

(Ord. No. 2175, § 3(Att. 6), 2-18-2014)

18.24.040 General construction requirements for storable pools.

Subsections (a), (b), (c), (d), (e), (f) and (g) of Section 18.24.030 shall apply to the construction of storable pools. Storable pools shall be installed as per manufacturer's instructions.

(Ord. No. 2175, § 3(Att. 6), 2-18-2014)

18.24.050 Indoor swimming pools.

In addition to the remainder of the requirements in this chapter, indoor swimming pools shall have windows or a skylight equal to at least one-half of the surface area of the pool; provided, that artificial light may be used in lieu thereof if approved by the building official.

(Ord. No. 2175, § 3(Att. 6), 2-18-2014)

18.24.060 Inspection.

All portions of the construction of the pool shall be inspected by the building official or his representative to insure compliance with the required codes of the city. A final inspection to allow occupancy cannot be made until the pool is completed, filled with water and the filter system is in operation and that all phases function correctly.

(Ord. No. 2175, § 3(Att. 6), 2-18-2014)

Note(s)—Prior history: Ords. 1470, 1407 and prior code §§ 8105.3, 8105.6 and 8105.7 (Back)

Chapter 18.26 GREEN BUILDING STANDARDS CODE

18.26.010 Adoption of the State Green Building Code.

The city council adopts the California Green Building Standards Code, Title 24, Part 11, ~~2019~~ **2022** Ed. California Code of Regulations, for the improvement of public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. *Hereinafter termed "Cal Green," and each and all of the regulations, appendices, provisions, penalties, conditions and terms of such Code (one copy of which code has been filed for use and examination by the public in the office of the Building Official) are referred to and are adopted and made a part hereof, the same as if fully set forth in this chapter, and are adopted as sections of this chapter bearing the same numerical sections, designations, titles as appear in the California Building Code except as excepted, modified or amended in this chapter.*

(Ord. No. 2255 , § 3(Att. 4), 12-3-2019)

18.26.020 Modifications.

Section 102.3 Verification. Shall be modified to read:

Prior to final building inspection and occupancy for projects included in this chapter, documentation of conformance for applicable green building measures shall be ~~provided to the enforcing agency~~ *uploaded into CalCerts or Cheers as CF3R forms*. Alternate methods of documentation shall be acceptable when the enforcing agency finds that the proposed alternate documentation is satisfactory to demonstrate substantial conformance with the intent of the proposed green building measure. When required by the Building Official, a qualified independent green building professional shall provide evidence of adequate green building compliance or documentation to the Building Official to satisfy the requirements of compliance for residential and non-residential projects covered under this chapter. The Building Official shall make the final determination whether a project meets the requirements of this chapter.

18.26.030 Definitions.

All Electric Building- A building that contains no combustion equipment or plumbing for combustion equipment serving space heating (including fireplaces), water heating (including pools and spas), cooking appliances (including barbecues), and clothes drying, within the building or building property lines, and instead uses electric heating appliances for service.

ALTERATION OR ALTER. *Any construction or renovation to an existing structure other than repair for the purpose of maintenance or addition.*

COMBUSTION EQUIPMENT. *Any equipment or appliance used for space heating, water heating, cooking, clothes drying and/or lighting that uses fuel gas.*

ELECTRIC HEATING APPLIANCE. *A device that produces heat energy to create a warm environment by the application of electric power to resistance elements, refrigerant compressors, or dissimilar material junctions, as defined in the California Mechanical Code.*

Electric Vehicle Charging Station (EVCS)- *One of more electric vehicle charging spaces served by electric vehicle chargers that allow for the charging of electric vehicles.*

EV Capable- *Having the electric panel sized to accommodate future EV charging and having in-place the conduit raceway and junction boxes necessary for rapid installation of the breaker and wiring to provide EVCS.*

EV Ready- *Having EV charging ready for use.*

FUEL GAS. *A gas that is natural, manufactured, liquefied petroleum, or a mixture of these.*

NEWLY CONSTRUCTED (or NEW CONSTRUCTION)- *“Newly constructed building” shall be defined as a building that has never before been used or occupied for any purpose, and for the purposes of this Chapter shall include a construction project where an alteration includes replacement or addition of over 75 percent of the wood frame construction (New, Using Portions of the Existing).*

18.26.040 Storm Water Management

Cal Green Section 4.106.2 and in support of Bay Area Storm Water Management Agencies Association (BASMAA) *All residential homes, ADU’s, condominiums, and townhouses that undergo additional roof area for habitation or non-habitation shall include in the design, a storm water management system utilizing roof gutters, down spouts, leaders, drain pipes, drain swales, seepage pits, retention basins, and/or French drains*

to retain storm waters on-site and not to flow to the public storm system in the street or to a neighboring property. These actions will reduce the volume of landscape watering required and offer protection from bay pollutants caused by contaminated run off.

18.26.050 Electric Vehicle Charging

Cal Green Section 4.106.4 Electric Vehicle (EV) Charging for New Construction (Single Family Homes) (EV Ready); All residential new homes, ADU's, condominiums, and townhouses are required to provide one completed and ready to use (Level 1) 110 volt, 20-ampere, NEMA 1-20, 2 pole, 3 wire receptacle and a (Level 2) 208/240 volt, 40-ampere, NEMA 14-40, 3 pole, 4 wire receptacle, dedicated and labeled as EV Charging in the garage, or outside of the garage or near a parkway in a weatherproof cover (NEMA 3R) in the proximity of a vehicle parking area. If the living unit does not have a designated off-street parking area, the Building Official shall make the determination as to a reasonable and safe EV charging system placement or an exemption to the ordinance.

Cal Green Sections 4.106.4.2.1, 4.106.4.2.2, 4.106.4.2.3, 4.106.4.2.3 Multifamily Development Projects Electric Vehicle (EVCS)- All multifamily **new** construction shall make operational, the increased EV ready requirements of Cal Green as follows:

- a. Multifamily with private garages: One (Level 1) 110 volt, 20-ampere, NEMA 1-20, 2 pole, 3 wire, and one (Level 2) 208/240 volt, 40-ampere, NEMA 14-40, 3 pole, 4 wire receptacle, dedicated and labeled as EV Charging
- b. Multifamily with shared Parking: 60% of all parking stalls or spaces to have a (Level 1) 110 volt, 20-ampere, NEMA 1-20, 2 pole, 3 wire, and 40% of all stalls or spaces to have (Level 2) 208/240 volt, 40-ampere, NEMA 14-40, 3 pole, 4 wire receptacle, dedicated and labeled as EV Charging

Cal Green Sections 5.1006.5.3.1, 5.1006.5.3.2, 5.1006.5.3.3, 5.1006.5.3.4, 5.1006.5.3.5 Nonresidential Development Projects Electric Vehicle (EVCS)- All commercial new construction shall make operational, the increased EV ready requirements of Cal Green as follows:

- a. Offices: 20% of all parking stalls or spaces to have a (Level 1) 110 volt, 20-ampere, NEMA 1-20, 2 pole, 3 wire dedicated and labeled as EV Charging. And 30% of all stalls or spaces to be EV capable that would included electric panel sizing, conduit and infrastructure to support (Level 2) 208/240 volt, 40-amp
- b. Other non-residential: 10% of all parking stalls or spaces to have a (Level 1) 110 volt, 20-ampere, NEMA 1-20, 2 pole, 3 wire dedicated and labeled as EV Charging. And 10% of all stalls or spaces to be EV capable that would included electric panel sizing, conduit and infrastructure to support (Level 2) 208/240 volt, 40-amp

Electric vehicle charging locations and equipment and placement and accessible routes shall be compliant to California Accessibility (CBC 11B-228.3 and 11B-812).

Automatic Load Management System (ALMS). A control system designed to manage load across one or more electric vehicle supply equipment (EVSE), circuits, panels and to share electrical capacity and/or automatically manage power at each connection point. ALMS systems shall be designed to deliver no less than 3.3 kVa (208/240 volt, 16-ampere) to each EV Capable, EV Ready or EVCS space served by the ALMS, and meet the requirements of California Electrical Code Article 625. The connected amperage to the building site for the EV charging infrastructure shall not be lower than the required connected amperage per California Green Building Standards Code, Title 24 Part 11.

Alterations of Existing Parking Areas- The mandatory provisions of Section 4.106.4.2 may apply to additions or alterations of existing parking facilities or the addition of new parking facilities serving existing multifamily buildings.

The mandatory provisions of Section 5.106.5.3 may apply to additions or alterations of existing parking facilities or the addition of new parking facilities serving existing nonresidential buildings.

NOTE: *Repairs including, but not limited to, resurfacing, restriping, and repairing or maintaining existing lighting fixtures are not considered alterations for the purpose of this section.*

(Ord. No. 2260 , § 1, 2-18-20 As modified 2022)

18.26.060 Electrification

All Newly constructed residential living units and New Dwellings Using Portions of the Existing Structure. shall be prohibited from using natural gas in the living unit.

Exception 1: This section does not prohibit the use of propane gas for outdoor barbeque, grilling, woking, or warming fires.

All Newly constructed multi family and commercial buildings shall be prohibited from using natural gas in the building.

Exception1: This section does not prohibit the use of propane gas for outdoor barbeque, grilling, woking, or warming fires.

Exception 2: In the event that propane or natural gas is essential for the process or service, specific to the business of use or event, a permit application shall be made under “Building Official Determination” whereas the Building Official shall make reasonable determination for the allowance of such use.

18.26.070 Limited Exemptions from Electrification Standards

- (a) Purpose. The City recognizes certain services and/or operations rely on gas service or would be rendered infeasible if required to use electric service in their processes. In such circumstances, a limited exemption from the City’s Electrification Standards (CMC 18.26.060) may be warranted. The purpose and intent of this section is to outline the regulations for a limited exemption from the standards.*
- (b) Exemption Process. The City shall not approve any request for a limited exemption from electrification standards except upon a complete and duly filed application on the then-current form prepared by the City.*
- (c) Review Criteria. The applicant always bears the burden to demonstrate why a limited exemption should be granted. The following criteria shall be used by the Building Official to determine if there is an operational necessity for natural gas service that warrants a limited exemption from the electrification standards.*
 - (1) Gas dependent processes. Industrial and certain commercial uses, which require the use of natural gas for specific operational processes, shall be allowed use of natural gas for that need. Examples include, but shall not be limited to, metallurgy, glass blowing, pottery, research and development uses, and certain medical processes.*
 - (2) Commercial cooking. Commercial restaurants and similar commercial food preparatory facilities shall be permitted natural gas service for food preparation. Examples include, but shall not be limited to, restaurants, bakeries, grocery stores, and commercial kitchens.*
 - (3) Cost prohibitive. Gas service shall be permitted when it can be demonstrated that the 10-year life-cycle cost analysis of installing and using all-electric equipment will be 50% or greater than that of using natural gas and/or would render the project financially infeasible. When estimating the life-cycle cost, all calculations will assume the purchase and use of all new equipment.*
 - (4) Emergency services. Natural gas may be permitted for facilities providing emergency services. Examples include backup generators for wireless cell towers and public heating centers.*
 - (5) Reconstruction after damage or destruction. A nonconforming structure which is involuntarily damaged or partially destroyed to the extent that the cost of restoration does not exceed seventy-five percent of the cost of construction of a comparable new structure (as determined by the*

Building Official) may be restored or reconstructed; provided, the restoration is started within twelve months thereafter.

- (d) Electric Service Wiring Required. In the event a limited exemption is granted, electric service will still be required to any location where a primary gas connection is made.*
- (e) Decision. The Building Official shall notify the applicant of the decision rendered electronically through the City's online permitted system, by email, or by first class mail.*
- (f) Revocation. The Building Official may revoke a limited exemption, and require that gas service be disconnected and capped, if upon receipt of a business license application and/or building permit application, the criteria used to grant the limited exemption may no longer be made.*
- (g) Appeals from Building Official Decision. The applicant or any interested person or entity may file an appeal to the Community Development Department of any decision made by the Building Official in compliance with this chapter. The appeal shall be filed within ten (10) days of the Building Official's decision, with the city clerk in writing and accompanied by a filing fee in compliance with the city's schedule of fees and charges. The Community Development Director, or Community Development Director's designee, in his or her discretion, shall determine whether to affirm, set side, or modify the Building Official's decision appealed therefrom based on a review of the same criteria used by the Building Official. Thereafter, the appellant shall be notified of the Community Development Director's decision.*
- (h) Appeals from Community Development Director Decision. The applicant or any interested person or entity may file an appeal to the Building Board of Appeals of any decision made by the Community Development Director in compliance with this chapter. The appeal shall be filed within ten (10) days of the Community Development Director's decision, with the city clerk in writing and accompanied by a filing fee in compliance with the city's schedule of fees and charges. The Building Board of Appeals, in their discretion, shall determine whether to affirm, set side, or modify the Community Development Director's decision appealed therefrom based on a review of the same criteria used by the Community Development Director. Thereafter, the appellant shall be notified of the decision.*

(Ord. No. 2175, § 3(Att. 6), 2-18-2014)

Chapter 18.32 DETERMINATION OF SCOPE OF WORK

18.32.010 Definition of "Scope of Work."

A project submitted as a "Remodel" or "Remodel and Addition," or a "Remodel of an accessory structure to create an accessory dwelling unit" (or similar scope of work) shall instead be considered and defined as a **"New Dwelling using portions of the original structure"** when at least three of the following criteria are satisfied:

- (1) The valuation of the proposed work exceeds one hundred eighty-five thousand dollars (valuation calculated using established Valuations ~~from Tables published by the International Code Council (ICC)~~ *the most current RS Means- Square Foot and Estimating software and book series* and modified by the Building Division);
- (2) Seventy-five percent or more of the existing roof framing (Area) is proposed to be removed. Existing roof covered by a new roof shall be considered as removed for the purposes of this calculation;
- (3) Seventy-five percent or more of the existing exterior walls (Lineal Footage of Wall Length) are removed, altered, filled in, or rebuilt. In no event shall new exterior walls exceed more than seventy-five percent of the length of the existing exterior walls as determined by the building official. Nonconforming exterior walls shall not be included in the twenty-five percent remaining calculation (this subsection shall not apply to a proposed conversion of an accessory structure to an accessory dwelling unit);