ORDINANCE NO. ----

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TIBURON REPEALING AND REPLACING SECTION 13-4 OF ARTICLE II, CHAPTER 13, TITLE IV OF THE TIBURON MUNICIPAL CODE BY ADOPTING BY REFERENCE THE 2025 CALIFORNIA BUILDING STANDARDS CODE (TITLE 24, CALIFORNIA CODE OF REGULATIONS PARTS 1, 2, 2.5, 3, 4, 5, 6, 7, 8, 10, 11 and 12) TOGETHER WITH LOCAL AMENDMENTS TO PARTS 1, 2, 2.5, 3, 4, 5, 6, 11

WHEREAS, the Town of Tiburon ("Town") is required, pursuant to state law, to enforce the 2025 Building Standards Code, Title 24 California Code of Regulations, as adopted by the California Standards Building Commission, subject to such local amendments as may be adopted by the City in accordance with applicable law; and

WHEREAS, the Town of Tiburon desires to adopt the 2025 edition of the California Building Standards Code by reference, including all parts thereof, to replace the currently adopted edition, and to re-enact certain local amendments necessary to address local conditions; and

WHEREAS, California Health and Safety Code §§17958.5, 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, Public Resources Code §25402.l(h)2 establishes a process which allows local amendments to the energy standards that are more stringent than the California Energy Code, provided that such local standards are cost effective and will require buildings to be designed to consume less energy than permitted by the California Energy Code; and

WHEREAS, the Town has made a commitment to accelerate climate action implementation and has adopted a 2030 Climate Action Plan (CAP), adopted to implement climate policies to achieve the goal to reduce community emissions 50% below 1990 levels by 2030.

WHEREAS, the proposed local amendments support the CAP goal by requiring that certain additions or alterations to existing single-family buildings include additional energy efficiency measures; and

WHEREAS, the proposed local amendments are also necessary to address local climactic, geological and topographic conditions

WHEREAS, this ordinance is exempt from California Environmental Quality Act (CEQA) under §15061(b)(3) on the grounds that these standards are more stringent than the State energy standards, there are no reasonably foreseeable adverse impacts and there is no possibility that the activity in question may have a significant effect on the environment; and

WHEREAS, the proposed local amendments applicable to residential units in Parts 1, 2, 2.5, 3, 4, and 5 of the 2025 California Building Standards Code, are substantially equivalent to local amendments previously adopted and effective prior to Oct. 1, 2025 as part of the 2022 California Building Standards Code triennially code cycle because they are carried forward from a previously filed ordinance amending the 2022 edition of Title 24 and do not contain a material change in regulatory effect to the existing standards.

WHEREAS, the proposed local amendments applicable to residential units in Parts 6 and 11 of the 2025 California Building Standards Code are necessary to implement the Town's General Plan adopted on May 22, 2023, and the Town's adopted CAP which includes a greenhouse gas emission reduction strategy adopted on September 21, 2022, and permit mixed-fuel construction while incentivizing all-electric. are intended to incentivize all-electric construction while permitting mixed-fuel, and

WHEREAS, The Town Council finds that the amendments made by this Ordinance are necessary for the protection of the public health, safety, and welfare

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF TIBURON :

The Town Council of the Town of Tiburon does ordain as follows:

Section 1. Findings.

A. The foregoing recitals are true and correct and are incorporated herein by reference each as an integral part of this Ordinance. All Attachments hereto are hereby incorporated by reference.

B. **Climatic, Topographical and Geologic Findings**. Pursuant to Health and Safety Code §§17958.5, 17958.7 and 18941.5, the amendments, additions and deletions to the California Building Standards Code contained in this ordinance of the 2025 California Building Standards Code, including to Parts 1, 2, 2.5, 3, 4, 5, 6 and 11 are reasonably necessary because of the local climatic, geological or topographical conditions described below. California Health and Safety Code Sections 17958.5, 17958.7, and 18941.5 require that findings be made in order to change or modify building standards found in the California Building Standards Code based on local climatic, geologic, or topographic conditions. Therefore, the Town of Tiburon hereby finds that these changes or modifications to the Building Code as adopted

herein are reasonably necessary because of the following local climatic, geological and topographical conditions:

1. Climatic conditions:
   a. Most of the annual rainfall in Tiburon occurs during the winter, it receives no measurable precipitation between May and October. During this time, temperatures average between 60 and 85 degrees. These conditions eliminate most of the moisture in the natural vegetation and heavily wooded hillsides. The area also suffers from periodic droughts that can extend the dry periods to other months of the year. These conditions can be further exacerbated by occasional off-shore hot, dry, Santa-Ana winds.
   b. Most of the annual rainfall in Tiburon occurs during the winter, and some portions of Tiburon are subject to tidal influences, there are times that flooding conditions occur in low-lying areas.
   c. Tiburon is situated within a densely populated major metropolitan area (the San Francisco Bay Area) that generates and releases into the atmosphere significant quantities of greenhouse gases, which have detrimental effects to the local climate as determined by the State of California.
   d. Climate change, due to emissions of greenhouse gases, has increased average annual air temperatures in California by 1.8oF since 1985, resulting in more intense and frequent heat waves, more intense and frequent drought, more severe storms and extreme weather events and more severe and frequent wildfires. According to the California Climate Change Assessment, annual average temperatures in Tiburon are expected to rise between 4.4oF and 7.2oF by 2100, significantly exacerbating these hazards. Local amendments to the municipal code establishing electrification pursuant to this ordinance are reasonably necessary to achieve greenhouse gas emission reductions called for in the Tiburon Climate Action Plan 2030 to reduce the risks of climate shocks existing in the community such as wildfires and drought, which will then reduce risks of physical damage to critical infrastructure, property loss, and loss of life. The use of electricity rather than natural gas in major remodels of single-family dwellings will reduce greenhouse gas emissions contributing to the effects of global warming. Increased wildfire risk in both severity and frequency has been scientifically linked to global warming.

2. Geologic conditions:
   a. Tiburon lies near several earthquake faults, including the very active San Andreas Fault and the Hayward Fault, and there are significant potential hazards such as road closures, fires, collapsed buildings, and isolation of residents requiring assistance.

b. Much of the Downtown commercial area is located on bay alluvial soils, which are subject to liquefaction in the event of an earthquake.

c. Tiburon lies in California Climate Zone 3 which is subject to coastal influence with precipitation in the winter, but with greater rainfall between October and March compared to other areas in Climate Zone 3.

d. The Tiburon peninsula is adjacent to the San Francisco Bay which provides a saltwater environment, higher wind exposure, varying tide rise, and is subject to marine life and environmental protection requirements.

3. Topographic conditions:

a. Much of Tiburon is located in steep, hilly areas; many of the residential areas are heavily landscaped; and many exist adjacent to hilly open space areas which are characterized by dry vegetation and have limited access. In addition, the steepness of grades located in the hills and dales results in narrow and winding roads, and limited water supply.

b. The major arterial route between Tiburon and U. S. Highway 101 is Tiburon Boulevard (State Highway 131). Should that highway become impassable, the only alternative roadway on and off the Peninsula is Paradise Drive, a narrow, winding road easily subject to closure in storms and having an extensive history of lane failures due to unstable soils and poor drainage. This would result in traffic congestion, severely limiting emergency access.

4. Wildfire Risk:

Much of Tiburon is located within the designated Wildland Urban Interface (WUI) and properties along Tiburon Ridge are classified by CAL FIRE as High and Moderate Fire Hazard zones. Increased incidence of wildfires in both severity and frequency has been scientifically linked to global warming. Accordingly, local amendments to the municipal code establishing electrification requirements for newly constructed buildings and major remodels of single-family dwellings pursuant to this ordinance are reasonably necessary to achieve greenhouse gas emission reductions that avoids heightened risks from climate shocks existing in the community such as wildfires caused by global warming.

5. Flooding/Sea Level Rise:

a. The Tiburon peninsula is surrounded by bay waters. The Marin Shoreline Sea Level Rise Vulnerability Assessment estimates that Tiburon properties likely vulnerable to inundation in the near- and medium-term include the Downtown area on Main Street, the Boardwalk

Shopping Center, Bay Road and access to the peninsula along Tiburon Boulevard from Highway 101, potentially cutting off residents from critical services and destinations. The use of electricity rather than natural gas will reduce greenhouse gas emissions contributing to the effects of global warming, including extreme weather conditions that can lead to flooding and sea level rise.

b. Increased flooding and sea level rise in both severity and frequency has been scientifically linked to global warming. Accordingly, local amendments to the municipal code establishing electrification requirements for major remodels of single-family dwellings pursuant to this ordinance are reasonably necessary to achieve greenhouse gas emission reductions that avoids heightened risks from climate shocks existing in the community such as sea level rise and flooding caused by global warming.

6. Seismic Risk

The Tiburon peninsula is located in the seismically active San Francisco Bay region. The San Andreas fault, located 9 miles east of Tiburon, was the source of the magnitude 7.9 earthquake in 1906 and the magnitude 6.9 Loma Prieta earthquake in 1989. The Hayward fault is located 7 miles to the east. The US Geological Survey forecasts a 72% probability that California will experience at least one earthquake of magnitude 6.7 or greater in the region before 2043. Local amendments to the municipal code establishing electrification requirements pursuant to this ordinance are reasonably necessary to avoid risks existing in the community from gas leaks and fire caused by vibration and ground failure risks from seismic events.

C. **Cost Effectiveness Findings**. The Town of Tiburon Town Council hereby determines that the revised energy standards contained herein are cost-effective, based upon the findings of the relevant and applicable 2025 Cost-Effectiveness Studies published, by Frontier Energy, Inc. and Misti Bruceri & Associates LLC on behalf of the California Energy Codes and Standards Statewide Utility Program.

D. **General Plan Consistency**.

a. The Town Council finds that the amendments adopted by this Ordinance to Parts 6 and 11 of Title 24 are consistent with the goals, policies, and greenhouse gas reduction strategies set forth in the Tiburon 2040 General Plan. The amendments to Parts 6 and 11, further the implementation of Policy S-2 (Renewable Energy), including Program S-f (Building and Appliance Electrification) and Program S-h (Community Energy Use), as well as Policy S-3 (Building Energy Efficiency), including Program S-i (Green Building Regulations) and Program S-j (Energy Efficiency Programs), all of which are further advanced through the amendments in

this Ordinance that establish higher standards for energy efficiency and the electrification of buildings and vehicles.

b. The Town Council finds that the local amendments adopted by this Ordinance to Parts 6 and 11 of Title 24 are consistent with the greenhouse gas reduction goals of the Tiburon 2030 Climate Action Plan, adopted September 21, 2022, which set the goal of reducing community greenhouse gas emissions 50% below Tiburon's 1990 levels by 2030. The proposed local amendments support the Climate Action Plan goals and policies, including but not limited to Action RE-C3 (Building and Appliance Electrification) and Action LCT-C1 (Zero-Emission Vehicles), all of which are further advanced through the amendments in this Ordinance that establish higher standards for energy efficiency and the electrification of buildings and vehicles.

c. The Town Council finds that the local amendments to Parts 6 and 11 of Title 24 permits mixed-fuel residential construction consistent with federal law while also incentivizing all-electric construction as part of an adopted greenhouse gas emissions reduction strategy.

E. **Substantial Equivalence**. The Town Council determines that the re-enactment of the proposed local residential amendments to Parts 1, 2, 3, 4, and 5 of Title 24 are substantially equivalent to amendments previously adopted and filed with the California Building Standards Commission as part of the 2022 California Building Standards Code cycle. The re-enactment of these provisions has no material change in regulatory effect, and the continued adoption is necessary to maintain consistency with existing local standards that protect the public health, safety, and welfare.

F. **CEQA Findings**. The Town Council finds that the adoption of this Ordinance is ministerially exempt from the requirements of CEQA and is also exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines.

Section 2. Adoption of 2025 California Building Standards Code

Tiburon Municipal Code Title IV, Chapter 13, Article II (Technical Codes) is hereby repealed and replaced in its entirety to read as follows:

Article II. Technical Codes

13-4 Adoption by reference of the 2025 California Building Standards Code

For the purpose of establishing proper regulations for building construction, for the installation of plumbing, gas appliances and electrical systems, and for the storage and handling of flammable liquids, the codes or portions thereof set forth in this article are adopted and are made a part of this chapter by reference without further publication or posting thereof, and not less than one certified copy, along with the deletions and exceptions therefrom and additions and amendments thereto, shall be kept on file for use and examination by the public in the office of the town clerk.

13-4.1 Building Code.

The Town Council hereby adopts, for the purpose of providing minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, that certain code known as the 2025 California Building Code (based on the 2025 International Building Code), Volume 1 and Volume 2, including the following appendices: Appendix J as published by the California Building Standards Commission in the California Code of Regulations, Title 24, Part 2, hereinafter referred to as the "California Building Code", save and except such portions as are hereinafter amended or modified by Section 13-4.1.1 of this chapter.

The following codes, as approved by the California Building Standards Commission, are hereby adopted by reference:

1) The 2025 California Administrative Code, Part 1 of the California Building Standards Code, Title 24 California Code of Regulations;
2) The 2025 California Building Code, Part 2 of the California Building Standards Code, Title 24 California Code of Regulations, including Appendix J;
3) The 2025 California Residential Code, Part 2.5 of the California Building Standards Code, Title 24 California Code of Regulations, including Appendix BB;
4) The 2025 California Electrical Code, Part 3 of the California Building Standards Code, Title 24 California Code of Regulations;
5) The 2025 California Mechanical Code, Part 4 of the California Building Standards Code, Title 24 California Code of Regulations;
6) The 2025 California Plumbing Code, Part 5 of the California Building Standards Code, Title 24 California Code of Regulations;
7) The 2025 California Energy Code, Part 6 of the California Building Standards Code, Title 24 California Code of Regulations;
8) The 2025 California Wild-Land Urban Interface Code, Part 7 of the California Building Standards Code, Title 24 California Code of Regulations;
9) The 2025 California Historical Building Code, Part 8 of the California Building Standards Code, Title 24 California Code of Regulations;
10) The 2025 California Existing Building Code, Part 10 of the California Building Standards Code, Title 24 California Code of Regulations;
11) The 2025 California Green Building Standards Code, Part 11 of the California Building Standards Code, Title 24 California Code of Regulations; and
12) The 2025 California Referenced Standards Code, Part 12 of the California Building Standards Code, Title 24 California Code of Regulations.

A copy of each code, subject to such amendments as may be adopted by the City in this Title 12, is on file in the office of the Town Clerk. The provisions of this title, including said codes and amendments thereto, shall be known as the building code of the Town.

Section 3. Amendments to the 2025 California Building Code

(e) **Section 301** is amended to change certain definitions as follows:

(1) The definition of "Building Code" is amended to read as follows:
BUILDING CODE is the California Building Code as adopted with amendments by the Town of Tiburon.

(2) A definition of "Building Official" is added to read as follows:
BUILDING OFFICIAL is the Building Official in the Community Development Department of the Town of Tiburon.

13-4.9.1 Amendments made to the 2025 CALGreen Code.

The California Green Building Standards Code is amended as follows:

(a) For new residential construction only (not including additions), the Town Council hereby adopts as mandatory measures the following otherwise voluntary divisions of Appendix A4:

1. Division A4.1 (Planning & Design);
2. Division A4.3 (Water Efficiency & Conservation);
3. Division A4.4 (Material Conservation and Resource Efficiency);
4. Division A4.5 (Environmental Quality); and
5. Division A4.6 (Tier 1 & Tier 2), deleting all Tier 2 measures.

(b) For new nonresidential construction only (not including additions), the Town Council hereby adopts as mandatory measures the following otherwise voluntary divisions of Appendix A5:

1. Division A5.1 (Planning & Design);
2. Division A5.3 (Water Efficiency & Conservation);
3. Division A5.4 (Material Conservation and Resource Efficiency);
4. Division A5.5 (Environmental Quality); and
5. Division A5.6 (Tier 1 & Tier 2), deleting all Tier 2 measures.

(c) Section 202 of Chapter 2 is hereby amended to add, revise or delete the following definitions:

Automatic Load Management System (ALMS). A control system designed to manage load across one or more electric vehicle supply equipment (EVSE) circuits or 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.

Direct Current Fast Charging (DCFC). A parking space provided with electrical infrastructure that meets the following conditions:

i. A minimum of 48 kVa (480 volt, 100-ampere) capacity wiring.

ii. Electric vehicle supply equipment (EVSE) located within three (3) feet of the parking space providing a minimum capacity of 80-ampere.

Electric Vehicle Charging Station (EVCS). A parking space that includes installation of electric vehicle supply equipment (EVSE) at an EV Ready space. An EVSC space may be used to satisfy EV Ready space requirements. EVSE shall be installed in accordance with the California Electrical Code, Article 625.

Level 2 (L2) EV Capable. A parking space provided with electrical infrastructure that meets the following requirements:

i. Conduit that links a listed electrical panel with sufficient capacity to a junction box or receptacle located within three (3) feet of the parking space.
ii. The conduit shall be designed to accommodate at least 8.3 kVa (208/240 volt, 40- ampere) per parking space. Conduit shall have a minimum nominal trade size of 1 inch inside diameter and may be sized for multiple circuits as allowed by the California Electrical Code. Conduit shall be installed at a minimum in spaces that will be inaccessible after construction, either trenched underground or where penetrations to walls, floors, or other partitions should otherwise be required for future installation of branch circuits, and such additional elements deemed necessary by the Building Official. Construction documents shall indicate future completion of conduit from the panel to the parking space, via the installed inaccessible conduit.
iii. The electrical panel shall reserve a space for a 40-ampere overcurrent protection device spaces(s) for EV charging, labeled in the panel directory as "EV CAPABLE."
iv. Electrical load calculations shall demonstrate that the electrical panel service capacity and electrical system, including any on-site distribution transformer(s), have sufficient capacity to simultaneously charge all EVs at all required EV spaces at a minimum of 40 amperes.
v. The parking space shall contain signage with at least a 12" font adjacent to the parking space indicating the space is EV Capable.

Level 1 (L1) EV Ready. A parking space that is served by a complete electric circuit with the following requirements:

i. A minimum of 2.2 kVa (110/120 volt, 20-ampere) capacity wiring.
ii. A receptacle labeled "Electric Vehicle Outlet" or electric vehicle supply equipment located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 16-ampere.
iii. Conduit oversized to accommodate future Level 2 EV Ready (208/240, 40-ampere) at each parking space.

Level 2 (L2) EV Ready. A parking space that is served by a complete electric circuit with the following requirements:

i. A minimum of 8.3 kVa (208/240 volt, 40-ampere) capacity wiring.

ii. A receptacle labeled “Electric Vehicle Outlet”, or electric vehicle supply requirement located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 30-ampere.
iii. Low Power Level 2 (L2) EV Ready. A parking space that is served by a complete electric circuit with the following requirements:
iv. A minimum of 4.1 kVa (208/240 volt, 20-ampere) capacity wiring.
v. A receptacle labeled “Electric Vehicle Outlet”, or electric vehicle supply requirement located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 16-ampere.
vi. Conduit oversized to accommodate future Level 2 EV Ready (208/240 volt, 40- ampere) at each parking space.

Low Power Level 2 Electric Vehicle (EV) Charging Receptacle is deleted.

(d) Section 4.106.4.1 is replaced to read as follows:

4.106.4.1 One- and two-family dwellings and town-houses. For each new dwelling unit or when alterations to an existing building include upgrades to the service panel, the project shall install a list raceway to accommodate a dedicated 208/240-volt branch circuit. The raceway shall originate at the main service or subpanel and shall terminate into a listed cabinet, box or other enclosure in close proximity to the proposed location of an EV charger. Raceways are required to be continuous at enclosed, inaccessible or concealed areas and spaces. The service panel and/or subpanel shall provide capacity to install a 40-ampere 208/240-volt minimum dedicated branch circuit and space(s) reserved to permit installation of a branch circuit overcurrent protective device.

Exception: A raceway is not required if a minimum 40-ampere 208/240-volt dedicated EV branch circuit is installed in close proximity to the proposed location of an EV charger at the time of original construction in accordance with the California Electrical Code

4.106.4.2.2 Additions and alterations to multifamily dwellings and parking facilities. When additions or alterations to existing buildings upgrade the service panel, when the parking lot surface is modified, including the removal of paving material and curbing, or when parking spaces are added, the project shall comply with section A4.106.8.2.1 to facilitate the installation and use of EV ready spaces.

(e) Section A5.106.5.3.3 is added to Section A5.106.5.3 to read as follows:

A5.106.5.3.3 Additions and alterations to nonresidential occupancies and parking facilities. When additions or alterations to existing buildings upgrade the service panel, when the parking lot surface is modified, including the removal of paving material and curbing, or when parking spaces are added, the project shall comply with 5.106.5.3 to facilitate the installation and use of EV ready spaces

13-4.11 Amendments made to the 2025 Energy Code

The 2025 Energy Code is amended as follows:

(a) Section 100.0 of Subchapter 1 is amended to add new section (i) as follows:

i. Single-Family Building Remodel Energy Reach Code. In addition to all requirements of the California Energy Code applicable to existing single-family building additions and alterations, the energy efficiency and renewable energy measures specified in Section 150.0(w) shall be required for additions or alterations to an existing single-family residential mixed-fuel building which equal or exceed 500 square feet of interior conditioned space.

(b) Section 100.1(b) – Definitions – of Subchapter 1 of the 2025 California Energy Code is amended by adding the following definition:

"Covered Project(s)" means additions or alterations, as described below, to a single-family residential building originally permitted for construction on or before December 31, 2010, which equal or exceeds 500 square feet of interior conditioned space. Any addition or alteration to the same structure in the preceding 36 months shall be counted towards the 500 square feet threshold, except those additions or alterations made prior to the initial adoption of this ordinance. When any changes are made in the building, such as walls, columns, beams, girders, floor or ceiling joists and coverings (subfloor and drywall), roof rafters, roof diaphragms, foundations, piles or retaining walls with similar components, the floor area of all rooms affected by such changes shall be included in computing floor areas for the purpose of applying this definition.

This definition does not apply to project scopes that are solely limited to any of the following: the replacement and upgrading of residential roof coverings, exterior wall finishes and/or floor finishes; alterations that add no more than 75 square feet of fenestration; alterations that add no more than 16 square feet of skylight area with a maximum U-factor of 0.55 and a maximum SHGC of 0.30; or alterations that are limited to providing access for persons with disabilities. A Covered Project shall not include a project that is considered to be a newly constructed building under the California Energy Code, Title 24, Part 6. The final determination of whether a project meets the definition of a Covered Project shall be made by the Building Official or designee.

(c) Section 150.0 SINGLE-FAMILY RESIDENTIAL BUILDINGS – MANDATORY FEATURES AND DEVICES, first two paragraphs are modified to read as follows:

Existing single-family residential buildings shall comply with the applicable requirements of Sections 150(a) through 150(v), and additions or alterations to

an existing single-family residential building which equal or exceed 500 square feet of interior conditioned space, other than projects identified as all-electric construction for newly constructed buildings shall comply with the applicable requirements of Section 150.0(w).

NOTE: The requirements of Sections 150.0(a) through 150(v) apply to newly constructed buildings. Sections 150.2(a) and 150.2(b) specify which requirements of Sections 150.0(a) through 150.0(v) also apply to additions or alterations, except that additions or alterations to an existing single-family residential building which equal or exceed 500 square feet of interior conditioned space, other than projects identified as all-electric construction for newly constructed buildings shall also be required to comply with Section 150.0(w).

(d) Section 150.0(w) is added to read as follows

(w) Covered Projects shall select and implement a combination of measures from the Measure Menu in Table 1, based on building vintage, sufficient to achieve a total Measure Point Score that meets or exceeds the applicable Target Score specified in Table 1. All mandatory measures identified in Table 1 must also be installed, regardless of the total Measure Point Score achieved. Installed measures shall meet the specifications in Table 2, List of Measure Specifications.

Building vintage is the year in which the original construction permit for the building was submitted, as documented by department records, or the permit issue date of an addition or alteration that satisfied the Performance Standards (California Energy Code, Title 24, Part 6, Section 150.1(b)) that were in effect at that time, whichever is later.

Exceptions to 150.0 (w):

i. Projects that are limited solely to a newly created attached Accessory Dwelling Units (ADUs) or Junior Accessory Dwelling Unit (JADU) as defined in §16-52.100 of the Tiburon Municipal Code. A newly created ADU and JADU shall include either additions or conversions of existing space.

ii. Mobile Homes, Manufactured Housing, or Factory-built Housing as defined in Division 13 of the California Health and Safety 12 Code (commencing with section 17000 of the Health and Safety Code).

iii. If due to conditions specific to the project, it is technically or economically infeasible to achieve compliance, the building official may reduce the Target Score and/or waive some or all of the mandatory requirements.

iv. If the applicant demonstrates that the Energy Budget of the proposed building, as calculated under Section 150.1(b), would be less than or equal to the Energy Budget of the building if it otherwise complied with this Section, 150.0(w).

v. A resident owner or occupant demonstrates that they qualify for the California Alternative Rates for Energy (CARE) or Family Electric Rate Assistance (FERA) program may comply by installing the following measures from Table 1:
   (a) E1: Lighting Measures; and
   (b) E2: Water Heating Package

TABLE 1: MEASURE MENU AND TARGET SCORES

		Building Vintage		
		Pre-1978	1978-1991	1992-2010
		Target Score		
ID	**Measure**	8	7	2
Energy Measures				
E1	Lighting Measures	Mandatory		
E2	Water Heating Package	2	2	2
E3	Air Sealing	2	1	1
E4	R-38 Attic Insulation	2	2	
E5	Duct Sealing	3	2	1
E6	New Ducts + Duct Sealing	6	4	1
E7	Windows	4	3	4
E8	R-15 Wall Insulation	5	_	_
E10	R-19/R-30 Raised Floor Insulation	9/10	9/10	_
Fuel Substitution Measures				
FS1	Heat Pump Water Heater (HPWH) Replacing Gas	12	12	12
FS2	High Efficiency HPWH Replacing Gas	13	13	13
FS3	HPWH Replacing Electric	5	5	5
FS4	High Efficiency HPWH Replacing Electric	6	6	6
FS5	Heat Pump Space Heater	18	13	12
FS6	High Efficiency Heat Pump Space Heater	19	14	12
FS8	Heat Pump Clothes Dryer	1	1	1
FS9	Induction Cooktop	1	1	1
Solar PV and Electric Readiness Measures				
PV1	Solar PV + Electric Ready Pre-Wire	13	13	12
ER1	Electric Readiness - Service Upgrade	Mandatory for certain scopes. See table 2		
ER2	Electric Readiness - End Uses	Mandatory for certain scopes. See table 2		

The following conditions also apply to Table 1:

(a) Unless otherwise specified, the requirements shall apply to the entire dwelling unit, not just the additional or altered portion.

(b) Measures from the Measure Menu in Table 1 and specified in Table 2, that already exist in the home, may be counted toward compliance with these requirements, unless otherwise specified in Table 2.
(c) Measures from the Measure Menu in Table 1 that are to be installed to satisfy requirements under the State Energy Code, Title 24, Part 6, may not be counted towards compliance with these requirements. Where these requirements conflict with other Energy Code requirements, the stricter requirements shall prevail.

TABLE 2: LIST OF MEASURE SPECIFICATIONS

ID	Measure Specifications
	Energy Measures
E1	Lighting Measures: Install lighting with an efficiency of 45 lumens per watt or greater in all interior and exterior screw-in fixtures. Install photocell, occupancy sensor or energy management system controls that meet the requirements of 150.0(k)3 in all outdoor lighting permanently mounted to a residential building or to other buildings on the same lot.
E2	Water Heating Package: Insulate all accessible hot water pipe insulation a minimum of 3/4 inch thick. This includes insulating the supply pipe leaving the water heater, piping faucets underneath sinks, and accessible pipes in attic spaces or crawlspaces. Upgrade fittings in sinks and showers to meet current California Green Building Standards Code (Title 24, Part 11) Section 4.303 water efficiency requirements. Exception: Upgraded fixtures are not required if existing fixtures have rated or measured flow rates of no more than ten percent greater than 2025 California Green Building Standards Code (Title 24, Part 11) Section 4.303 water efficiency requirements
E3	Air Sealing: Seal all accessible cracks, holes, and gaps in the building envelope at walls, floors, and ceilings. Pay special attention to penetrations including plumbing, electrical, and mechanical vents, recessed can light luminaries, and windows. Weather-strip doors if not already present. Verification shall be conducted by a certified ECC Rater no more than three years prior to the permit application date that either: a) shows at least a 30 percent reduction from pre-retrofit conditions; or b) shows that the number of air changes per hour at 50 Pascals pressure difference (ACH50) does not exceed ten for pre-1978 vintage buildings. If combustion appliances are located within the pressure boundary of the building, conduct a combustion safety test by a certified ECC Rater or professional certified by the Building Performance Institute, in accordance with the BPI Technical Standards for the Building Analyst

	Professional.
E4	R-38 Attic Insulation: Attic insulation shall be installed to achieve a weighted assembly U-factor of 0.025 or insultation installed as the ceiling level shall have a thermal resistance of R-38 or greater for the insulation alone. Recessed downlight luminaries in the ceiling shall be covered with insulation to the same depth as the rest of the ceiling. Luminaries not rated for insulation contact must be replaced or fitted with fire-proof cover that allows for insulation to be installed directly over the cover. Exception: In buildings where existing R-30 is present and existing recessed downlight luminaries are not rated for insulation contact, insulation is not required to be installed over the luminaries.
E5	Duct Sealing: Air seal all space conditioning ductwork to meet the requirements of 2025 Title 24, Part 6, Section 150.2(b)1E. The duct system must be tested by an ECC Rater no more than three years prior to the Covered Project permit application date to verify the duct sealing and confirm that the requirements have been met. This measure may not be combined with the New Ducts and Duct Sealing measure in this Table. Exception: Buildings without ductwork or where the ducts are in conditioned space
E6	New Ducts + Duct Sealing: Replace existing space conditioning ductwork with new R-6 ducts that meet the requirements of 2025 Title 24 Section 150.0(m)11. This measure may not be combined with the Duct Sealing measure in this Table. To qualify, a preexisting measure must have been installed no more than three years before the Covered Project permit application date.
E7	Windows: Replace at least 50% of existing windows with high performance windows with an area-weighted average U-factor no greater than 0.27.
E8	R-15 Wall Insulation: Install wall insulation in all exterior walls to achieve a weighted U-factor of 0.095 or install wall insulation in all exterior wall cavities that shall result in an installed thermal resistance of R-15 or greater for the insulation alone.
E10	R-19/R-30 Floor Insulation: Raised-floors shall be insulated such that the floor assembly has an assembly U-factor equal to or less than U-0.037/U-0.028, or shall be insulated between wood framing with insultation having an R-value equal to or great than R-19/R-30

Fuel Substitution Measures	
FS1	Heat Pump Water Heater (HPWH) Replacing Gas: Replace existing natural gas water heater with a heat pump water heater that meets the requirements of Sections 110.3 and 150.2(b)1.H.iii.b.
FS2	High Efficiency HPWH Replacing Gas: Replace existing natural gas water heater with a Northwest Energy Efficiency Alliance (NEEA) Tier 3 or higher rating that also meets the requirements of Sections 110.3 and 150.2(b)1.H.iii.c.
FS3	HPWH Replacing Electric: Replace existing electric resistance water heater with a heat pump water heater that meets requirements of Sections 110.3 and 150.2(b)1.H.iii.b.
FS4	High Efficiency HPWH Replacing Electric: Replace existing electric resistance water heater with heat pump water heater with a Northwest Energy Efficiency Alliance (NEEA) Tier 3 or higher rating that also meets the requirements of Sections 110.3 and 150.2(b)1.H.iii.c
FS5	Heat Pump Space Heater: Replace all existing gas and electric resistance primary space heating systems with an electric-only heat pump system that meets the requirements of Sections 110.3, 150.2(b)1.C, 150.2(b)1.E, 150.2(b)1.F, and 150.2(b)1.G.
FS6	High Efficiency Heat Pump Space Heater: Replace all existing gas and electric resistance primary space heating systems with a system that meets the requirements of Sections 110.3 and 150.2(b)1.C, 150.2(b)1.E, and 150.2(b)1.F, and 150.2(b)1.G and one of the following: 1. A ducted electric-only heat pump system with a SEER2 rating of 16.5 or greater, an EER2 rating of 12.48 or greater and an HSPF2 rating of 9.5 or greater; or 2. A ductless mini-split heat pump system with SEER2 rating of 14.3 or greater, an EER2 rating of 11.7 or greater and an HSPF2 rating of 7.5 or greater
FS8	Heat Pump Clothes Dryer: Replace all existing gas and electric resistance clothes dryers with heat pump dryers with no resistance element and cap the gas line(s).
FS9	Induction Cooktop: Replace all existing gas and electric resistance stove tops with inductive stove top(s) and cap the gas line(s).

Solar PV and Electric Readiness Measures	
PV1	Solar PV + Electric Reading Pre-Wire: For New Solar PV Systems: Install a new solar PV system that meets the requirements of Section 150.1(c)14. In addition, upgrade the panelboard to meet the requirements of ER1 and install any two of the other measures from ER2.A - ER2.F For Existing PV Systems: If the home already has an existing solar PV system that meets the requirements of Section 150.1(c)14, to claim credit for this measure, PV1, upgrade the panelboard to meet the requirements of ER1 and install any two of the other measures from ER2.A - ER2.F.
ER1	Electric Readiness - Service Upgrade: Upgrade the panelboard serving the individual dwelling unit to provide circuit breaker spaces for a heat pump water heater, heat pump space heater, electric cooktop and electric clothes dryer with the capacities specified in Section 150.0(n)1, (t), (u), and (v); or, provide electrical load calculations and appliance specifications for serving all of these end-uses with a minimum 100-amp panel.
ER2	Electric Readiness - End Uses: For any covered project, if the service panel is being upgraded or to claim the Solar PV + Electric Ready Pre-Wire credit, satisfy any two of the electric-readiness measures below. If the kitchen is being remodeled make the range electric ready as specified in ER2, Item C below and upgrade the panelboard as specified under ER1. If the laundry room is being remodeled, make the dryer electric ready as specified in Item D below and upgrade the service panel as specified under ER1. Meet the requirements below that otherwise apply to newly constructed buildings: A. Heat Pump Water Heater Ready, as specified in Section 150.0(n)1. B. Heat Pump Space Heater Ready, as specified in Section 150.0(t) C. Electric Cooktop Ready, as specified in Section 150.0(u) D. Electric Clothes Dryer Ready, as specified in Section 150.0(v) E. Battery Energy Storage Systems (BESS) Ready, as specified in Section 150.0(s) F. EV Charger Ready. Install a dedicated 208/240-volt branch circuit as specified in the California Green Building Code, Title

	24, Part 11, Section A4.106.8.1, which otherwise applies to new construction. Exception: If electrical permit is not otherwise required for the project other than compliance with the laundry room and kitchen remodel requirements of this Item, ER2.

Section 4. Severability.

If any section, subsection, clause, sentence, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The Town Council of the Town of Tiburon hereby declares that it would have passed this Ordinance, any section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared invalid or unconstitutional.

Section 5. Effective Date.

This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937, and before the expiration of fifteen (15) days after passage by the Town Council, a copy of the ordinance shall be published with the names of the members voting for and against it at least once in a newspaper of general circulation published in the Town of Tiburon.

This ordinance was introduced at a regular meeting of the Town Council of the Town of Tiburon on November 19, 2025, and was adopted at a regular meeting of the Town Council of the Town of Tiburon on December 3, 2025 by the following vote:

AYES: COUNCILMEMBERS:

NAYS: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

_____

HOLLI THEIR, MAYOR

TOWN OF TIBURON

ATTEST:

_____

LEA DILENA, TOWN CLERK