

ORDINANCE NUMBER \_\_\_\_\_(CCS)  
(City Council Series)

AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF SANTA MONICA  
AMENDING SECTIONS 8.108.030 AND 8.108.040 OF  
THE SANTA MONICA MUNICIPAL CODE  
WHICH ADOPTS SANTA MONICA AMENDMENTS  
TO THE CALIFORNIA BUILDING STANDARDS CODE  
RELATING TO GREEN BUILDING STANDARDS

WHEREAS, on June 8, 1999, the City Council adopted Ordinance Number 1945 (CCS), which adopts the California Building Standards Code, Santa Monica amendments to the California Building Standards Code; and other technical codes; and

WHEREAS, Health and Safety Code Sections 18938 and 17958 provides that the California Building Standards Code establishes building standards for all occupancies throughout the State; 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, on December 15, 2000, the City Council adopted Ordinance Number 1995 (CCS) which, inn part, required building permit applicants of new and renovated commercial and multi-family residential construction to significantly reduce non-renewable energy consumption below 1998 State Title 24 energy efficiency standards; and

WHEREAS, after the City' s adoption of Ordinance 1995 (CCS), in response to California' s current energy crisis, the State Legislature enacted AB

970, which required the California Energy Commission to strengthen Title 24 standards; and

WHEREAS, the Energy Commission subsequently adopted a set of significantly strengthened energy performance standards for new commercial and residential construction; and

WHEREAS, in light of these changes in State law, the City has reevaluated the computer energy models of the prototypical Santa Monica buildings used to establish the City' s building energy performance standards to determine the appropriate required reductions in allowable energy budgets established by local law: and

WHEREAS, the proposed amendments in this ordinance reflect the results of the City' s reevaluation of the computer energy models and

WHEREAS, additional clarifications to Ordinance Number 1995 (CCS) are also appropriate: and

WHEREAS, the City Council has considered the 1998 edition of the California Building Standards Code, which incorporates by reference the 1996-1997 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, topographical and geological conditions; and

WHEREAS, Public Resource Code Section 25402.1(h)(2) says that a local enforcement agency may adopt more restrictive energy standards when they are cost-effective and approved by the Energy Commission; and

WHEREAS, the City hired a private consultant to conduct a cost study of the proposed changes and said study demonstrated the cost effectiveness of these changes; and

WHEREAS, the State Energy Commission has reviewed the proposed standards on October 17, 2001, and approved the recommended changes;

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

SECTION 1. Section 8.108.030 and Section 8.108.040 of the Santa Monica Municipal Code are hereby amended to read as follows:

**8.108.030 Compliance Methods.**

(a) Except as provided in subsections (b) and (c) of this Section, the envelope, space-conditioning, lighting and service water-heating systems of all buildings subject to the provisions of this chapter shall be designed, constructed and installed to use no more source energy from non-renewable sources than the allowable energy budget calculated in accordance with the performance approach set forth in Chapter 8.36 and reduced in accordance with Section 8.108.040.

(b) Multi-family residential buildings that have three or less habitable stories may use the prescriptive approach set forth in Chapter 8.36 for the envelope, space-conditioning, lighting and service water-heating systems if these buildings also meet the following requirements:

(1) all windows and glass patio doors are equipped with double glazed, low emissivity glazing, with center of glass U value not more than 0.32 Btu/(hr.sq.ft. deg. F.), and Solar Heat Gain Coefficient not more than 0.37;

(2) fixed lighting fixtures installed within the dwelling units have a combined average efficacy of not less than 40 lumens per watt;

(3) water heaters have a minimum energy factor of 0.60; and

(4) space cooling appliances (if installed) have a Thermostatic Expansion Valve, or a Seasonal Energy Efficiency Ratio (SEER) of not less than 12.

(c) When building designs, materials or devices cannot be adequately modeled by the performance approach, alternate calculation methods may be used when approved by the California Energy Commission pursuant to their administrative regulations for exceptional methods.

**8.108.040 Reductions in Allowable Energy Budgets.**

Allowable energy budgets shall be the allowable energy budget determined in accordance with Chapter 8.36 and reduced by the following factors for the occupancy types shown in Table 8.108-A. Required reduction factors for occupancies not shown in Table 108-A shall be determined by the Building Officer for the most similar energy consuming use.

**Table 8.108-A**

**Required Reduction Factors  
for Allowable Energy Budgets**

Multi-family Residences	10%
Hotels and Motels	15%
Commercial and Institutional Offices	15%

Light Industrial	15%
Retail	10%

When determining compliance with the percentage reduction, alternate calculation methods that consider energy savings in addition to those recognized in Chapter 8.36 may be used when approved by the Building Officer. These savings may include, but are not limited to, efficiency of fan systems with motors less than twenty-five horsepower and garage ventilation controls.

SECTION 2. 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, are hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 3. 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 any 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 4. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause this ordinance, or a summary thereof to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall be effective immediately.

APPROVED AS TO FORM:

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MARSHA JONES MOUTRIE

City Attorney