

ORDINANCE NO. 2005-29

AN ORDINANCE OF THE CITY OF SANTA CRUZ AMENDING TITLE 24 OF THE SANTA CRUZ MUNICIPAL CODE BY ADDING CHAPTER 24.15, GREEN BUILDING REGULATIONS, CREATING GREEN BUILDING REGULATIONS FOR ALL NEW AND SUBSTANTIALLY REMODELED BUILDINGS AND ADDITIONS THERETO.

BE IT ORDAINED by the City of Santa Cruz as follows:

Findings: The City Council of the City of Santa Cruz hereby finds as follows:

WHEREAS, as population increases continually raise the demand on natural resources; and

WHEREAS, it is a well known fact that there is a limited supply of energy, materials and services related to the construction of new buildings, both residential and non-residential; and

WHEREAS, the City of Santa Cruz has previously committed to the philosophy of responsible "green building" practices to help conserve resources from the design/construction process to the extended maintenance and finally the end of useful life of buildings; and

WHEREAS, the City of Santa Cruz desires to be a leader in the development of a public education and participation program in green building practices; and

WHEREAS, the General Plan of the City of Santa Cruz identifies within the Environmental Quality Element (specifically F: Energy) and within the Housing Element (specifically: D.6: Energy Conserving Housing), as well as in several other sections addressing land use and resource conservation, the need for sustainable housing and other buildings; and

WHEREAS, the most effective method of public and private participation is the requirement for mandatory compliance with a responsible compliance methodology that is designed to enhance green building construction techniques without being over-burdensome;

NOW, THEREFORE, BE IT ORDAINED by the City of Santa Cruz as follows:

Section 1. Chapter 24.15 is hereby added to the Santa Cruz Municipal Code to read as follows:

"Chapter 24.15  
Green Building Regulations

Sections:

24.15.010	Purpose and Findings
24.15.020	Definitions
24.15.030	Standards for Compliance
24.15.040	Exceptions
24.15.050	Maintenance of Document
24.15.060	Method of Compliance
24.15.070	Exceptional Design

24.15.080 Creation of Green Building Educational Resource Fund

24.15.010. Purpose and Findings

The City finds that green building design, construction and operation can have a significant positive effect on energy and resource efficiency, waste and pollution generation, and the health and productivity of a building's occupants over the life of the building. The second purpose is to create healthy work and living environments increasing the productivity of workers and residents and visitors to the city by improving indoor air quality and lighting.

The intent of this section is to help promote the environmental sustainability of natural resources and improvement of the interior environment by efficiently redirecting the use of recyclable materials away from landfills, by introducing recycled-content and materials created with a low embodied energy materials in construction, and by reducing the energy consumption needs of structures by making use of efficient construction methods.

The City also finds that green design and construction decisions made by the City in the construction and remodeling of City buildings can result in significant cost savings to the City over the life of the buildings. The City also recognizes that it must lead by example in order to have the general populace follow suit and therefore commits itself to the practice of green building for all new and remodeling construction on City owned buildings and structures.

24.15.020. Definitions

Addition: A new building or structure expansion that is physically connected to a previously existing building.

Interior remodel: Change or alteration in only the interior of a building that does not increase its net square footage.

New construction: A new building not physically connected to a previously existing building

Non-habitable residential structure: A building on a residential property that is not legally habitable, such as a garage or shed.

Non-residential: Not meeting the definition of "residential".

Residential: Single-family or multi-family residences, less than or equal to 3 stories (above grade) in height.

Remodel: Change or alteration in a building that does not increase its net square footage.

24.15.030 Standards for Compliance

Persons constructing a new building, adding to or substantially remodeling a building in

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the City of Santa Cruz shall participate in the Santa Cruz Green Building Program. In order to obtain a building permit for any new building, addition or substantial remodel in excess of those exempted in Section 24.14.40, each project must include elements from the program checklist equal to or exceeding the following:

TABLE 1: NON-RESIDENTIAL (COMMERCIAL) ACTIONS AND POINT REQUIREMENTS

Total points possible	75
Action	Points required to receive action:
C-1. Receipt of Building Permit*	7
C-2. Accelerated building permit processing	33
C-3. Green Building Award	40

\*Exceptions: These points are not required for non-residential additions and remodels totaling less than 1000 square feet, or interior-only non-residential remodels of any size

TABLE 2: RESIDENTIAL NEW CONSTRUCTION ACTIONS AND POINT REQUIREMENTS

Total Points Available	460	
Action	Points required to receive action:	
	First 350 Square Feet	Each Additional 100 Square Feet or fraction thereof
R-N-1. Receipt of building permit	10	1.5
R-N-2. Accelerated building permit processing	35	2.5
R-N-3. Green Building Award	60	3.5

TABLE 3: RESIDENTIAL REMODEL AND ADDITION ACTION POINT REQUIREMENTS

Total Points Available	464	
Action	Points required to receive action:	
	First 350 Square Feet	Each Additional 100 Square Feet or fraction thereof
R-A/R-1. Receipt of building permit*	5	1.1
R-A/R -2. Accelerated building permit processing	25	1.9
R-A/R -3. Green Building Award	35	2.5

\*Exception: These points are not required for additions and/or remodels of less than 350 square feet.

#### 24.15.050 Exceptions

The following are exempt from the provisions of this Section:

- Additions and remodels of less than three hundred fifty (350) square feet of any dwelling structure.
- Additions and remodels of less than one thousand (1000) square and interior remodels of any non-residential structure.
- Equipment and non-structural modifications of any residential or non-residential structure.
- Non-habitable residential structures of less than one thousand (1000) square feet.
- General maintenance of any structure.
- Historical structures where the historic fabric would be compromised.

#### 24.15.050 Maintenance of Document

From time to time, but not less than on a bi-annual basis, building and planning staff shall update the Green Building Program documentation and checklist to reflect advances in green building techniques and materials and to make necessary modifications in program implementation.

#### 24.15.060 Method of Compliance

The Chief Building Official and/or the Principal Planner shall maintain the following documents for the public:

- *City of Santa Cruz: Standards for Green Building Compliance*
- *New Home Green Points Check List for Residential Buildings*
- *New Building Green Points Check List for Non-Residential Buildings*

These documents shall be to aid in the design and certification of new residential and non-residential buildings and significant remodels and additions thereto. Every applicant of a building permit not exempted by 24.14.40 (Exemptions) above shall complete and submit the appropriate check list for their project as well along with the standard application documents. All compliance measures shall be clearly delineated on plan sets.

#### 24.15.070 Exceptional Design

Designers and builders employing exceptional design, construction practices and/or maintenance features may have their project modified from the strict interpretation of the program if in the opinion of the principal planner or building official such features exhibit at least a 20 percent increase in points over the minimum standards for a Green Building Award as outlined in 24.15.30 Standards for Compliance above. Exceptional designs shall also be recognized by the City and eligible to receive a plaque that may be displayed on the structure.

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Projects meeting the requirements for accelerated processing as outlined in 24.15.30 above shall receive an accelerated position in both the design review process and building plan check, essentially placing the project in front of less efficient projects.

24.15.080 Creation of Green Building Educational Resource Fund

All permits issued by the City of Santa Cruz with the exception of sub-trade permits and permits issued in conjunction with a master permit shall be assessed a fee equal to .0025 times the overall valuation of the project. Revenues collected shall be maintained by the Finance Department in a revolving Green Building Education Fund and shall be used only for program management, public educational purposes such as publications and local seminars.

Section 2. Severability

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of the Section, or any part thereof, is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Section or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause and phrase of this Section irrespective of the fact that one or more sections, subsections, paragraphs, sentences, clauses, or phrases be declared unconstitutional, invalid or effective. To this end, the provisions of this Section are declared to be severable.

Section 3. This ordinance shall be in force and take effect a minimum of thirty (30) days after its final adoption, but not before January 2, 2006. For the first 12 months that the ordinance is effective compliance with the standard is voluntary, however every applicant of a building permit for a covered project shall be required to complete the residential or commercial checklist as appropriate to their project. After one year, full compliance is mandatory.

PASSED FOR PUBLICATION this 25th day of October, 2005, by the following vote:

AYES: Vice Mayor Mathews; Councilmembers Coonerty, Fitzmaurice, Porter, Madrigal, Reilly; Mayor Rotkin.

NOES: None.

ABSENT: None.

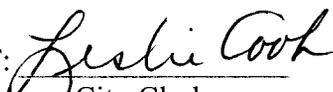
DISQUALIFIED: None.

APPROVED:



Mayor

ATTEST:

  
City Clerk

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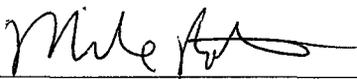
PASSED FOR FINAL ADOPTION this 8th day of November, 2005 by the following vote:

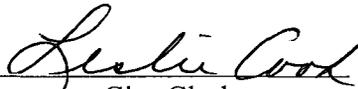
AYES: Vice Mayor Mathews; Councilmembers Coonerty, Fitzmaurice, Porter, Madrigal, Reilly; Mayor Rotkin.

NOES: None.

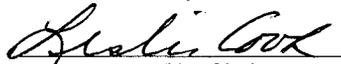
ABSENT: None.

DISQUALIFIED: None.

APPROVED:   
\_\_\_\_\_  
Mayor

ATTEST:   
\_\_\_\_\_  
City Clerk

This is to certify that the above and foregoing document is the original of Ordinance No. 2005-29 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

  
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City Clerk