

RESOLUTION NUMBER _____ (CCS)

(City Council Series)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA MAKING FINDINGS REGARDING LOCAL CLIMATIC, GEOLOGICAL, TOPOGRAPHICAL, AND ENVIRONMENTAL CONDITIONS PURSUANT TO HEALTH AND SAFETY CODE SECTIONS 17958.7, and 18941.5

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 became effective 180 days thereafter on January 1, 2020; and

WHEREAS, the 2019 California Building Standards Code includes 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, 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 to 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 ("CAAP"), the City of Santa Monica is committed to establishing requirements to reduce greenhouse gas emissions by electrifying the building and transportation sectors, which will also increase the use of renewable energy; and

WHEREAS, based upon the findings contained in this Resolution, the City Council will be adopting an ordinance making local amendments to the 2019 California Green Building Standards Code that are reasonably necessary based upon local climatic, geological, and environmental conditions;

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 2019 California Energy Code and 2019 California Green Building Standards Code described in Section 2 below:

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

(b) The Master Environmental Assessment ("MEA") adopted in April 1996, shows that Santa Monica's climate is primarily influenced by the Pacific Ocean and is characterized by infrequent rainfall and winds. The winds originate from the west during the day and from the north and northeast during the night. Further, intermittent Santa Ana winds conditions occur from September to March allowing conditions that create the potential for high velocity winds with high temperatures. In addition, the region is within a climate system capable of producing major wind, fire, and rain-related disasters, including but not limited to those caused by the

Santa Ana winds and El Nino (or La Nina) subtropical-like weather. (Climatic and Environmental)

(c) 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)

(d) Intermittent, immoderate climatic conditions due to wind, fog, rain, heatwave and humidity cause a higher demand for energy resources and greater needs (i) for energy conservation through the construction of building systems and equipment usage and (ii) to supplement building electrical systems with renewable energy sources. (Climatic and Environmental)

(e) 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)

(f) As also set forth in the CAAP, climate change is likely to alter rainfall patterns, increasing the variability in the already wide swings in precipitation from year to year, with even wider fluctuations between wet years and dry years, and increased duration and severity of droughts. As a result, the City of Santa Monica is likely to be subject to more severe weather events, including droughts as well as more intense storms that increase the risks of wildfire, erosion, overland local flooding and landslides. (Climatic and Environmental)

(g) As noted in the December 2018 Sustainable Water Master Plan Update (“SWMP”), Santa Monica currently receives approximately 70-75% of its water from ground water sources beneath the City. As noted in the Safety Element of Santa Monica’s General Plan, adopted in January 1995, subsidence, as well as saltwater intrusion has occurred along coastal areas to the south of the City, though, to date, no subsidence or saltwater intrusion has been reported within the City. (Geological and Environmental)

(h) As noted in the SWMP, climate change is expected to test the City’s ability to sustainably manage its water resources. In particular, if current projections of climate change caused sea level rise are proven to be accurate, saltwater intrusion may be expected to change the quality of the shallow groundwater zones immediately adjacent to the coast and those low-lying areas where wave run-up would likely be higher. Failure to address and significantly reduce greenhouse gas (“GHG”) emissions could result in exacerbated rises in sea level, increasing the risk posed by saltwater intrusions to shallow groundwater along the coast and potentially posing a risk of saltwater intrusion that would affect even the more inland wellfields from which the city draws the majority of its groundwater. (Climatic and Environmental)

(i) As noted in the CAAP, if current projections of climate change caused sea level rises are proven to be accurate, miles of transportation and public and private utilities infrastructure, beaches, homes, and businesses bear some risk from sea level rise and coastal flooding. Failure to address and significantly reduce GHG emissions could result in exacerbated rises in sea level that could put even more Santa Monica homes, businesses, and public facilities at risk from sea level rise and coastal flooding. (Climatic and Environmental)

(i) As noted in the CAAP, in February 2019, the Clean Power Alliance of Southern California started serving Santa Monica residents with electricity sourced from a higher content of renewable energy sources, with the result that as of May 2019 Santa Monica residents and businesses receive a default 100% renewable electricity. (Climatic and Environmental)

(k) The local amendments to promote the use of all-electric vehicles will encourage the substitution of all-electric vehicles for vehicles that use non-renewable fuel and emit GHG , which will increase the use of renewable energy, promote a lower contribution to GHG emissions, and increase resilience to ongoing climate change. (Climatic and Environmental)

SECTION 2: The City Council expressly finds that the following modifications and changes to the 2019 California Green Building Standards Code are reasonably necessary because of the local geological, climatic, and/or environmental conditions detailed in Section 1 above, which apply to the following modifications and changes to the 2019 California Green Building Standards Code as follows:

No.	Municipal Code Section(s)	Amendment Summary	Justification from Section 1 of this Resolution	Local Conditions
1	8.106.110	<p>In addition to current 2019 California Green Building Standards Code requirements:</p> <p>(a) In new one- and two-family dwellings and townhouses with all types of parking facilities, for each dwelling unit for which a parking space is available, the service panel must include a 40-amp dedicated branch circuit and branch circuit overcurrent protective device;</p> <p>(b) In new multi-family dwellings: 10% of total parking spaces (rounded up to the nearest whole number) must be electric vehicle (EV) charging spaces equipped with EV chargers; an additional 10% must be equipped with electric vehicle supply equipment (EVSE) capable of supporting future EV chargers, including a branch circuit overcurrent protective device; and all parking spaces not equipped with EVSE must be provided with conduit/raceway capable of providing future access to EVSE;</p> <p>(c) In new hotels and motels: 10% of total parking spaces (rounded up to the nearest whole number) must be EV</p>	(a) through (l)	Climatic, Geological, Environmental

No.	Municipal Code Section(s)	Amendment Summary	Justification from Section 1 of this Resolution	Local Conditions
		charging spaces equipped with EV chargers; an additional 30% must be provided with conduit/raceway capable of providing future access to EVSE; and installation of a DC fast charger may substitute for five EV charging spaces. (d) Where multiple EV charging spaces are required, raceways capable of accommodating 208/240 volt (or 480 volt for DC fast chargers) dedicated branch circuits must be installed to enclosures in close proximity to proposed EV spaces.		
2	8.106.120	In addition to current 2019 California Green Building Standards Code requirements: (a) In new non-residential buildings, 10% of total parking spaces (rounded up to the nearest whole number) must be EV charging spaces equipped with EV chargers and an additional 30% must be provided with conduit/raceway capable of providing future access to EVSE; (b) In new office parking facilities, an additional 10% of parking spaces must be equipped with EVSE capable of supporting future EV chargers, including a branch circuit overcurrent protective device. (c) Installation of a DC fast charger may substitute for five EV charging spaces.	(a) through (l),	Climatic, Geological, Environmental

SECTION 3. 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:

LANE DILG
City Attorney