

## DOCKETED

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<b>Project Title:</b>	Local Ordinance Applications
<b>TN #:</b>	214941
<b>Document Title:</b>	2016 Solar PV Ordinance
<b>Description:</b>	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AMENDING ARTICLE VIII OF THE SANTA MONICA MUNICIPAL CODE BY ADOPTING THE CALIFORNIA ENERGY CODE AND RELATED CODES AND THE SANTA MONICA LOCAL AMENDMENTS TO SUCH CODES
<b>Filer:</b>	Ingrid Neumann
<b>Organization:</b>	City Council to the City of Santa Monica
<b>Submitter Role:</b>	Public Agency
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ORDINANCE NUMBER \_\_\_\_\_ (CCS)

(City Council Series)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
SANTA MONICA AMENDING ARTICLE VIII OF THE SANTA MONICA  
MUNICIPAL CODE BY ADOPTING THE CALIFORNIA ENERGY CODE AND  
RELATED CODES AND THE SANTA MONICA LOCAL  
AMENDMENTS TO SUCH CODES

WHEREAS, Health and Safety Code Section 18938 provides that the triennial edition of the California Building Standards Code establishes building standards for all occupancies throughout the State and requires that these standards incorporate the latest editions of the Technical Codes with necessary California amendments; and

WHEREAS, on July 1, 2016, the State Building Standards Commission approved and published the 2016 edition of the California Building Standards Code which incorporated the various editions of the Technical Codes by reference with necessary California amendments; and

WHEREAS, Health and Safety Code Sections 18938 and 17958 make the California Building Standards Code applicable to all cities and counties throughout California, including the City of Santa Monica, 180 days after publication by the State Building Standards Commission, which is January 1, 2017; and

WHEREAS, Health and Safety Code Section 18941.5 provides that the City may

establish more restrictive building standards if they are reasonably necessary due to local climatic, geological or topographical conditions; and

WHEREAS, the City Council has considered the 2016 edition of the California Building Standards Code, which incorporates by reference the various editions of the Technical Codes, and all of the referenced standards, tables, matrices and appendices of each of these codes therein; and

WHEREAS, based upon the findings contained in the Resolution adopted concurrently with this Ordinance, the City Council has found that certain modifications and additions to the California Building Standards Code are reasonably necessary based upon local climatic, geological and topographical conditions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 8.36 of the Santa Monica Municipal Code is hereby amended to read as follows:

**Chapter 8.36 Energy Code**

**8.36.010 Adoption.**

That certain document entitled "~~2013~~2016 Building Energy Efficiency Standards—Standards for Residential and Nonresidential Buildings" which adopts Part 6 of Title 24 and ~~Article 1 of Part 1, Chapter 10 of Title 24~~ of the California Code of Regulations, as published by the California Building Standards Commission and the California Energy Commission is hereby adopted as the Energy Code of the City of Santa Monica.

**8.36.020 Energy Efficiency – Low-rise residential.**

All new low-rise residential buildings shall be designed to use fifteen percent (15%) less energy than the allowed energy budget established by the 2016 California Energy Code, and achieve an Energy Design Rating of Zero.

**8.36.030 Energy Efficiency – High-rise residential, non-residential, hotels and motels.**

All new high-rise residential buildings, non-residential buildings, hotels and motels shall be designed to use ten percent (10%) less energy than the allowed energy budget established by the 2016 California Energy Code.

SECTION 2. Section 8.106.055 of the Santa Monica Municipal Code is hereby amended to read as follows:

**8.106.055 Residential solar requirements.**

Amend Section 4.201 of the ~~2013~~2016 California Green Building Standards Code to read as follows:

**4.201.3 Solar Pool Heating—Low-Rise Residential.**

(a) For new pool construction, if the pool is to be heated, renewable energy shall be used for such heating provided that:

(i) The surface area of the solar collectors used to generate such renewable energy is equal to or greater than seventy-percent (70%) of the surface area of the pool;  
or

(ii) Renewable energy provides at least sixty-percent (60%) of the total energy necessary for heating purpose.

(b) Electrical resistance heaters that are not powered directly by renewable energy sources shall not be used to heat pool water.

(c) The requirements of this Section shall be waived or reduced, by the minimum extent necessary, in situations where installation of solar water heating is technically infeasible due to lack of unshaded area to install solar collectors, lack of adequate roof space, water pumping energy use exceeding half of the energy derivable from the renewable energy system, or other similar conditions.

#### **4.201.4 One- and-Two Family Dwelling Solar Photovoltaic Installations.**

(a) All new one- and-two family dwellings are required to install a solar electric photovoltaic (PV) system. The required installation of the PV system shall be implemented using one of the following methods:

i. Install a solar PV system with a minimum total wattage 1.5 times the square footage of the dwelling (1.5 watts per square foot); or

ii. Install a solar PV system or other renewable energy system that will offset 75%-100% of the Time Dependent Valuation (TDV) energy budget.

iii. Demonstrate that the Time Dependent Valuation (TDV) energy budget is reduced by the same wattage required by (a)(i).

(b) The requirements of this Section shall be waived or reduced, by the minimum extent necessary, where production of electric energy from solar panels is technically infeasible due to lack of available and feasible unshaded areas.

(c) The requirements of this Section shall take priority if there is a conflict between compliance with Section 4.201.3 and this Section.

#### **4.201.5 Multi-Family Dwellings (3 stories or less) Solar Photovoltaic Installations.**

(a) All new multi-family dwellings are required to install a solar electric photovoltaic (PV) system. The required installation of the PV system shall be implemented by installing a solar PV system with a minimum total wattage 2.0 times the square footage of the building footprint (2.0 watts per square foot).

(b) The requirements of this Section shall be waived or reduced, by the minimum extent necessary where production of electric energy from solar panels is technically infeasible due to lack of available and feasible unshaded areas.

(c) The requirements of this Section shall take priority if there is a conflict between compliance with Section 4.201.3 and this section.

SECTION 3. Section 8.106.080 of the Santa Monica Municipal Code is hereby amended to read as follows:

**8.106.080 Non-residential, high-rise residential, hotels and motels solar requirement.**

Amend Section 5.201 of the 2013~~2016~~ California Green Building Standards Code to read as follows:

**5.201.3 Solar Pool Heating—Non-Residential, High-Rise Residential, Hotels and Motels Solar Photovoltaic Installation.**

(a) For new pool construction, if the pool is to be heated, renewable energy shall be used for such heating provided that:

(i) The surface area of the solar collectors used to generate such renewable energy is equal to or greater than seventy-percent (70%) of the surface area of the pool;  
or

(ii) Renewable energy provides at least sixty-percent (60%) of the total energy necessary for heating purpose.

(b) Electrical resistance heaters that are not powered directly by renewable energy sources shall not be used to heat pool water.

(c) The requirements of this Section shall be waived or reduced, by the minimum extent necessary, in situations where installation of solar water heating is technically infeasible due to lack of unshaded area to install solar collectors, lack of adequate roof space, water pumping energy use exceeding half of the energy derivable from the renewable energy system, or other similar conditions.

**5.201.4 Non-Residential, High-Rise Residential, Hotels and Motels Solar Photovoltaic Installation.**

(a) All new non-residential, high-rise residential, hotel, and motel buildings are required to install a solar electric photovoltaic (PV) system. The required installation of the PV system shall be implemented by installing a solar PV system with a minimum total wattage 2.0 times the square footage of the building footprint (2.0 watts per square foot).

(b) The requirements of this Section shall be waived or reduced, by the minimum extent necessary, where production of electric energy from solar panels is technically infeasible due to lack of available and feasible unshaded areas.

(c) The requirements of this Section shall take priority if there is a conflict between compliance with Section 5.201.3 and this section.

SECTION 4. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any 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 this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective on January 1, 2017.

APPROVED AS TO FORM:

  
MARSHA JONES MOUTRIE  
City Attorney