DOCKETED	
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Project Title:	Local Ordinance Applications Exceeding the 2022 Energy Code
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City Council Meeting: September 10, 2024 Santa Monica, California

RESOLUTION NUMBER 11612 (CCS)

(City Council Series)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA MAKING FINDINGS REGARDING COST EFFECTIVENESS AND ENERGY CONSUMPTION PURSUANT TO THE CALIFORNIA ENERGY COMMISSION REQUIREMENTS TO ADOPT LOCAL REACH CODES

WHEREAS, the California Energy Commission approved and published the 2022 edition of the Building Energy Efficiency Standards (Energy Code) on July 1, 2022; and such code took effect January 1, 2023; and

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 jurisdictions 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 no more energy than permitted by the California Energy Code; and

WHEREAS, on or about September 20, 2016, the State of California enacted Senate Bill (SB) 32, which added Health and Safety Code Section 38566 to require greenhouse gas emissions to be reduced 40 percent below 1990 levels by no later than December 31, 2030; and

WHEREAS, the City of Santa Monica is committed to reducing greenhouse

gas emissions in accordance with the United States' original commitment to the Paris Climate Accord; and

WHEREAS, consistent with its May 2019 Climate Action & Adaptation Plan, which aims to reduce emissions 80% below 1990 levels by 2030, the City of Santa Monica is committed to establishing requirements to increase energy efficiency, support carbon-neutral construction and reduce regional pollution; and

WHEREAS, cost effectiveness studies prepared by the California Statewide Energy Codes and Standards Program demonstrate that the local amendments are cost-effective and do not result in buildings consuming more energy than is permitted by the 2022 California Energy Code (Tile 24, Part 6); and

WHEREAS, the incentivization of electric building design benefits the health, welfare, and resiliency of Santa Monica and its residents; and

WHEREAS, the most cost-effective time to integrate electrical infrastructure is in the design phase of a building project because building systems and spaces can be designed to optimize the performance of electrical systems and the project can take full advantage of avoided costs and space requirements from the elimination of natural gas piping and venting for combustion air safety; and

WHEREAS, staff has reviewed the "2022 Cost-Effectiveness Study: Single Family New Construction Study" and associated study data, the "2022 Cost-Effectiveness Study: Multifamily New Construction Study" and associated study data, and the "2022 Code: Non-Residential New Construction Reach Code Cost-Effectiveness Study" and associated data developed for the California Energy Codes and Standards Statewide

Utility Program, and find them sufficient to illustrate compliance with the requirements set forth under California Administrative Code Chapter 10-106;

NOW, THEREFORE, the City of Santa Monica does resolve as follows:

SECTION 1. The City Council makes the following findings regarding local, Climatic, geological, topographical and environmental conditions related to the local amendments to the 2022 California Energy Code below:

(a) Santa Monica is situated in Southern California, which has extreme arid conditions and periods of severe drought. (Climatic and Environmental)

(b) The greater Los Angeles region, including Santa Monica, is a densely populated area having buildings constructed within a region where environmental resources are scarce due to varying and occasional immoderate temperatures and weather conditions. This local condition also challenges the demand and need for energy resources from the local utilities. (Climatic and Environmental)

(c) Where climatic conditions in Santa Monica create demands for higher usage of energy and natural resources, measures that allow conservation and efficiencies in construction will promote practices to achieve these goals. (Climatic and Environmental)

(d) As set forth in the CAAP, as a result of climate change, extreme heat events in California and the Los Angeles region are becoming more frequent, more intense, and longer lasting, with the trend expected to continue as climate change

worsens. Extreme heat can exacerbate heat-related illnesses and deaths, particularly among vulnerable populations such as the homeless, elderly, infants, and individuals with chronic illnesses, while also affecting communities indirectly through energy disruption and spikes in energy prices, impacting affordability. (Climatic and Environmental)

(e) The local amendments to require highly-efficient new buildings will reduce demands for local energy and resources, reduce regional pollution, promote a lower contribution to GHG emissions, and increase resilience to ongoing climate change. (Climatic and Environmental)

SECTION 2. The Ordinance is categorically exempt pursuant to Section 15308 of the California Environmental Quality Act (CEQA) Guidelines. Section 15308 exempts actions taken by regulatory agencies for protection of the environment (Class 8). The Ordinance would help to achieve the intended outcome of low-emission new buildings, and therefore, is exempt pursuant to Section 15308. In addition, this Ordinance is exempt from CEQA under Section 15061(b)(3), which states that CEQA does not apply, "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment." These standards are more stringent than the State energy standards, and as such, there are no reasonably foreseeable adverse impacts, and there is no possibility that the Ordinance in question may have a significant effect on the environment.

SECTION 3. The City Council expressly finds that the following modifications and changes to the 2022 California Energy Code are reasonably necessary because

of the local climatic and environmental conditions, and that the local conditions detailed in Section 1 above apply to the following modifications and changes to the 2022 California Energy Code as follows:

No.	Municipal Code Chapter	Amendment Summary	Justification from Section 1 of this Resolution	Local Conditions
1	8.36.010	Requiring higher levels of energy performance and electric-readiness in new buildings reduces carbon emissions and provides health and safety benefits to building occupants	(a) through (e)	Climatic and environmental

SECTION 4. The City Clerk shall certify to the adoption of this Resolution and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:

DocuSigned by:
DOUGLAS SLOAN
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DOUGLAS SLOAN
City Attorney

Adopted and approved this 10th day of September, 2024.

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Phil Brock, Mayor

I, Nikima S. Newsome, Interim City Clerk of the City of Santa Monica, do hereby certify that Resolution No. 11612 (CCS) was duly adopted at a meeting of the Santa Monica City Council held on the 10th day of September, 2024, by the following vote:

AYES: Councilmembers Zwick, Parra, Davis, Torosis, de la Torre, Mayor Pro Tem Negrete, Mayor Brock

NOES: None

ABSENT: None

ATTEST:

DocuSigned by:
7032651F371E430...

Nikima S. Newsome, City Clerk