



Western Riverside Council of Governments Planning Directors Committee

AGENDA

**Thursday, February 11, 2021
9:30 a.m.**

**Western Riverside Council of Governments
3390 University Avenue, Suite 200
Riverside, CA 92501**

**WRCOG's OFFICE IS CURRENTLY CLOSED TO THE PUBLIC DUE TO COVID-19
AND STAFF ARE WORKING REMOTELY**

**Members of the public are encouraged to participate in this meeting via Zoom
(see meeting information below)**

**Join Zoom Meeting
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**Meeting ID: 834 8694 3277
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SPECIAL NOTICE – COVID-19 RELATED PROCEDURES IN EFFECT

Due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID-19), Governor Newsom has issued Executive Order N-29-20 (issued March 17, 2020) in which Section 3 supersedes Paragraph 11 of Executive Order N-25-20 (issued on March 12, 2020). This new order states that WRCOG does not need to make a physical location available for members of the public to observe a public meeting and offer public comment. The Order allows WRCOG to hold Committee meetings via teleconferencing and allows for members of the public to observe and address the meeting telephonically or electronically.

To follow the Order issued by the Governor, the Planning Directors Committee meeting scheduled for Thursday, February 11, 2021, at 9:30 a.m. will be held via video and teleconference and any members of the public can attend electronically. Members of the public may send public comments by emailing snelson@wrcog.us, or calling (951) 405-6703 before or during the meeting, prior to the close of public comment.

Any member of the public requiring a reasonable accommodation to participate in this meeting in light of this announcement shall contact Suzy Nelson prior to 9:30 a.m. on February 9, 2021, at (951) 405-6703 or snelson@wrcog.us.

The Planning Directors Committee may take any action on any item listed on the agenda, regardless of the Requested Action.

1. CALL TO ORDER (John Hildebrand, Chair)

2. PLEDGE OF ALLEGIENCE

3. ROLL CALL

4. PUBLIC COMMENTS

At this time members of the public can address the Planning Directors Committee regarding any items with the subject matter jurisdiction of the Committee that are not separately listed on this agenda. Members of the public will have an opportunity to speak on agenda items at the time the item is called for discussion. No action may be taken on items not listed on the agenda unless authorized by law. Whenever possible, lengthy testimony should be presented to the Committee in writing and only pertinent points presented orally.

5. CONSENT CALENDAR

All items listed under the Consent Calendar are considered to be routine and may be enacted by one motion. Prior to the motion to consider any action by the Committee, any public comments on any of the Consent Items will be heard. There will be no separate action unless members of the Committee request specific items be removed from the Consent Calendar.

- A. Summary Minutes from the December 10, 2020, Planning Directors Committee Meeting are Available for Consideration. P. 1**

Requested Action: 1. *Approve Summary Minutes from the December 10, 2020, Planning Directors Committee meeting.*

6. REPORTS / DISCUSSION

- A. Sites Inventory and 3-D Mapping Application Project Introduction Brian Sims, Houseal Lavigne Associates P. 5**

Requested Action: 1. *Receive and file.*

- B. Electric Reach Codes Overview Joshua Torres, SCE P. 9**

Requested Action: 1. *Receive and file.*

- C. HCD Technical Assistance to Fulfill AB 686 / AFFH Requirements Colin Drukker, PlaceWorks P. 43**

Requested Action: 1. *Receive and file.*

- D. RCA Transition to RCTC Aaron Hake, RCTC / RCA P. 45**

Requested Action: 1. *Receive and file.*

7. REPORT FROM THE DIRECTOR OF TRANSPORTATION & PLANNING

8. ITEMS FOR FUTURE AGENDAS

Members

Members are invited to suggest additional items to be brought forward for discussion at future Planning Directors Committee meetings.

9. GENERAL ANNOUNCEMENTS

Members

Members are invited to announce items / activities which may be of general interest to the Planning Directors Committee.

10. NEXT MEETING: The next Planning Directors Committee meeting is scheduled for Thursday, March 11, 2021, at 9:30 a.m. on the Zoom platform.

11. ADJOURNMENT

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1. CALL TO ORDER

The meeting of the Planning Directors Committee was called to order at 9:30 a.m. by Chair John Hildebrand, on the Zoom platform.

2. PLEDGE OF ALLEGIANCE

Chair Hildebrand led members and guests in the Pledge of Allegiance.

3. ROLL CALL

Members present:

Adam Rush, City of Banning
Christina Taylor, City of Beaumont
Joanne Coletta, City of Corona
Cheryl Kitzerow, City of Menifee (10:03 a.m. departure)
Doug Darnell, City of Menifee
Jarett Ramaiya, City of Murrieta
Kenneth Phung, City of Perris
Matt Bassi, City of Wildomar
John Hildebrand, County of Riverside (Chair)
Mathew Evans, March JPA
Jennifer Nguyen, Riverside Transit Agency

4. PUBLIC COMMENTS

There were no public comments.

5. CONSENT CALENDAR – (Menifee / Wildomar) 10 yes; 0 no; 0 abstentions. Items 5.A was approved. Representatives from the Cities of Calimesa, Canyon Lake, Eastvale, Hemet, Jurupa Valley, Lake Elsinore, Moreno Valley, Norco, Riverside, San Jacinto, and Temecula, the March JPA, and Western Municipal Water District were not present.

A. Summary Minutes from the October 8, 2020, Planning Directors Committee Meeting are Available for Consideration.

Action: 1. Approved the Summary Minutes from the October 8, 2020, Planning Directors Committee meeting.

B. Approval of the Planning Directors Committee 2021 Meeting Schedule

This item was pulled for discussion by Committee member Matt Bassi, who asked for clarification on the meeting schedule.

Action: 1. Approved the schedule of Planning Directors Committee meetings for 2021.

(Wildomar / Perris) 10 yes; 0 no; 0 abstentions. Items 5.B was approved. Representatives from the Cities of Calimesa, Canyon Lake, Eastvale, Hemet, Jurupa Valley, Lake Elsinore, Moreno Valley, Norco, Riverside, San Jacinto, and Temecula, the March JPA, and Western Municipal Water District were not present.

6. REPORTS / DISCUSSION

A. California Department of Housing and Community Development (HCD) Local Early Action Planning (LEAP) Grant Program Technical Assistance

Consultants Colin Drukker with PlaceWorks, and Sohab Mehmood with HCD, provided an update on the current grant assistance available to member agencies. HCD is offering technical assistance to jurisdictions through the LEAP Grant Program. The project team is working on developing a survey to identify and prioritize those areas of technical support where local agencies require the highest level of assistance. The preliminary plan for the WRCOG subregion is set to deploy in the 1st quarter of 2021.

Action: 1. *Received and filed.*

B. TUMF Accessory Dwelling Unit Policy and Credit Agreement Process Update

Ivana Medina, WRCOG Staff Analyst, presented on the current TUMF Accessory Dwelling Unit (ADU) Policy and Credit Agreement process. ADUs are defined in the TUMF Administrative Plan as “guest dwellings” and/or “detached second units.” Historically, WRCOG has always deferred to each jurisdiction for the final determination of an ADU exemption, since each agency administers different local codes. Staff is reaching out to member agencies seeking input regarding the current policy of deferring to the jurisdiction on the final ADU determination, or if a uniform max square footage should be established for ADUs to be exempt from the fee.

The TUMF Ordinance has a provision that if a developer constructs a TUMF facility, the developer will receive credit against its TUMF obligation for the project improvements. The draft Credit Agreement template is under review and will be distributed once finalized. Some items in the draft include 1) developers with Credit Agreements draw down on their credit with the fee in effect at building permit issuance; 2) jurisdictions are responsible for tracking credits and WRCOG will start requiring jurisdictions to submit a quarterly tracking sheet once the update has concluded; and 3) developers with Credit Agreements should submit project applications through the WRCOG portal as another way for accountability and tracking.

Staff is available for questions and will review before the agreement is finalized.

Action: 1. *Received and filed.*

C. Regional Housing Needs Assessment (RHNA) Process Update

Meg Healy, Assistant Regional Planner with SCAG, provided an update on the RHNA process. SCAG has confirmed the first date of the Appeals Hearing will occur on Monday, December 21, 2020, from 9:00 a.m. to 3:00 p.m., and will include all Riverside County jurisdictions that have filed an appeal.

A total of 52 appeals were filed by 48 jurisdictions affecting 49 jurisdictions throughout the SCAG region. The appeals process allows jurisdictions to present facts to support its appeal. SCAG staff will then evaluate the appeals and comments; recommendations will be made to SCAG’s RHNA Appeals Board. The RHNA Appeals Board considers staff recommendations and input from local jurisdictions / HCD / other interested parties. Appeals are allowed based on the Application of the RHNA Methodology, Local Planning Factors and Affirmatively Furthering Fair Housing (AFFH) information and Change of Circumstances present.

The Regional Council is set to take action on determinations decided by the Appeals Board approximately two weeks after the last hearing.

Action: 1. *Received and filed.*

D. State Housing Legislation Update

Chris Gray, WRCOG Director of Transportation & Planning, provided an update on housing and planning-related legislation taken during the most recent Legislative Session. Key legislation mentioned was AB 1561, which extends by 18-months the expiration of any housing entitlement that was in effect on March 4, 2020, and would expire prior to December 31, 2021. Discussions with legislative staff implies that extending a building permit would be consistent with the intent of AB 1561.

Since there is a lack of certainty the interpretation of AB 1561, staff therefore recommend that each member agency develop a consistent policy as to whether residential building permits are to be provided the same extension as other housing entitlements. While the law does seem to provide flexibility to each agency, WRCOG recommends that each agency develop a consistent policy on whether building permits should be extended.

Action: 1. *Received and filed.*

7. REPORT FROM THE DIRECTOR OF TRANSPORTATION & PLANNING

Chris Gray shared that WRCOG submitted its REAP application to SCAG.

8. ITEMS FOR FUTURE AGENDAS

Committee member Adam Rush offered to share the City of Banning's experience on micro-businesses and cannabis.

9. GENERAL ANNOUNCEMENTS

Chris Gray mentioned that if there are any changes to Committee members or if there are any known upcoming changes to please let staff know.

10. NEXT MEETING: The Planning Directors Committee meeting scheduled for January is hereby cancelled. The next Planning Directors Committee meeting is scheduled for Thursday, February 11, 2021, at 9:30 a.m., on the Zoom platform.

11. ADJOURNMENT: The meeting of the Planning Directors Committee adjourned at 10:49 a.m.

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Western Riverside Council of Governments Planning Directors Committee

Staff Report

Subject: Sites Inventory and 3-D Mapping Application Project Introduction

Contact: Brian Sims, Principal, Houseal Lavigne Associates, bsims@hlplanning.com, (714) 745-9457

Date: February 11, 2021

The purpose of this item is to present on the Sites Inventory and 3-D Mapping Application WRCOG will be providing assistance with to member agencies through the SCAG Regional Early Action Planning (REAP) Grant Program. A Request for Proposal was released in December 2020 and Houseal Lavigne was selected to provide technical assistance for this project. Brian Sims from Houseal Lavigne Associates will present the project and the goals.

Requested Action:

1. Receive and file.

REAP Funding

The REAP Grant Program is intended to increase planning to accelerate housing production throughout the SCAG region through implementable actions that will increase housing supply to meet the 6th Cycle Regional Housing Needs Assessment (RHNA). The Subregional Partnership Program has been designed to augment and complement funds that are awarded to jurisdictions by the California Department of Housing and Community Development (HCD) pursuant to Senate Bill 2 Planning Grants and the Local Early Action Program (LEAP).

Currently, WRCOG is eligible to receive up to \$1.678 million for the Western Riverside County subregion. This allotment is not final since it is based on the subregion's RHNA allocation. Each jurisdictions' RHNA allocation is scheduled to be adopted by the SCAG Regional Council on March 4, 2021. The funding allocated to WRCOG does not include the unincorporated portions of Riverside County. The County of Riverside has been allocated a separate amount.

SCAG required WRCOG to identify a list of projects to utilize the allocated funding. Based on discussions with staff of WRCOG member agencies, WRCOG developed a preliminary project list to include in the application for REAP funding. WRCOG received an award letter from SCAG on December 14, 2020, that approved all the projects included in the application.

Sites Inventory and 3-D Mapping Application Assistance

This project will enable member agencies to produce more data-informed and regionally consistent Housing Elements that result in a net-positive production of housing supply and align with state, SCAG, and subregional goals. Member agencies will be able to:

- Identify opportunity sites that align with HCD and regional planning priorities,
- Explore planning policy alternatives to achieve RHNA numbers, and

- Produce HCD-compliant site inventory reports.

Four main tasks have been identified for this project with the goal to provide a final deployment of data and applications to be delivered to individual jurisdictions. The project team is also able to work with jurisdictions without GIS resources or who need additional GIS support. Brief descriptions of the main tasks are provided below.

Task: RHNA Community Snapshot – A comprehensive and interactive Regional RHNA Opportunity Mapping GIS Database: This task will provide comprehensive, RHNA-specific, GIS mapping data from local, regional, state, and federal sources, creating actionable information that can be directly integrated with other project deliverables. The data will provide a foundation for understanding existing conditions and awareness of opportunities for housing development.

Task: RHNA Site Inventory and Opportunity Finder – An interactive and locally configurable application to help jurisdictions find suitable sites: This task will provide a web-based site inventory identification tool that taps into the RHNA Community Snapshot data, going beyond simple vacant site evaluation. The site inventory tool is used to:

- Identify development potential of underutilized properties (critical for supporting non-vacant site requirements early in the site inventory process)
- Emphasize location efficiencies around transit and employment centers
- Promote diverse housing choices and Affirmatively Furthering Fair Housing goals

This task will deliver a fully configured suitability tool with ready-to-use capabilities built on top of Esri's Policy Validation Application (PVA).

Task: RHNA Scenarios: This task will provide web-based, 3D scenario planning tools to evaluate the housing production potential within current land use and zoning policy and explore policy alternatives to land use and zoning necessary to achieve RHNA numbers. Scenario planning capabilities are provided via Esri's ArcGIS Urban 3D web-based tools. This task will deliver a fully configured tool with ready-to-use capabilities of ArcGIS Urban utilizing regional land use and zoning information from SCAG specifically configured to support RHNA efforts. The use of ArcGIS Urban aligns with SCAG's Regional Data Platform strategy, ensuring deliverables are usable throughout the eight-year 6th RHNA Cycle period and beyond.

ArcGIS Urban provides automated site yield calculations based on underlying land use and zoning for each planning scenario. This allows for quickly refined plans with less costly and error-prone reporting overhead. ArcGIS Urban provides a zoning and land use explorer to quickly and easily test policy changes needed to achieve the necessary density for affordable housing production. ArcGIS Urban provides a visual context for planning decisions. Unlike planning with spreadsheets, which are divorced from the visual and spatial context of the decisions, ArcGIS Urban provides a built-in visual context for building and evaluating RHNA Scenarios. This means that decisions can be seen within the community context, strengthening policy through place-based, spatial awareness. This visual context also allows for effective communication.

This task will deliver a development capacity dashboard showing overall housing yields and providing automated accounting of total RHNA numbers by income level for the opportunity sites being considered. This allows for quick evaluation of the gap in RHNA housing units at each step of the scenario design process. As policy and market assumptions about each site are clarified, the numbers are added to a scorecard. There are multiple ways of achieving RHNA targets, and RHNA Scenarios allow for the comparison of pros and cons associated with each pathway, ultimately leading to data-informed, defensible decisions.

Task: RHNA Sites Inventory Reporting Tool: This task will provide a RHNA Sites Inventory Reporting Tool that summarizes and reports the overall total and site-specific RHNA numbers that will facilitate the quick and reliable completion of the official HCD Sites Inventory spreadsheet. This process can also be used to support the production of Annual Progress Reports in future years.

Training: This project will deliver a new type of urban planning capability to WRCOG member agencies. Critical to the successful adoption of these capabilities is ensuring staff are provided with training on the tools

through practical lessons and ensuring staff within the agencies have knowledge of how to “own” the technology and data after project completion.

This project enables the project team to conduct the following training sessions:

- Up to three remote training sessions for local agency planning department staff who will utilize the technology to complete Housing Element updates.
- Up to two remote training sessions for local agency GIS and/or technology staff who will administer the technology and data.
- Up to four, two-hour workshops after deployment and training sessions to ensure staff can ask questions and successfully utilize the capabilities.

Next Steps

WRCOG staff would like to proceed as quickly as possible, since this project is aimed to assist jurisdictions with Housing Element updates; however, commencement of REAP projects is dependent on executing a Memorandum of Understanding (MOU) with SCAG. Staff are working diligently with SCAG staff to finalize the MOU or find alternative solutions to commence this project. Immediately upon a notice-to-proceed, WRCOG staff will reach out to jurisdictions to solicit interest in this project. It is staff’s hope that this will occur in mid-February. Concurrently, the data collection efforts will commence, and it is anticipated that the sites inventory data will be prepared by April 2021 and creation of the suitability model will conclude in May. The project team also anticipates that the RHNA Sites Inventory Reporting Tool will be ready for use by the participating agencies in June 2021.

Prior Actions:

January 21, 2021: The Technical Advisory Committee received and filed.

December 10, 2020: The Planning Directors Committee received and filed.

November 2, 2020: The Executive Committee directed staff to submit the list of projects to SCAG for the REAP Grant Program.

Fiscal Impact:

This project will be entirely funded through the SCAG REAP Subregional Partnership Program.

Attachment:

None.

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Western Riverside Council of Governments Planning Directors Committee

Staff Report

Subject: Electric Reach Codes Overview

Contact: Joshua Torres, Senior Policy Advisor, Southern California Edison,
joshua.torres@sce.com, (951) 249-8466

Date: February 11, 2021

The purpose of this item is to present an overview on electric Reach codes.

Requested Action:

1. Receive and file.

Joshua Torres, Senior Policy Advisory with SCE, will provide an overview on electric Reach codes. The adoption of these codes will help jurisdictions move towards a future with CLEAN ENERGY. Reach codes can be customized to suit a community's specific clean energy goals. Sample ordinances that have been adopted by other jurisdictions are attached. Upon request, SCE is available to present this information at city council meetings.

Prior Action:

None.

Fiscal Impact:

This item is for informational purposes only; therefore, there is no fiscal impact.

Attachments:

1. Sample Ordinance: City of Santa Monica 2019 Electric Preferred Ordinance.
2. Sample Ordinance: City of Ojai 2020 All-Electric Reach Code Ordinance.

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Item 6.B

Electric REACH Codes Overview

Attachment 1

Sample Ordinance: City of Santa Monica 2019 Electric Preferred Ordinance

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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 2019 CALIFORNIA ENERGY CODE AND 2019 CALIFORNIA GREEN
BUILDING STANDARDS CODE AND THE SANTA MONICA LOCAL AMENDMENTS
TO SUCH CODES TO REQUIRE HIGHER ENERGY PERFORMANCE FOR NEWLY
CONSTRUCTED BUILDINGS

WHEREAS, the California State Building Standards Commission approved and published the 2019 edition of the California Building Standards Code on July 1, 2019, and such code will be effective 180 days thereafter, which is January 1, 2020; and

WHEREAS, the 2019 California Building Standards Code includes the 2019 California Energy Code and the 2019 California Green Building Standards Code; and

WHEREAS, California Health and Safety Code Sections 17958.7 and 18941.5 provide that the City may make changes or modifications to the building standards contained in the California Building Standards Code based upon express findings that such changes or modifications are reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, Section 101.7.1 of the 2019 California Green Building Standards Code provides that for the purposes of local amendments to the 2019 California Green Building Standards Code, local climatic, topographical, or geological conditions include local environmental conditions as established by the City; and

WHEREAS, the Council has adopted a resolution making express findings, in accordance with Health and Safety Code Sections 17958.5, 17958.7, and 18941.5, that the local amendments to the 2019 California Energy Code and 2019 California Green Building Standards Code, are reasonably necessary because of local climatic, geological, topographic, and environmental conditions; and

WHEREAS, consistent with the City's Climate Action & Adaptation Plan, the local amendments to the 2019 California Energy Code and 2019 California Green Building Standards Code establish requirements to increase energy efficiency and the use of renewable energy, including in particular solar energy, which will reduce demands for local energy and resources, reduce regional pollution, and promote a lower contribution to greenhouse gases; and

WHEREAS, cost effectiveness studies prepared by the California Statewide Investor Owned Utilities Codes and Standards Program in conjunction with consultants and cities (collectively known as the "Reach Code Team"), demonstrate that the local amendments are cost-effective and do not result in buildings consuming more energy than is permitted by the 2019 California Energy Code; and

WHEREAS, local amendments to the 2019 California Energy Code and 2019 California Green Building Standards Code were the subject of three public stakeholder workshops conducted on April 24, May 16, and June 11, 2019, at which attendees included architects, energy modelers, designers, builders, developers, and residents; and

WHEREAS, on August 14, 2019, the City's Building and Fire Life Safety Commission met and unanimously determined to recommend that the City Council

adopt a resolution making necessary local findings and adopt local amendments to the 2019 California Building Standards Code, including the 2019 California Energy Code and 2019 California Green Building Standards Code; and

WHEREAS, on September 3, 2019, the City's Task Force on the Environment met and unanimously recommended that the City Council approve this ordinance adopting local findings and local amendments to the 2019 California Energy Code and 2019 California Green Building Standards Code; and

WHEREAS, once adopted by the City Council, the local amendments to the 2019 California Energy Code and 2019 California Green Building Standards Code will, in accordance with Public Resources Code Section 25402.1(h)(2) and Section 10-106 of the 2019 California Administrative Code (Title 24, Part 1), be submitted to the California Energy Commission for approval, following which approval the local amendments will be returned to the City Council for final adoption;

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

SECTION 1. Purpose

It is the purpose and intent of this Ordinance to adopt the 2019 California Energy Code (Title 24, Part 6) and the 2019 California Green Building Standards Code (Title 24, Part 11), along with local modifications and changes that provide local, cost-effective standards for new residential, non-residential, and hotel and motel buildings that exceed the minimum standards of the 2019 California Energy Code and 2019

California Green Building Standards Code to achieve energy savings, reduce local pollution, and reduce greenhouse gas emissions.

SECTION 2. 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 “~~2016~~2019 Building Energy Efficiency Standards—Standards for Residential and Nonresidential Buildings” which adopts Part 6 of Title 24 and 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.

8.36.012 Local Amendments

Notwithstanding any provisions of the 2019 California Energy Code, 2019 California Green Building Standards Code, or other codes adopted by any Chapter in Article VIII of the Municipal Code to the contrary, the local amendments to the Energy Code set forth in this Chapter shall apply.

8.36.015 Additional Definitions

In addition to definitions set forth in Section 100.1(b) of the 2019 California Energy Code, the following definitions shall apply:

(a) All-Electric Building or All-Electric Design. A building or building design that uses a permanent supply of electricity as the source of energy for space

heating, water heating (including pools and spas), cooking appliances, and clothes drying appliances, and has no natural gas or propane plumbing installed in the building.

(b) Certified Energy Analyst. A person who is certified by the California Association of Building Energy Consultants (CABEC) as a Certified Energy Analyst (CEA) and is in good standing with CABEC as of the date of submission of a Certificate of Compliance as required under Section 10-103 of the 2019 California Energy Code. A CEA in good standing is listed in the CABEC CEA Roster as “Active-Current.”

(c) Mixed-Fuel Building or Mixed-Fuel Design. A building or building design that uses natural gas or propane as fuel for space heating, water heating (including pools and spas), cooking appliances or clothes drying appliances, or is plumbed for such equipment.

8.36.020 Energy Efficiency and Solar Photovoltaic Requirements – Low-rise Residential Buildings

(a) All-Electric Buildings. All new all-electric low-rise residential buildings shall be designed to code established by the 2019 California Energy Code.

(b) Mixed-Fuel Buildings. All new mixed-fuel low-rise residential buildings shall meet all requirements for mixed-fuel designs as specified for CalGreen Tier 1 under the 2019 California Green Building Standards Code, Title 24, Part 11, Appendix A4 Residential Voluntary Measures Division A4.203 –Performance Approach for Newly Constructed Buildings.

(c) Solar Photovoltaic Requirement. All new low-rise residential buildings shall have a photovoltaic (PV) system meeting the minimum qualification requirements as specified in Joint Appendix JA11 to the 2019 California Energy Code, with annual

electrical output equal to or greater than the dwelling's annual electrical usage as determined by Equation 150.1-C of the 2019 California Energy Code, using the CFA and Dwelling Adjustment Factors for Climate Zone 6 from Table 150.1-C of the 2019 California Energy Code, as follows:

EQUATION 150.1-C ANNUAL PHOTOVOLTAIC ELECTRICAL OUTPUT:

$$kW_{PV} = (CFA \times 0.594)/1000 + (N_{dwell} \times 1.23)$$

WHERE:

kW_{PV} = kWdc size of the PV system

CFA = Conditioned floor area

N_{dwell} = Number of dwelling units

(d) Certified Energy Analyst Requirement. For all new low-rise residential buildings, the Certificate of Compliance described in Section 10-103 of the 2019 California Energy Code shall be prepared and signed by a Certified Energy Analyst (CEA) as the Documentation Author.

~~All new low-rise residential buildings shall be designed to use fifteen percent 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 and Solar Photovoltaic Requirements – High-rise Residential, Non-residential, and Hotels and Motels Buildings

(a) All-Electric Buildings. All new all-electric high-rise residential, non-residential, and hotel and motel buildings shall be designed to code established by the 2019 California Energy Code.

(b) Mixed-Fuel Buildings.

(i) All new mixed-fuel non-residential buildings shall be designed to use ten percent less energy than the allowed energy budget established by the 2019 California Energy Code.

(ii) All new mixed-fuel high-rise residential and hotel and motel buildings shall be designed to use five percent less energy than the allowed energy budget established by the 2019 California Energy Code.

(c) Solar Photovoltaic Requirement. The minimum solar photovoltaic system required for all new high-rise residential, non-residential, and hotel and motel buildings is 2 watts per square foot of the building footprint.

(d) Certified Energy Analyst Requirement. For all new high-rise residential, non-residential, and hotel and motel buildings, the Certificate of Compliance described in Section 10-103 of the 2019 California Energy Code shall be prepared and signed by a Certified Energy Analyst as the Documentation Author.

(e) Exemptions. The Building Official may, at their discretion, waive or reduce the requirements set forth in this Section 8.36.030 for buildings that are uninhabitable and consist solely of unconditioned space.

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

SECTION 3. Chapter 8.106 of the Santa Monica Municipal Code is hereby amended to read as follows:

Chapter 8.106 GREEN BUILDING STANDARDS CODE

8.106.010 Adoption.

That certain document entitled “California Green Building Standards Code, 2016 2019 Edition,” as published by the California Building Standards Commission, is hereby adopted as the Green Building Standards Code of the City of Santa Monica.

8.106.020 Local Amendments to the California Green Building Standards Code.

Notwithstanding any provisions of the 2019 California Green Building Standards Code, 2019 California Energy Code~~California Building Code, California Residential Code, California Building Standards Code,~~ or other codes adopted by any Chapter in Article VIII of the Municipal Code to the contrary, the following local amendments shall apply.

8.106.050 Additional Definitions.

~~Amend Section 202 of the California Green Building Standards Code to include the following:~~

In addition to definitions set forth in Section 202 of the 2019 California Green Building Standards Code, the following definitions shall apply:

(a) Major Addition. The addition to any building of either (1) an additional story or (2) additional floor area equal to or greater than fifty percent of the building's existing floor area prior to the addition.

(b) Sustainability. Consideration of present development and construction impacts on the community, the economy, and the environment without compromising the needs of the future.

(c) Unshaded Area. Area(s) where light emittance from the sun is unobstructed by fixed objects during the majority of daylight hours between March 21st and September 21st.

8.106.053 Green Building.

Section 301.1.1 of the 2019 California Green Building Standards Code is amended to read as follows:

~~Amend Section 301.1.1 of the California Green Building Standards Code to read as follows:~~

301.1.1 Additions and Alterations. With the exception of Sections 4.201.4 and 4.201.5, which apply only to major additions to one-, two-, and multi-family dwellings (three stories or less), the mandatory provisions of Chapter 4 shall be applied to additions or alterations of existing residential buildings. The requirements shall apply only to and/or within the specific area of the addition or alteration.

8.106.055 Residential Solar and Pool Heating Requirements.

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

Section 4.201 of the 2019 California Green Building Standards Code is amended to read as follows:

4.201.3 Solar Pool Heating.

(a) For new pool construction, if the pool is to be heated, renewable energy an electric heat pump water heater or a solar thermal system shall be used for such heating. ~~provided that, if a solar thermal system is used:~~

- ~~(i) The surface area of the solar collectors used to generate such renewable energy for such heating is equal to or greater than seventy percent (70%) of the surface area of the pool; or~~
- ~~(ii) Renewable Solar energy produced 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 Solar Photovoltaic Installation Requirements for Major Additions to One- and Two-Family Dwellings
Solar Photovoltaic Installations.

(a) All ~~new~~ major additions to one- and two-family dwellings are required to install a solar electric photovoltaic (PV) system. The ~~required installation of the PV system~~ installed must have ~~shall be implemented using one of the following methods:~~ (i) ~~Install an on-site solar PV system with a minimum total wattage 1.5 times the square footage of the~~ addition. ~~dwelling~~ (1.5 watts per square foot);

(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: (i) production of electric energy from solar panels is technically infeasible due to lack of available and feasible unshaded areas; (ii) the PV system size required is less than 1,200 watts DC; or (iii) the dwelling has an existing functioning grid-tied PV system meeting the electrical utility's interconnection requirements.

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

4.201.5 Solar Photovoltaic Installation Requirements for Major Additions to Multi-Family Dwellings (3 stories or less) ~~Solar Photovoltaic Installations.~~

(a) All new major additions to 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 of the addition (2.0 watts per square foot).

(b) The requirements of this Section shall be waived or reduced, by the minimum extent necessary, where: (i) production of electric energy from solar panels is technically infeasible due to lack of available and feasible unshaded areas; (ii) the PV system size required is less than 1,200 watts DC; or (iii) the dwelling has an existing functioning grid-tied PV system meeting the electrical utility's interconnection requirements.

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

8.106.070 Flashing Details.

Section 4.407.1 of the 2019 California Green Building Standards Code is amended to read as follows:

~~Amend Section 4.407.1 of the California Green Building Standards Code to read as follows:~~

4.407.1 Flashing Details. Provide flashing details on the building plans which comply with accepted industry standards or manufacturer's instructions. Details are shown on the house plans at all of the following locations:

1. Around windows and doors.
2. Roof valleys.
3. Deck connections to the structure.
4. Roof-to-wall intersections.
5. Chimneys to roof intersections.
6. Drip caps above windows and doors with architectural projections.
7. Other locations as identified by the Building Officer.

8.106.080 Non-Residential, High-Rise Residential, Hotels and Motels Solar and Pool Heating Requirements.

Section 5.201 of the 2019 California Green Building Standards Code is amended to read as follows:

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

5.201.3 Solar Pool Heating – Non-Residential, High-Rise Residential, and Hotels and Motels Buildings ~~Solar Photovoltaic Installation.~~

(a) For new pool construction, if the pool is to be heated, ~~renewable energy~~ an electric heat pump water heater or a solar thermal system shall be used for such heating. ~~provided that, if a solar thermal system is used:~~

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

(ii) ~~— Renewable Solar energy produced 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 Solar Photovoltaic Installation Requirements for Major Additions to Non-Residential, High-Rise Residential, and Hotels and Motels Buildings ~~Solar Photovoltaic Installations.~~

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

(b) The requirements of this Section shall be waived or reduced, by the minimum extent necessary, where: (i) production of electric energy from solar panels is technically infeasible due to lack of available and feasible unshaded areas; (ii) the PV system size required is less than 1,200 watts DC; or (iii) the dwelling has an existing functioning grid-tied PV system meeting the electrical utility's interconnection requirements.

(c) The requirements of this Section shall take priority if there is a conflict between compliance with Section 5.201.3 through use of a solar thermal system and compliance with this Section.

8.106.100 Electric Vehicle Charging.

Electric vehicle charging for new residential and hotel and motel buildings is governed by Sections 4.106.4 through 4.106.4.3.6 of the Green Building Standards Code. Electric vehicle charging for new non-residential buildings is governed by Sections 5.106.5.3 through 5.106.5.3.5 of the Green Building Standards Code.

~~(a) **Multi-Family Dwellings.** For new electrical services in multi-family dwellings, the following shall apply:~~

~~(1) The total load calculations shall include a load for future electrical vehicle charging. This load shall be calculated at ten kilowatts per five percent of the parking spaces provided.~~

~~(2) The minimum rating of the main service panel and the ampacity of the service entrance conductors shall be based on the total calculated load and the requirements of Chapter 2 of the [California Electrical Code](#).~~

~~(3) A separate multi-meter distribution section shall be provided for electrical vehicle charging only. The minimum number of meters in this multi-meter section shall be based on five percent of the parking spaces provided. The minimum rating of this multi-meter distribution section shall be calculated at ten kilowatts per five percent of the parking spaces provided.~~

~~Each meter shall have a space for a two-pole 208/240-volt circuit breaker where the space is identified as “Electric Vehicle Charging” or “Future Electric Vehicle Charging,” as applicable. This distribution panel section shall be permanently and conspicuously marked “Electric Vehicle Charging Only.”~~

~~(4) If the continuous rating of Level 2 and/or Level 3 electric vehicle service equipment is known at the time of installation then these ratings shall be applied to the load calculations in subsection (a), but in no case shall less than ten kilowatts per five percent of the parking spaces be provided.~~

~~(5) Where the calculated number of parking spaces results in a fraction of one-half or greater, the calculated number shall be rounded to the next higher whole number.~~

~~(b) **Buildings of Mixed-Use Occupancies.** For new electrical services in buildings of mixed-use occupancies, the following shall apply:~~

~~(1) The requirements in subsection (a) shall be applicable to the residential portion of the building. The residential distribution system shall supply the charging source for electric vehicles.~~

~~(c) **Non-Residential Buildings.** For new electrical services in non-residential buildings, the following shall apply:~~

~~(1) The total load calculations shall include a load for future electric vehicle charging. This load shall be calculated at 10 kilowatts per five percent of the parking spaces provided.~~

~~The minimum load for future electrical vehicle charging shall not be less than 10 kilowatts; however, if the continuous rating of Level 2 and/or Level 3 electric vehicle service equipment is known at the time of installation then these ratings shall be applied to the load calculations, but in no cases less than 10 kilowatts per five percent of the parking spaces provided.~~

~~The minimum rating of the main service panel and the ampacity of the service entrance conductors shall be based on the total calculated load and the requirements of Chapter 2 of the California Electrical Code.~~

~~(2) The electrical distribution system shall include spaces for two-pole, 208/240 volt circuit breakers for future electric vehicle charging. The minimum~~

~~number of circuit breaker spaces shall be equal to five percent of the provided parking spaces. These circuit spaces shall be dedicated and identified as “Future Electric Vehicle Charging.”~~

~~(3) For new non-residential buildings, five percent of the parking spaces provided shall be dedicated to electric vehicles. Each parking space shall have a raceway installed from the service or distribution panel and stubbed up at the midline of each parking space. The minimum size of the raceway shall be one-inch nominal.~~

~~Where the parking accommodations include more than one floor or level, the parking spaces dedicated to electric vehicles, to the extent practicable, shall be provided at the first floor or level of parking access.~~

~~(4) Where the calculated number of five percent of the parking spaces provided results in a fraction of 0.5 or greater, the calculated number shall be rounded to the next higher whole number.~~

~~(d) **Exceptions.** The requirements of this Section shall not apply under the following conditions:~~

~~(1) New electrical service is installed in a building where there is no attached or dedicated parking facility;~~

~~(2) New electrical service is not associated with a building or structure;~~

~~(3) Compliance is technically infeasible due to the distance between a dedicated parking facility and the structure containing residential occupancies, or similar conditions.~~

SECTION 4. Any provision of the Santa Monica Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 5. 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 6. The Mayor shall sign and the City Clerk shall attest to the passage of the 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 January 1, 2020. Building permit applications submitted on or after the effective date of this Ordinance shall be required to comply with the requirements set forth herein.

APPROVED AS TO FORM:

LANE DILG
City Attorney

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Item 6.B

Electric REACH Codes Overview

Attachment 2

Sample Ordinance: City of Ojai 2020 All-Electric Reach Code Ordinance

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OJAI AMENDING THE
CITY OF OJAI MUNICIPAL CODE TO AMEND THE 2019 CALIFORNIA ENERGY CODE
AS LOCALLY ADOPTED THROUGH ARTICLE 10 OF CHAPTER 1 OF TITLE 9 OF THE
OJAI MUNICIPAL CODE REQUIRING ELECTRIC FACILITIES FOR NEW
CONSTRUCTION RESIDENTIAL AND NON-RESIDENTIAL BUILDINGS

SECTION 1. FINDINGS

WHEREAS, the California Building Standards Code, Title 24 of the California Code of Regulations, is updated every three years by the California Energy Commission (CEC) and the California Building Standards Commission (CBSC), and the most recent edition was published July 1, 2019, and is effective throughout California January 1, 2020;

WHEREAS, Part 6 of Title 24, called the California Energy Code, establishes energy standards for all new buildings constructed in California;

WHEREAS, in addition to enforcing the Title 24 standards, local jurisdictions are authorized by Health & Safety Code sections 18941.5, 17958.5, and 17958.7 to adopt local ordinances that change or are more restrictive than the minimum standards defined by Title 24 when deemed reasonably necessary because of local climatic, geologic, or topographic conditions;

WHEREAS, the City of Ojai makes the following finding of local climatic, geologic, or topographic conditions that support the adoption of more restrictive standards than those found in the 2019 Energy Code:

- (1) Climatic conditions: climatic conditions in and around the City of Ojai require local modifications to Title 24 of the California Code of Regulations.
 - Seasonal climatic conditions in the late summer and fall create severe fire hazards to the public health and welfare.
 - Hot and dry weather results in wild land fires in and around the jurisdiction.
 - The jurisdiction is at risk of/experiencing the effects of higher intensity storms, which put at risk the jurisdiction's homes, businesses, public facilities, roads, and highways.
 - Reducing GHG emissions associated with natural gas is necessary to reduce the jurisdiction's contribution to climate change, which is causing the local climatic conditions.
- (2) Geologic conditions: geologic conditions in and around the City of Ojai require local modifications to Title 24 of the California Code of Regulations. Examples include:
 - The jurisdiction is prone to seismic activity, including increased risk of earthquakes, due to its near proximity to several faults, including the Lion Ridge fault, Mission Ridge fault system, and the larger San Andreas fault. As a result, the jurisdiction experiences an increased risk of fires caused by seismic activity. Reducing the reliance on natural gas in new construction will decrease the risk of fires caused when gas lines rupture or break in seismic-related fires.

- (3) Topographic conditions: the City of Ojai's topography creates conditions that require local modifications to Title 24 of the California Code of Regulations. Examples include:
- The jurisdiction is located in a coastal valley, surrounded by hillsides, with limited road access both into and out of the valley, which makes timely response by fire suppression vehicles difficult.
 - The jurisdiction is subject to risk of flooding.
 - The jurisdiction is located in an area that is partially susceptible to liquefaction during a major earthquake.

WHEREAS, local governments may adopt energy conservation or energy insulation standards that differ from the California Energy Code with California Energy Commission approval, provided that local governments demonstrate, pursuant to Public Resources Code section 25402.1(h)(2) that the requirements of their proposed standards are cost effective and do not result in buildings that consume more energy than is permitted by Title 24;

WHEREAS, the City of Ojai hereby determines that the revised energy standards contained herein are cost effective, based upon the findings of the study conducted by the California Energy Codes & Standards and the City Council's determination that an all-electric standard for residential and non-residential buildings will lead to lower costs of operations and lower external costs imposed on the wider community from natural gas extraction, transportation, and burning; and

WHEREAS, electrification enhances the public health and welfare by promoting the environmental and economic health of the City of Ojai through the design, construction, maintenance, operation and deconstruction of buildings and sites. The provisions of this Ordinance are designed to achieve the following goals:

- a. Eliminate the greenhouse gas emission that result from transporting and combusting natural gas in new residential and non-residential buildings;
- b. Eliminate fire and other dangers associated with transporting natural gas;
- c. Lower the cost of building new buildings; and
- d. Eliminate the indoor air quality impacts of natural gas combustion in new buildings.

WHEREAS, the amendments contained herein will require newly constructed buildings to meet the energy standards contained in the 2019 Edition of the Title 24 Energy Code, and therefore will not result in buildings that consume more energy than is permitted by Title 24;

WHEREAS, the amendments contained herein will be enacted as local amendments to the 2019 California Energy Code.

SECTION 2. AMENDING TITLE 9, CHAPTER 1, ARTICLE 10 OF OJAI MUNICIPAL CODE ADOPTING AND AMENDING THE CALIFORNIA ENERGY CODE FOR LOW RISE RESIDENTIAL AND NON-RESIDENTIAL BUILDINGS.

NOW, THEREFORE, BE IT ORDAINED, that the City Council of the City of Ojai ordains as follows:

SECTION 1 – Code Amendment - Ojai Municipal Code, Title 9, Chapter 1, Article 10, California Energy Code, is amended to read as follows:

Section 9-1.1001 - Purpose

The purpose of this chapter is to modify the applicable measures of the 2019 state Energy Code (Title 24, Part 6) of the California Code of Regulations that apply to low-rise residential buildings, and to enhance long-term public health and welfare by contributing to the overall reduction of greenhouse gas emissions and the reduction of emissions associated with natural gas transport and combustion by requiring that all new low-rise residential buildings be constructed as all-electric buildings. The energy standard provisions referenced in this chapter are designed to achieve the following objectives:

- (1) Reduce consumption of natural gas in the City of Ojai;
- (2) Reduce the risks associated with transporting natural gas in the City of Ojai;
- (3) Reduce greenhouse gas emissions associated with use of natural gas;
- (4) Lower the cost of building new residential and non-residential buildings;
- (5) Improve indoor air quality and occupant health.
- (6) Ensure that new residential construction meets the efficiency standards for electric construction set forth in the state energy codes.

Section 9-1.1002 – Adoption.

That certain Code known as the “2019 California Energy Code,” most recent edition, promulgated and published by the California Building Standards Commission, is hereby adopted and enacted as the primary Code of the City and made a part of this chapter by reference with the same force and effect as if fully set forth in this chapter, subject to the amendments set forth in this article. Said Code shall be referred to in this article as the California Energy Code.

Section 9-1.1003- California Energy Code – Local Amendments Applicable to Low-Rise Residential Buildings

As stated in Section 9-1.1002, the City of Ojai has adopted the 2019 edition of the California Energy Code codified in Part 6 of Title 24 of the California Code of Regulations, as amended by the changes, additions, and deletions set forth in this chapter and in other chapters of this title.

Section 9-1.1004 - Applicability.

The provisions of this chapter shall apply to all construction projects defined below as a “covered project.”

Section 9-1.1005 - Definitions.

For the purposes of interpreting this chapter, the following terms are defined as follows. When the definitions below differ from those contained elsewhere in this title, the provisions of this chapter shall apply. These definitions are in addition to those outlined in Chapter 2 of the 2019 edition of the California Energy Code found in Part 6 of Title 24 of the California Code of Regulations.

- (1) “Accessory Dwelling Unit” shall have the same meaning as specified in Government Code section 65852.2 and Ojai Municipal Code section 10-2.1709.
- (2) “All-electric building” is a building where electricity, including solar-provided electricity, is the only permanent source of energy for water-heating (including pools and spas), space-heating, space-cooling, cooking, and clothes- drying.
- (3) “Attached Accessory Dwelling Unit” is an Accessory Dwelling Unit that does not meet the definition of a Free-Standing Accessory Dwelling Unit.
- (4) “Covered project” means a newly-constructed residential or non-residential building, and all related outbuildings and accessory structures and equipment, including pool heaters, outdoor fireplaces, and outdoor cooking facilities, for which one or more building permits, including plumbing permits, are required for construction as set forth in the Building Code requirements adopted by reference in Section 9-1.102.
- (5) “Free Standing Accessory Dwelling Unit” is a detached building that is not intended for sale separate from the primary residence, on a lot that is zoned for single-family or multifamily use, located on the same lot as an existing dwelling, and does not exceed 1,200 square feet of total floor area.
- (6) “Low-Rise Residential Building” shall have the same meaning as specified in the 2019 Energy Code, Part 6 of Title 24 of the California Code of Regulations.
- (7) “Newly Constructed” shall have the same meaning as “Newly Constructed Building” in the 2019 Energy Code, Part 6 of Title 24 of the California Code of Regulations.

Section 9-1.1006 - Requirement for All-Electric New Construction in Low-Rise Residential and Non-Residential Buildings

All covered projects shall be built as all-electric buildings. Any subsequent remodel or additions to a building issued a certificate of occupancy or equivalent final approval by the Building Official on or after January 1, 2021 shall be built as all-electric buildings.

Section 9-1.1007 - Local Amendments to California Building and Energy Code Requirements for New Construction Residential and Non-Residential Buildings

The City of Ojai hereby amends the California Building Code, Section 117, to read as follows:

CBC Section 117 – All new constructed buildings and structures shall not be supplied with natural gas for the purpose of water-heating (including pools and spas), space-heating, space-cooling, cooking, and clothes-drying.

The City of Ojai hereby amends the California Residential Code, Section R115, to read as follows:

CRC Section R115 – All new constructed residential buildings and structures shall not be supplied with natural gas for the purpose of water-heating (including pools and spas), space-heating, space-cooling, cooking, and clothes-drying.

Section 9-1.1008 - Administrative procedures.

The procedures for compliance with the provisions of this chapter shall include, but not be limited to the following:

- (a) Planning Applications: If a discretionary planning application, including, but not limited to, a design review permit or conditional use permit, is required for a covered project, applicants must show that the covered project will satisfy the requirements of this chapter, as part of the application and approval process for the design review permit and/or conditional use permit, to the reasonable satisfaction of the Building Official. If an applicant is seeking an exemption from the requirements of this chapter, the applicant must identify any anticipated difficulties in achieving compliance and shall identify the relevant exemptions from the requirements of this chapter that are requested.
- (b) Building plan check review: Upon submittal of an application for a building permit, building plans for any covered projects shall demonstrate that the projects will satisfy the requirements of this chapter to the satisfaction of the Building Official.
- (c) Final building inspection: Prior to final building inspection and occupancy for any covered project, evidence that project construction has achieved the required compliance set forth in this chapter shall be provided to the satisfaction of the Building Official. The Building Official shall review the documentation submitted by the applicant, and determine whether the project meets the requirements of this chapter. If the Building Official determines that the applicant has met these requirements, the final building inspection may proceed.
- (d) Conflict with other laws: The provisions of this chapter are intended to be in addition to and not in conflict with other laws, regulations and ordinances relating to building construction and site development. If any provision of this chapter conflicts with any duly adopted and valid statutes or regulations of the federal government or the state of California, the federal or state statutes or regulations shall take precedence.
- (e) The City's Building Official may adopt additional regulations to implement the purposes of this Chapter and each applicant for a building permit shall comply with all such additional regulations.

Section 9-1.1009 – Exemptions and Exceptions to the Requirement of All-Electric New Construction in Low-Rise Residential and Non-Residential Buildings.

- (a) Exceptions. The provisions of this chapter shall not apply to:
 - (1) Buildings which are temporary (such as construction trailers).
 - (2) Attached Accessory Dwelling Units.
 - (3) Any Free-Standing Accessory Dwelling Unit if the applicant can demonstrate to the satisfaction of the Building Official that the proposed accessory dwelling unit will require the installation of an upgraded electric utility panel.
 - (4) New or replacement stationary emergency generators powered by natural gas.
 - (5) Any portion of any new residential building that contains any residential units deed-restricted to be affordable housing at the very-low, low-, or moderate income levels for at least fifty-five (55) years from the date of the building's certificate of occupancy.
 - (6) Any project where compliance with this chapter shall adversely affect the project's participation in a Property Assessed Clean Energy (PACE) financing program agreement, in the reasonable judgment of the Building Official.
 - (7) Any remodel or modification to any residential or non-residential building issued a certificate of occupancy or equivalent final approval by the Building Official before January 1, 2021, including any new or modified outbuildings, accessory structures and equipment, pool heaters, outdoor fireplaces, and outdoor cooking facilities on the same parcel as the existing building.
 - (8) New or modified restaurants.
 - (9) New or replacement swimming pool heaters and related equipment.

- (b) Hardship or infeasibility exemption: If an applicant for a covered project believes that circumstances exist that make it a hardship or infeasible to meet the requirements of this chapter, the applicant may request an exemption as set forth below. In applying for an exemption, the burden is on the applicant to show hardship or infeasibility.
- (1) Application: The applicant shall identify in writing the circumstances that make it infeasible or a hardship for the covered project to comply with this chapter.
 - (2) Granting of exemption: If the _____ determines that it is a hardship or infeasible for the applicant to meet the requirements of this chapter, and that granting the requested exemption will not cause the building to fail to comply with the 2019 California Energy Standards (Title 24, Part 6) and referenced standards, the _____ may determine that the applicant is exempt from the requirements of this chapter.
 - Evidence which may be considered by the _____ in determining whether unreasonable hardship or infeasibility exists, includes, but is not limited to, the following:
 - a. Approval or conditional approval to do work permitted by this chapter with all-electric appliances will not enable the applicant to rent or sell the building at a reasonable rate of return;
 - b. It is not technically feasible to renovate or undertake an alternative development compatible with the permit criteria outlined in this chapter;
 - c. Other land use regulations and development standards, set forth in the City's Municipal Code, including in the zoning ordinance, historic preservation ordinance, and building code, preclude compliance with this chapter;
 - d. There is a lack of commercially available materials and technologies to comply with the requirements of this chapter; or
 - e. Applying the requirements of this chapter would effectuate an unconstitutional taking of property or otherwise have an unconstitutional application to the property.
 - (3) Denial of exemption: If the _____ determines that it is reasonably possible for the applicant to meet the requirements of this chapter, the request for an exemption shall be denied and the applicant shall be notified of the decision in writing. The covered project shall be modified to comply with the requirements in this chapter.
 - (4) Appeal: Any aggrieved applicant may appeal the determination of the _____ regarding the granting or denial of an exemption or compliance with any other provision of this chapter. An appeal of a determination of the _____ shall be filed in writing to the _____ and processed in accordance with the provisions of Section _____ of this Code.

Section 9-1.1010 - Violations

Violations of the requirements of this Chapter shall be considered an infraction, subject to all applicable remedies under this Code. Violations shall be punishable by the sanctions prescribed in Chapter 2 of Title 1 of this Code, including, but not limited to, the penalties prescribed for an infraction in Section 1-2.03. Violations of this Chapter shall be further be subject to citations under Section 1-5.03, administrative remedies under Chapter 6 of Title 1, and all lawful remedies prescribed in section 9-1.205.

SECTION 3: ANNUAL REVIEW

The City of Ojai shall review annually the requirements of this Ordinance for ongoing consistency with the California Energy Commission regulations under Title 24 of the California Code of Regulations.

SECTION 4: SEVERABILITY

If any section, subsection, sentence, clause or phrase of the provisions depicted in this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining provisions adopted under this Ordinance. The City Council of the City of Ojai hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases thereof shall be declared invalid.

SECTION 5: CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council of the City of Ojai finds that adoption of this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) under California Code of Regulations, Title 14, § 15061(b)(3) and § 15307 and 15308, as an ordinance adopted to protect natural resources and the environment by reducing the impacts of climate change and unrestricted greenhouse gas emissions upon the local and global climate and by reducing the adverse air quality impacts upon the City and Ojai Valley that stem from natural gas extraction and burning in residential and non-residential buildings.

SECTION 6. Certification. The City Clerk shall cause this Ordinance to be published once, within fifteen (15) calendar days after its passage, in the *Ojai Valley News*, a newspaper of general circulation, printed, published and circulated in the City, and shall cause a copy of this Ordinance and its certification, together with proof of publication, to be entered in the Book of Ordinances of the City. Further, a copy of this Ordinance shall be filed with the California Building Standards Commission and California Energy Commission complete with local findings that justify the local amendment to the California Building Standards Code, as required by California Health and Safety Code § 17959(b)(1).

SECTION 7. Effective Date. This Ordinance is enacted pursuant to and in compliance with California Health and Safety Code §§ 17958, 17058.5, 17958.7, 18941.5; and California Public Resources Code § 25402.1(h)(2). This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937, shall supersede any conflicting provision of any City of Ojai ordinance, and shall continue in effect until terminated by further action of the City Council in accord with applicable law provided that the all-electric requirement of this Ordinance cannot be enforced by the City of Ojai until it has further been approved by the California Energy Commission. (Cal. Pub. Res. Code § 25402.1(h)(2)).

SECTION 8. Six-Month Review. The City Council shall consider the implementation of, and any desired modifications to, this Ordinance six months after its effective date, to include a report from the Building Official and City Manager as to its application to any building permits issued within the six month period.

CITY OF OJAI, CALIFORNIA

By _____

John F. Johnston, Mayor

ATTEST:

Gail Davis, Deputy City Clerk

APPROVED AS TO FORM:

Matthew T. Summers, City Attorney

STATE OF CALIFORNIA)

COUNTY OF VENTURA)

CITY OF OJAI)

I, Gail Davis, Deputy City Clerk of the City of Ojai do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Ojai held on _____ and adopted at a regular meeting held on _____ by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Gail Davis

Deputy City Clerk for the City of Ojai



Western Riverside Council of Governments Planning Directors Committee

Staff Report

Subject: HCD Technical Assistance to Fulfill AB 686 / AFFH Requirements

Contact: Colin Drukker, Principal, PlaceWorks, cdrukker@placeworks.com, (714) 966-9220

Date: February 11, 2021

The purpose of this item is to present on the technical assistance the California Department of Housing and Community Development (HCD) will provide to jurisdictions to fulfill Assembly Bill (AB) 686 / Affirmatively Furthering Fair Housing (AFFH) Requirements.

Requested Action:

1. Receive and file.

AB 686 / AFFH Toolkit

AB 686 requires RHNA distribution and each local housing element to take "meaningful action" on affirmatively furthering fair housing. This law requires an AFFH study as part of housing elements. HCD is able to offer technical assistance to jurisdictions in meeting these requirements, as follows:

- AB 686 / AFFH Guidance Document
- GIS data / mapping that speaks directly to the AB 686 / AFFH requirements. Data will be provided in four ways and will be pre-symbolized / classified for easy use:
 1. Downloadable data packages (geodatabase, shapefiles)
 2. ArcGIS Online feature services
 3. ArcGIS Pro map package
 4. Interactive web map with printing capabilities

Assistance through WRCOG

In addition to the HCD assistance, WRCOG has allocated REAP funding to assist jurisdictions in meeting its AB 686 requirements. WRCOG will maintain communication with HCD and PlaceWorks to ensure WRCOG is able to fill any gaps in assistance to the local jurisdictions.

Prior Action:

None.

Fiscal Impact:

This item is for informational purposes only; therefore, there is no fiscal impact.

Attachment:

None.



Western Riverside Council of Governments Planning Directors Committee

Staff Report

Subject: RCA Transition to RCTC

Contact: Aaron Hake, Interim Regional Conservation Deputy Executive Director, RCA / RCTC, ahake@rctc.org, (951) 787-7141

Anne Mayer, RCA / RCTC Executive Director, RCA / RCTC, amayer@rctc.org, (951) 787-7141

Date: February 11, 2021

The purpose of this item is to provide an update on the transition of the management of the Western Riverside County Regional Conservation Agency (RCA) to the Riverside County Transportation Commission (RCTC).

Requested Action:

1. Receive and file.

On January 1, 2021, RCTC became the managing agency of RCA. Both RCTC and RCA retain its separate legal authorities and governing boards. The RCA Board of Directors requested RCTC to manage the Agency based on RCTC's expertise and track record in land acquisition, partnerships with state and federal wildlife agencies, project delivery, fiscal management, public engagement, and legislative advocacy. This management change also provides for contract consolidation and resource efficiencies. While much progress has been made to acquire the lands needed to fulfill the Multiple Species Habitat Conservation Plan (MSHCP) since its inception in 2004, significant effort is needed to complete the MSHCP's objectives while also maintaining buy-in from critical stakeholders.

Amongst the immediate priorities of the RCA Board Chair Natasha Johnson is to enhance the RCA's communication, education, and partnership with its member agencies. WRCOG's committee structure provides an ideal venue to kick-off this effort. Therefore, RCTC / RCA staff will make a brief presentation to the Committee regarding the RCA transition to RCTC, near term priorities, and seek input from Committee members.

Topics to discuss include:

- The 2020 Nexus Study Update for the MSHCP Locally
- Development Mitigation Fee (LDMF) which will become effective July 1, 2021
- Potential process and communication improvements
- Clarifying RCA and member agency roles and responsibilities under the MSHCP

Prior Action:

None.

Fiscal Impact:

This item is for informational purposes only; therefore, there is no fiscal impact.

Attachment:

None.