with, at a minimum, fully operational Level 2 electric vehicle supply equipment (EVSE). Calculations for the required number of EV spaces shall be rounded up to the nearest whole number. All EVSE and EV spaces shall be made available to all employees and patrons of the property in the same manner as other parking spaces. Refer to Sections 5.106.5.3.2 through 5.106.5.3.5 for design requirements.
2. These requirements shall apply to mixed occupancy buildings as specified in Section 302.

Exceptions:

On a case-by-case basis, where the local enforcing agency has determined EV charging and infrastructure are not feasible based upon one or more of the following conditions:

1. Where there is no local utility power supply or the local utility is unable to supply adequate power.
2. Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.7, may adversely impact the construction cost of the project.
3. Or other conditions as determined by the City.

G. Section 102.4, Electric Vehicle Charging Station Streamlined Permitting/ AB 1236 and AB 790 Compliance, is hereby added to the 2025 California Green Building Standards Code Section to read:

Section 102.4: Electric vehicle service equipment streamlined permitting for AB 1236 and AB 970 compliance.

102.4.1 Purpose. The purpose of this amendment is to promote and encourage the use of electric vehicles by creating an expedited, streamlined permitting process for electric vehicle charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations. This Chapter is also purposed to comply with California Government Code Sections 65850.7 and 65850.71, as modified.

102.4.2 Definitions. The following definitions shall apply to Section 102.4:

Electric Vehicle Charging Station or Charging Station. Any level of electric vehicle supply equipment station that is designed and built-in compliance with Article 625 of the California Electrical Code and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

Association. A nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.

Checklist. The submittal checklist required by the City of Encinitas to be submitted with the permit application for an electric vehicle charging station to demonstrate compliance.

Specific, Adverse Impact. A significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

Electronic Submittal. Submittal through the City's Customer Self Service Portal.

Feasible Method. A method to satisfactorily mitigate or avoid a specific, adverse impact including, but is not limited to, any cost-effective method, condition, or mitigation imposed by the city on another similarly situated application in a prior successful application for a permit.

102.4.3 Permit Application Processing. Section 102.4 applies to the permitting of all electric vehicle charging stations in the City of Encinitas.

A. Prior to submitting an application for processing, the applicant shall verify that the installation of an electric vehicle charging station will not have specific, adverse impact to public health and safety and building occupants. Verification by the applicant includes but is not limited to: electrical system capacity and loads; electrical system wiring, bonding and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; areas of charging station equipment and vehicle parking.

B. A permit application that satisfies the information requirements in the City's adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the City adopted checklist and is consistent with all applicable laws and health and safety standards, the Building Official shall, consistent with Government Code Section 65850.7 and Section 65850.71, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until approval is granted by the City. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

C. Consistent with Government Code Section 65850.7, the Building Official shall allow for electronic submittal of permit applications and associated supporting documentations. In accepting such permit applications, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

102.4.4 Permit Application and Submittal Requirements.

A. All electric vehicle charging stations shall meet applicable health and safety standards and requirements imposed by the state and the city.

B. All documents required for the submission of an electric vehicle charging station application are available on the city website, including a checklist of submittal requirements for expedited review. Unless otherwise specified, the checklist shall be the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook."

C. Along with the Checklist, the applicant shall submit a site plan, accessibility details, and associated electrical plans as part of their submittal to the City.

D. Electronic submittal of the required permit application and documents shall be made available to all electric vehicle charging station permit applicants. The permit application and associated documentation may be submitted to the Building Division by electronic submittal together with required permit processing and inspection fees. Electronic signature of the applicant on all forms, applications, and other documents may be used in lieu of a wet signature.

E. Should this chapter conflict with any permit processing requirements specified in any other chapter of the Encinitas Municipal Code, this chapter shall take precedence.

102.4.5 Permit Review and Issuance.

A. The Development Services Department shall implement an administrative, nondiscretionary review process to expedite approval of electric vehicle charging stations.

B. A permit application that satisfies the information requirements in the city's Checklist shall be deemed complete and be promptly processed per Government Code Section 6580.71.

C. If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.

D. Upon confirmation by the Building Official that the permit application and supporting documents meets the Checklist and is consistent with all applicable laws and health and safety standards, the Building Official shall, consistent with Government Code Section 65850.7 and Section 65850.71, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until final inspection approval is granted by the City.

102.4.6 Technical Review.

A. It is the intent of this code to encourage the installation of electric vehicle charging stations by removing obstacles to permitting for charging stations so long as the

action does not supersede the Building Official's authority to address higher priority life-safety situations.

B. In the technical review of a charging station, consistent with Government Code Section 65850.7, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an Association, as that term is defined by Civil Code Section 4080.

102.4.7 Electric Vehicle Charging Station Installation Requirements.

A. Electric vehicle charging station equipment shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission or a Municipal Electric Utility Company regarding safety and reliability.

B. Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code.

C. Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.

D. Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements.

E. If an electric vehicle charging station and any associated equipment interfere with, reduce, eliminate, or in any way impact the required parking spaces for existing uses, the City shall reduce the number of required parking spaces for the existing uses by the amount necessary to accommodate the electric vehicle charging station and any associated equipment.

H. Applicability. These requirements apply to all building permit applications filed on or after January 1, 2026 or the effective date, whichever is later.

SECTION FOUR. FINDINGS

The proposed amendments and changes to the California Energy Code, Part 6 and the California Green Building Standards Code, Part 11 of the California Building Standards Code, are reasonably necessary because of the following climatic, geologic, and topographical conditions:

1. The City of Encinitas has over six (6) miles of beaches, several creeks, and other low-lying areas prone to flooding. The City is at risk to coastal storms, erosion, and flooding. There is broad scientific consensus that the earth will continue to warm, and sea levels will rise impacting beaches, roads, properties, infrastructure, and environmentally sensitive areas.
2. The City of Encinitas has experienced increases in annual temperature. Annual temperatures have increased more than 1-degree Fahrenheit in many parts of the state and have exceeded increases of 2-degree Fahrenheit in areas that include the San Diego region. Temperature increases are expected to continue into the future.

3. The City of Encinitas is situated in hilly, coastal and inland terrain. Approximately 50 percent of the City is covered by native vegetation on steep and frequently inaccessible hillsides. The native vegetation consists of highly combustible grasses, dense brush, and chaparral, and could pose a wildfire risk. Natural firebreaks in these areas are significantly lacking.
4. The City of Encinitas experiences seasonal climatic conditions during the late summer and fall that can result in frequent Santa Ana weather patterns. Dry, hot, strong, and gusty Santa Ana wind conditions produce extreme dryness and some of the highest wind events in San Diego County, resulting in some of the region's most catastrophic wildfires. These fires impact public health in the populated coastal zone through extreme heat and smoke.
5. The City of Encinitas has a responsibility to act to address environmental conditions that impact public health and welfare. Sustainability and resiliency are core values of the City's General Plan and Climate Action Plan. Energy efficiency promotes public health and welfare by enhancing the environmental and economic health of the City through green practices in design, construction, maintenance, and operation of new and existing buildings. Construction of energy efficient buildings and installation of renewable energy systems protects the public health and welfare by reducing air pollution, greenhouse gas emissions, average and peak energy demand, and adverse impacts from power outages.
6. The City of Encinitas is largely built out creating more demand for additions and alterations to existing buildings;
7. Due to the relatively mild climate in the San Diego region, some new homes are not built with air conditioners and may not have a suitable location for a future outdoor heat pump coil;
8. Due to the development patterns and terrain of the San Diego region, private automobiles are expected to remain a significant mode of local transportation into the foreseeable future;
9. Due to the increased risk of drought in the region, alternative sources of irrigation are needed to maintain a healthy urban environment;
10. Amendments to the California Energy Code and the California Green Building Code to require additional improvements for certain additions and alterations, designate locations for heat pumps in new single family homes, require graywater-ready plumbing in new single family homes, and increase requirements for electric vehicle charging infrastructure are reasonably necessary to promote energy efficiency and conservation in the City, reduce GHG emissions, promote green development patterns, and maintain a long-term balance between environmental, social, and economic impacts that protect public health and welfare.

The proposed amendments and changes to the California Energy Code, Part 6 and the California Green Building Standards Code, Part 11 of the California Building Standards Code are consistent with Section 17958 of the Health and Safety Code on the following grounds:

1. These amendments were adopted on September 24, 2025.
2. These amendments are substantially equivalent to changes or modifications that were previously filed by the City of Encinitas and were in effect on and prior to September 30, 2025.

3. These amendments are necessary to align with the Housing Element of the General Plan, adopted April 7, 2021, and the Climate Action Plan, as adopted and certified by the Encinitas City Council on November 18, 2020.

By adopting this ordinance, the City Council has determined, in a public meeting, that the energy standards are cost-effective and will require that buildings be designed to use less energy than is permitted under the California Energy Code, according to the following studies:

1. Application of the 2022 Studies to the 2025 Energy Code: Existing Single Family Building Upgrades; and
2. Application of the 2019 Studies to the 2022 Energy Code: Existing Low-Rise Residential Building Upgrades.

SECTION FIVE: SEVERABILITY.

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION SIX: EFFECTIVE DATE.

This Ordinance shall take effect and be in force thirty (30) days after its passage and filing with the California Building Standards Commission, whichever is later. The City Clerk of the City of Encinitas is hereby authorized to use summary publication procedures pursuant to Government Code Section 36933 utilizing the Coast News, a newspaper of general circulation published in the City of Encinitas.

This Ordinance was introduced at a regular meeting of the City Council held on September 10, 2025.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council held on the 24th day of September, 2025.

Bruce Ehlers, Mayor

ATTEST:

Kathy Hollywood, City Clerk

APPROVED AS TO FORM:

Tarquin Preziosi, City Attorney

CERTIFICATION: I, Kathy Hollywood, City Clerk of the City of Encinitas, California, do hereby certify under penalty of perjury that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the 10th day of September, 2025 and that thereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the 24th of September, 2025 by the following vote, to wit:

AYES: **Ehlers, Lyndes, O'Hara, San Antonio, Shaffer**

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Encinitas, California, this 24th day of September, 2025

Kathy Hollywood, City Clerk