

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION APPROVING THE ENERGY COMMISSIONS FINDING  
THAT THE CITY OF SANTA MONICA'S  
LOCAL BUILDING ENERGY EFFICIENCY STANDARDS ORDINANCE  
SECTIONS 4.201.3,4,5 AND 5.201.3,4  
MEET THE REQUIREMENTS PURSUANT TO TITLE 24 SECTION 10-106

**RESOLUTION:** California Energy Commission finding that the city of Santa Monica's locally adopted building energy standards, Ordinance Sections 4.201.3,4,5 and 5.201.3,4, require greater or equivalent energy efficiency than the *2016 Building Energy Efficiency Standards*, provided in California Code of Regulations, Title 24, Part 6, and associated administrative regulations in Part 1, Chapter 10.

**WHEREAS**, on October 25, 2016, the city of Santa Monica adopted an ordinance to exceed the *2016 Building Energy Efficiency Standards* (the ordinance); and

**WHEREAS**, Public Resources Code Section 25402.1, Subdivision (h)(2), and California Code of Regulations, Title 24, Section 10-106, establish a process for local governments to apply to the Energy Commission for local energy standards that are different from, but which must be at least as stringent as, the *2016 Building Energy Efficiency Standards*; and

**WHEREAS**, the city of Santa Monica submitted an application to the Energy Commission for the ordinance 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, Section 10-106; on November 18, 2016; and

**WHEREAS**, the city of Santa Monica, in their application to the Energy Commission, indicated that there is no possibility that the implementation of the ordinance will have a significant negative impact on the environment, and therefore the adoption of the ordinance is exempt from the California Environmental Quality Act codified in California Public Resources Code section 21000 et seq. (CEQA), pursuant to Subdivision (b)(3) of Section 15061 of the CEQA Guidelines, codified in Title 14 of the California Code of Regulations; 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 *2016 Building Energy Efficiency Standards*; and

**WHEREAS**, the Energy Commission has analyzed whether the ordinance will require the diminution of energy consumption levels permitted by the *2016 Building Energy Efficiency Standards*.

**THEREFORE BE IT FURTHER RESOLVED**, the Energy Commission finds that the city of Santa Monica's Ordinance will require the diminution of energy consumption levels permitted by the *2016 Building Energy Efficiency Standards*; and

**THEREFORE BE IT RESOLVED**, that the Energy Commission finds that granting the application of the city of Santa Monica regarding the Ordinance will not result in a direct or reasonably foreseeable indirect physical change to the environment, and is therefore exempt from CEQA pursuant to Subdivision (b)(3) of Section 15061 of the CEQA Guidelines, codified in Title 14 of the California Code of Regulations; and

**THEREFORE BE IT FURTHER RESOLVED**, the Energy Commission applauds the city of Santa Monica for seeking to achieve additional energy demand reductions, energy savings and other benefits exceeding those of the *2016 Building Energy Efficiency Standards*; and

**THEREFORE BE IT FURTHER RESOLVED**, that on March 8, 2017, the Energy Commission grants the application of 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 March 8, 2017.

AYE: Weisenmiller, Douglas, Hochschild, McAllister, Scott

NAY:

ABSENT:

ABSTAIN:

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CODY GOLDTHRITE  
Secretariat