



January 28, 2011

CITY COUNCIL
Margaret Connell
Mayor

Edward Easton
Mayor Pro Tempore

Roger S. Aceves
Councilmember

Michael T. Bennett
Councilmember

Paula Perotte
Councilmember

CITY MANAGER
Daniel Singer

Mr. Dave Walls, Executive Director
Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833-2936

RE: ***Local Building Energy Efficiency Standards***

Dear Mr. Walls:

The City of Goleta is pleased to submit to the Building Standards Commission the attached ordinance which adds Chapter 15.13 of Title 15 of the Goleta Municipal Code establishing local energy efficiency standards for certain buildings and improvements covered by the 2008 California Building Energy Efficiency Standards. Ordinance 10-06 is attached for your reference, including the express finding that modifications to the 2008 Standards are reasonably necessary due to local climatic conditions.

At the City Council meeting of October 19, 2010, a public hearing was held and the City's Ordinance was introduced. The City Council reviewed the Ordinance and an Energy Cost Effectiveness Study. The Energy Cost Effectiveness Study was facilitated by Southern California Edison and completed on December 24, 2009. The Council recognized the study analysis showing energy saving and cost effectiveness. The City Council conducted the first reading of the Ordinance and the second reading and adopted the Ordinance on November 2, 2010.

At the Business Meeting on December 29, 2010, the California Energy Commission (CEC) approved the City of Goleta ordinance. The CEC's approval letter and signed Resolution No. 10-1229-1d-G is attached for your reference.

We would like to express to you our firm commitment to have the City of Goleta enforce the current Title 24 Building Energy Efficiency Standards as part of the implementation of our Local Energy Ordinance.

Sincerely,

Cindy Moore, Senior Planner
Planning & Environmental Services



OFFICE OF THE CITY CLERK
CERTIFIED DOCUMENT

CITY COUNCIL

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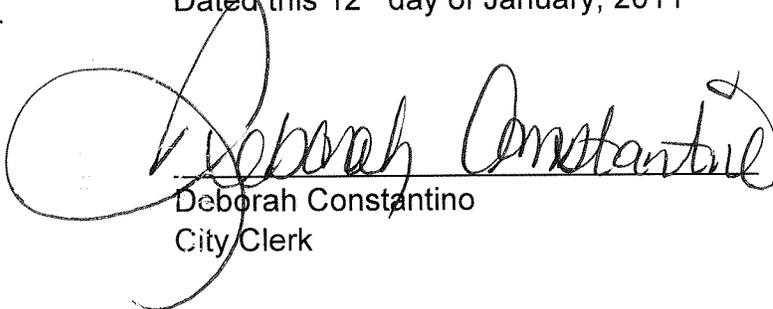
Paula Perotte
Councilmember

I, Deborah Constantino, City Clerk of the City of Goleta, California, do hereby certify that the document attached hereto Ordinance No. 10-06 entitled "**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA ADDING CHAPTER 15.13 OF TITLE 15 OF THE GOLETA MUNICIPAL CODE ESTABLISHING LOCAL ENERGY EFFICIENCY STANDARDS FOR CERTAIN BUILDINGS AND IMPROVEMENTS COVERED BY THE 2008 CALIFORNIA BUILDING ENERGY EFFICIENCY STANDARDS**" is a full, true and correct copy of the original on file in the Office of the City Clerk, of which I am the legal custodian.

CITY MANAGER

Daniel Singer

Dated this 12th day of January, 2011



Deborah Constantino
City Clerk

ORDINANCE NO. 10-06

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA
ADDING CHAPTER 15.13 OF TITLE 15 OF THE GOLETA MUNICIPAL
CODE ESTABLISHING LOCAL ENERGY EFFICIENCY STANDARDS
FOR CERTAIN BUILDINGS AND IMPROVEMENTS COVERED BY THE
2008 CALIFORNIA BUILDING ENERGY EFFICIENCY STANDARDS**

WHEREAS, despite moderate summer ambient temperatures in the local area, the City of Goleta is served by an energy system that may experience power outages or power reductions (i.e., "brown-outs") during peak demand periods; and

WHEREAS, reduction of total and peak energy use as a result of incremental energy conservation measures required by this ordinance will have local and regional benefits in the cost-effective reduction of energy costs for the building owner, additional available system energy capacity, and a reduction in greenhouse gas emissions; and

WHEREAS, modifications to the 2008 California Building Energy Efficiency Standards are therefore reasonably necessary due to local climatic conditions; and

WHEREAS, this ordinance preserves and enhances the environment; in that it sets forth increased minimum energy efficiency standards within the City of Goleta for buildings and improvements covered by the ordinance; and

WHEREAS, in accordance with California Public Resources Code Section 15061(b)(3), the California Environmental Quality Act (CEQA) "applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."; and

WHEREAS, this ordinance is exempt from CEQA review because it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment; and

WHEREAS, Mike Gabel, Gabel Associates, LLC prepared a report entitled Climate Zone 6 Energy Cost Effectiveness Study dated December 24, 2009 (the "Energy Cost Effectiveness Study"); and

WHEREAS, the Energy Cost Effectiveness Study has studied the cost-effectiveness of the energy efficiency measures contained in this ordinance for the Climate Zones within the City's jurisdiction and concluded that the energy efficiency measures contained in this ordinance are cost-effective.

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

SECTION 1. Recitals.

The foregoing recitals are true and correct.

SECTION 2. Findings.

In reliance upon the Energy Cost Effectiveness Study, the City Council hereby adopts the conclusions of this study and authorizes its inclusion in an application for consideration by the California Energy Commission in compliance with Public Resources Code 25402.1(h)(2). Specifically, the City Council finds that the energy efficiency measures contained in this ordinance are cost-effective

SECTION 3. Chapter 15.13 of Title 15 of the Goleta Municipal Code, titled “_Energy Efficiency Standards”, is hereby enacted to read as follows:

Chapter 15.13 Energy Efficiency Standards

15.13.010 Purpose.

This Chapter (“Energy Efficiency Standards”) sets forth increased minimum energy efficiency standards within the City of Goleta for all new construction of any size, additions to existing buildings or structures over a certain size threshold, the installation of certain lighting improvements and the installation of new heaters or circulation pumps for swimming pools, spas and water features. This Chapter is intended to supplement the 2008 California Building Energy Efficiency Standards, as specified in California Code of Regulations, Title 24, Parts 1 and 6 (Standards). Compliance with the 2008 California Building Energy Efficiency Standards is required even if the increased minimum energy efficiency standards specified in this Chapter do not apply.

15.13.020 Definitions.

For purposes of this Chapter 15.13, words or phrases used in this Chapter that are specifically defined in Parts 1, 2, or 6 of Title 24 of the California Code of Regulations shall have the same meaning as given in the Code of Regulations. In addition, the following words and phrases shall have the meanings indicated, unless context or usage clearly requires a different meaning:

2008 BUILDING ENERGY EFFICIENCY STANDARDS. The standards and regulations adopted by the California Energy Commission contained in Parts 1 and 6 of Title 24 of the California Code of Regulations as such standards and regulations may be amended from time to time.

EXISTING + ADDITION + ALTERATION. An approach to modeling the TDV (time dependent valuation) energy use of an addition including the existing building and alterations as specified in the Residential Compliance Manual and Nonresidential Compliance Manual.

NONRESIDENTIAL COMPLIANCE MANUAL. The manual developed by the California Energy Commission, under Section 25402.1(e) of the Public Resources Code, to aid designers, builders, and contractors in meeting the requirements of the state's 2008 Building Energy Efficiency Standards for nonresidential, high-rise residential, and hotel/motel buildings.

RESIDENTIAL COMPLIANCE MANUAL. The manual developed by the California Energy Commission, under Section 25402.1(e) of the Public Resources Code, to aid designers, builders, and contractors in meeting the requirements of the state's 2008 Building Energy Efficiency Standards for low-rise residential buildings.

SWIMMING POOL. Any structure intended to contain water over 18 inches deep.

TIME DEPENDENT VALUATION ENERGY or ("TDV ENERGY"). The time varying energy caused to be used by the building or addition to provide space conditioning and water heating and, for specified buildings, lighting. TDV energy accounts for the energy used at the building site and consumed in producing and in delivering energy to a site, including, but not limited to, power generation, transmission and distribution losses. TDV Energy is expressed in terms of thousands of British thermal units per square foot per year (kBtu/sq.ft.-yr).

WATER FEATURE. Any structure intended to contain water over 18 inches deep. Examples of water features include, but are not limited to, ponds and fountains.

15.13.030 Applicability.

A. The provisions of this Chapter apply to any of the following buildings or improvements to the extent that a building permit is required by this Code:

1. Any new building or structure of any size,
2. Any addition to an existing building or structure where the addition is greater than 500 square feet of conditioned floor area,
3. Indoor lighting alterations in conditioned spaces greater than 500 square feet of floor area within nonresidential buildings,
4. All new circulation pumps for swimming pools, spas, and water features.

B. Subject to the limitations specified in this Section, the coverage of this Chapter shall be determined in accordance with the scope and application section of either the Residential Compliance Manual or Nonresidential Compliance Manual, as appropriate for the proposed occupancy.

15.13.040 Compliance.

A building permit application subject to the requirements of this Chapter shall not be issued a building permit by the Building Official unless energy compliance documentation is submitted which satisfies the requirements of this Chapter. A final inspection for a building permit subject to the requirements of this Chapter shall not be approved unless the work authorized by the building permit has been constructed in accordance with the approved plans, conditions of approvals, and requirements of this Chapter.

15.13.050 Mandatory Energy Efficiency Requirements.

In addition to meeting all requirements of 2008 Building Energy Efficiency Standards, all applications for building permits that include buildings or improvements covered by this Chapter shall include the following mandatory energy efficiency measures as may be applicable to the proposed building or improvement:

A. **RESIDENTIAL BUILDINGS.** Any built-in appliance (excluding HVAC equipment and water heaters) to be installed in a residential building shall be Energy Star rated, if the appliance installed is of a type that is Energy Star rated and the appliance is not listed with minimum efficiency requirements in the latest edition of the National Appliance Energy Conservation Act (NAECA.)

B. **SWIMMING POOL AND SPA HEATER PUMPS.** Any circulation pump to be installed for any swimming pool, spa, or water feature for which a permit is required by this code shall incorporate the following energy conservation feature:

1. All circulating pump motors and filtration pump motors with a nominal rating of 0.75 horsepower or greater (except pump motors only serving spa jets) shall be two-speed or variable speed motors. The installation of all two-speed and variable speed motors shall include the installation of a controller which shall be time-based and shall be programmed to alternate the speed of the motor between low and high to make effective use of the energy savings potential of the unit's multi-speed capability.

15.13.060 General Compliance Requirements.

In addition to any applicable mandatory requirements specified in Section 22.82.050 and the requirements of the 2008 Building Energy Efficiency Standards, the following general compliance requirements shall apply to permit applications subject to this Chapter as follows:

A. **RESIDENTIAL.** Applications for building permits that involve new residential buildings or additions to existing residential buildings where the additions are greater than 500 square feet of conditioned floor area shall demonstrate compliance with the general compliance requirements as follows:

1. **New Residential Buildings.** When an application for a building permit involves a new residential building, the performance approach specified in Section 151 of the 2008 Building Energy Efficiency Standards must be used to demonstrate that the TDV Energy of the proposed building is at least 15.0% less than the TDV Energy of the standard building.

2. **Additions to Residential Buildings.** When an application for a building permit involves an addition to an existing residential building, this general compliance requirement may be met by either of the following methods:

a. Using the performance approach specified in Section 151 of the 2008 Building Energy Efficiency Standards to demonstrate that the TDV Energy of the proposed addition is at least 15.0% less than the TDV Energy of the standard design; or,

b. Using the "Existing+Addition +Alteration" calculation methodology to demonstrate that the TDV Energy of the proposed building is at least 15.0% less than the TDV Energy of the standard design, as calculated in accordance with the performance approach specified in Section 151 of the 2008 Building Energy Efficiency Standards. In modeling buildings under the Existing+Addition+Alteration method, domestic hot water energy use must be included in the calculation model unless the application does not involve a change to the building's existing water heater(s).

B. **NONRESIDENTIAL.** Applications for building permits that involve new nonresidential buildings or additions to existing nonresidential buildings where the additions are greater than 500 square feet of conditioned floor area shall demonstrate compliance with the general compliance requirements as follows:

1. **New Nonresidential Buildings.** When an application for a building permit involves a new nonresidential building, meeting the general compliance requirements established by this Chapter may be demonstrated by using either the prescriptive approach or performance approach as specified below:

a. **Prescriptive Approach.** Subject to the exceptions listed below and the provisions of the 2008 Building Energy Efficiency Standards, the prescriptive approach requires compliance with the prescriptive envelope requirement and/or the prescriptive indoor lighting requirement, depending upon the work proposed in the permit application, as specified below:

(1) **Prescriptive Envelopment Requirement.** The Overall Envelope TDV Energy Approach in Section 143(b) of the 2008 Building Energy Efficiency Standards shall be used to demonstrate that the Overall TDV energy of the proposed building is at least 10.0% less than the Overall TDV energy of the standard building; and/or,

(2) **Prescriptive Indoor Lighting Requirement.** The "Prescriptive Requirements for Indoor Lighting" contained in Section 146 of the 2008 Building Energy Efficiency Standards that apply to conditioned spaces shall be used to demonstrate that the Adjusted

Actual (Installed) Watts are at least 10.0% less than the Total Allowed Watts.

(i) **Tailored Method Exception.** When using the Tailored Method in retail stores to determine compliance with the prescriptive requirements for indoor lighting, Display Lighting watts may be omitted from the above calculation.

(ii) **Small Alterations Exception.** Lighting alterations which encompass a gross conditioned floor area equal to or less than 500 square feet are exempt from the prescriptive indoor lighting requirement.

b. **Performance Approach.** If the applicant chooses the performance approach, the applicant shall select one of the following energy budget calculation methodologies to demonstrate compliance with the general compliance requirements:

(1) Model the building using a state-approved energy compliance software program and demonstrate that the TDV Energy of the proposed building is at least 15.0% less than the TDV Energy of the standard building. In calculating the %-better-than-Title-24, the TDV energy of the Process and Receptacle energy use components is omitted in both the proposed and standard designs.

2. **Additions to Nonresidential Buildings.** When an application for a building permit involves an addition to an existing nonresidential building, the general compliance requirement may be met by either of the following methods:

a. Using the "Addition Alone" performance method to demonstrate that the TDV Energy sum of the energy components for the proposed addition specified in B.1.a(1) above is at least 15.0% less than the TDV Energy sum of the same energy components of the standard addition; or,

b. Using the "Existing+Addition +Alteration" performance method to demonstrate that the TDV Energy sum of the energy components for the proposed building specified in B.1.a(1) above is at least 10.0% less than the TDV Energy sum of the same energy components of the standard design.

D. **DOCUMENTATION.** In order to demonstrate compliance with the requirements of this Section, a permit applicant may be required to submit supplementary forms and documentation in addition to the building drawings, specifications, and standard Title 24 report forms, as deemed appropriate by the Building Official.

SECTION 4. Energy Commission Compliance.

City Manager or his designee shall submit this ordinance along with an application for consideration by the California Energy Commission in compliance with Public Resources Code 25402.1(h)(2).

SECTION 5. Severability.

Should any provision, section, paragraph, sentence or work of this Ordinance be rendered or declared invalid by a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance shall remain in full force and effect.

SECTION 6. Construction.

The City Council intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

SECTION 7. Effective Date.

This ordinance shall take effect on January 1, 2011.

SECTION 8. Certification.

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

INTRODUCED ON the 19th day of October, 2010.

PASSED, APPROVED, AND ADOPTED this 2nd day of November, 2010.



ERIC ONNEN, MAYOR

ATTEST:

APPROVED AS TO FORM:



DEBORAH CONSTANTINO
CITY CLERK



TIM W. GILES
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California, DO
HEREBY CERTIFY that the foregoing Ordinance No. 10-06 was duly adopted by the City
Council of the City of Goleta at a meeting held on the 2nd day of November , 2010, by the
following vote of the Council:

AYES: MAYOR ONNEN, MAYOR PRO TEMPORE CONNELL
 COUNCILMEMBERS ACEVES, BENNETT AND EASTON.

NOES: NONE

ABSENT: NONE

ABSTENTIONS: NONE

(SEAL)


DEBORAH CONSTANTINO
CITY CLERK



CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



January 20, 2011

Ms. Cindy Moore
City of Goleta Planning and Environmental Services
130 Cremona Drive, Suite B
Goleta, Ca. 93117

Dear Ms. Moore:

The California Energy Commission congratulates the City of Goleta on the approval of the local ordinance requiring energy efficiency more stringent than the *2008 Building Energy Efficiency Standards* (Title 24, Part 6) of the California Building Code. Under Title 24, Part 1 Section 10-106, local governments are allowed to apply to the Energy Commission for approval of proposed standards that will save more energy than the current statewide standards. The City of Goleta has complied with all requirements under Section 10-106 and has shown exemplary commitment to energy efficiency through the adoption of these standards. At the Business Meeting on December 29, 2010, the City of Goleta ordinance was approved before the full Energy Commission.

The City of Goleta ordinance is a significant contribution in the continuing efforts of local governments to reduce overall energy use, curb the use of energy during peak periods, and improve the environment by lowering greenhouse gas emissions, water use and improving other environmental impacts. These issues affect all Californians and we are pleased that your efforts are in the forefront. The Energy Commission commends the City of Goleta for seeking to achieve energy savings exceeding those of the *2008 Building Energy Efficiency Standards* of the California Building Code.

Sincerely,

A handwritten signature in black ink, appearing to read "J M Loyer", with a long horizontal flourish extending to the right.

Joseph M. Loyer
Associate Mechanical Engineer
High Performance Buildings and
Standards Development Office

RESOLUTION NO: 10-1229-1d-G

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: California Energy Commission approval of the City of Goleta's locally adopted building energy standards to require greater energy efficiency than the *2008 Building Energy Efficiency Standards*.

WHEREAS, the City of Goleta has submitted an application to the Energy Commission for approval of a local ordinance with energy efficiency requirements meeting or exceeding those required by the *2008 Building Energy Efficiency Standards*; and

WHEREAS, Public Resources Code Section 25402.1(h)(2) and Title 24, Part 1, Section 10-106 establish a process for local governments to apply to the Energy Commission for approval to adopt new versions of Building Energy Efficiency Standards that require additional energy efficiency measures or set more stringent energy budgets; and

WHEREAS, the City of Goleta submitted an application to the Energy Commission that meets all of the documentation requirements pursuant to Public Resources Code Section 25402.1(h)(2) and Section 10-106; and

WHEREAS, the City of Goleta has made a written commitment to actively enforce compliance both with the locally adopted energy standards and the *2008 Building Energy Efficiency Standards*; and

WHEREAS, the Energy Commission commends the City of Goleta for seeking to achieve additional demand reductions, energy savings and other benefits exceeding those of the *2008 Building Energy Efficiency Standards*;

THEREFORE BE IT RESOLVED, that on December 29, 2010 the Energy Commission approves the City of Goleta's locally adopted energy standards, and that these local standards may be enforced by the City of Goleta.

Dated: December 29, 2010

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION



JAMES D. BOYD
Vice Chair