

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION APPROVING  
THE CITY OF SANTA MONICA'S LOCAL BUILDING ENERGY EFFICIENCY STANDARDS  
ORDINANCE, SECTIONS 4.201.3,4,5 and 5.201.3,4

**RESOLUTION:** California Energy Commission approval of the City of Santa Monica's locally adopted building energy standards, Ordinance, Sections 4.201.3,4,5 and 5.201.3,4, to require greater or equivalent energy efficiency than the *2013 Building Energy Efficiency Standards*, provided in California Code of Regulations, Title 24, Part 6, and associated administrative regulations in Part 1, Chapter 10.

**WHEREAS**, the City of Santa Monica has submitted an application to the Energy Commission for approval of Ordinance, Sections 4.201.3,4,5 and 5.201.3,4; and

**WHEREAS**, Public Resources Code Section 25402.1, Subdivision (h)(2), and California Code of Regulations, Title 24, Part 1, Chapter 10, Section 10-106, establish a process for local governments to apply to the Energy Commission for approval of local energy standards that are different from, but which must be at least as stringent as, the *2013 Building Energy Efficiency Standards*; and

**WHEREAS**, the City of Santa Monica submitted an application to the Energy Commission for Ordinance, Sections 4.201.3,4,5 and 5.201.3,4 that meets all of the documentation requirements pursuant to Public Resources Code section 25402.1, subdivision (h)(2), and California Code of Regulations, Title 24, Part 1, Chapter 10, Section 10-106; and

**WHEREAS**, the City of Santa Monica has made a written commitment to actively enforce compliance both with Ordinance, Sections 4.201.3,4,5 and 5.201.3,4 and the *2013 Building Energy Efficiency Standards*; and

**WHEREAS**, the Energy Commission has considered the City of Santa Monica's California Environmental Quality Act determination of Ordinance, Sections 4.201.3,4,5 and 5.201.3,4 environmental effects (see Pub. Resources Code, § 21000 et seq.); and

**WHEREAS**, the Energy Commission has analyzed whether the City of Santa Monica's locally adopted building energy standards, Ordinance, Sections 4.201.3,4,5 and 5.201.3,4 will require the diminution of energy consumption levels permitted by the *2013 Building Energy Efficiency Standards*; and

**THEREFORE BE IT RESOLVED**, that on April 13, 2016, the Energy Commission finds that Ordinance, Sections 4.201.3,4,5 and 5.201.3,4 is not subject to the California Environmental Quality Act, Public Resources Code section 21000 et seq., because there is no possibility that implementing this Ordinance may have a significant effect on the environment due to its anticipated benefits for the City of Santa Monica (see Pub. Resources Code, § 21083; Cal. Code Regs., tit 14, § 15061, subd. (b)(3)).

**THEREFORE BE IT FURTHER RESOLVED**, the Energy Commission finds that the City of Santa Monica's locally adopted build energy standards, Ordinance, Sections 4.201.3,4,5 and 5.201.3,4 will require the diminution of energy consumption levels permitted by the *2013 Building Energy Efficiency Standards*; and

**THEREFORE BE IT FURTHER RESOLVED**, the Energy Commission commends the City of Santa Monica's for seeking to achieve additional energy demand reductions, energy savings and other benefits exceeding those of the *2013 Building Energy Efficiency Standards*; and

**THEREFORE BE IT FURTHER RESOLVED**, that on April 13, 2016, the Energy Commission approves Ordinance, Sections 4.201.3,4,5 and 5.201.3,4 and that the local building energy efficiency standards it includes may be enforced by the City of Santa Monica; and

**THEREFORE BE IT FURTHER RESOLVED**, that the Energy Commission directs the Executive Director to take all actions necessary to implement this Resolution, including but not limited to filing the appropriate notices with the Office of Planning and Research. (See, e.g., Cal. Code Regs., tit 14, § 15062.)

#### CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true and correct copy of a Resolution duly and regularly adopted at a meeting of the California Energy Commission held on November 17, 2014.

AYE: Weisenmiller, Douglas, Hochschild, McAllister, Scott

NAY:

ABSENT:

ABSTAIN:

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CODY GOLDTHRITE, Secretariat