



City of Carpinteria

COUNCIL AGENDA STAFF REPORT April 10 2023

ITEM FOR COUNCIL CONSIDERATION

Ordinance No. 764, an Ordinance of the City Council, of the City of Carpinteria, California, Adding Chapter 8.30 of Title 8 (Health and Safety) of the City of Carpinteria Municipal Code Regarding a Prohibition of Fuel Gas Infrastructure in New Construction.

STAFF RECOMMENDATION

Approve Ordinance No. 764, as read by title only.

Sample Motion: I move to approve Ordinance No. 764, on first reading, as read by title only, and continue second reading for adoption to April 24, 2023.

This item requires reading of ordinance title and a roll call vote.

BACKGROUND

An assessment by the 2022 Intergovernmental Panel on Climate Change (IPCC) demonstrates that the earth is experiencing widespread and severe impacts of a warming climate¹. According to this assessment, limiting warming to around 1.5°C would require global greenhouse gas emissions to peak before 2025 at the latest and be reduced by 43-percent by 2030. Further, methane would need to be reduced by approximately a third. Finally, the assessment finds the burning of natural gas or methane reduces indoor and outdoor air quality by releasing toxic byproducts like nitrogen dioxide, formaldehyde, and carbon monoxide..

As climate data has become more definitive, California has adopted comprehensive goals to reduce greenhouse gas (GHG) emissions and support local governments in carrying out community level emissions reductions strategies. With the passage of Senate Bill 32 in 2016, California set targets to reduce statewide GHG emissions to 40 percent below 1990 levels by 2030, and 80% below 1990 levels by 2050.²

¹ Climate Change 2022: Mitigation of Climate Change Summary for Policy Makers, IPCC
<https://www.ipcc.ch/report/ar6/wg3/>

² Senate Bill 32, Pavley. California Global Warming Solutions Act of 2006: emissions limit. 2016.
https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB32

Energy use in buildings is the second-largest source of greenhouse gas emissions in California accounting for approximately 25-percent of statewide emissions³. Most emissions from buildings come from two sources- purchased electricity and direct combustion of natural gas for space and water heating and cooking. The state's electric system is rapidly becoming cleaner, which is driven by an escalating renewable portfolio standard, cleaner product offerings from utilities, and community choice aggregators such as Central Coast Community Energy (a joint powers authority of which the City of Carpinteria is a member).

Since natural gas use in buildings contributes significantly to GHG emissions in the state, transitioning to all-electric buildings is a key component of decarbonizing the state's building stock. Emissions from natural gas use can come from both its intentional use (heating, cooking) and unintentional release due to pipeline and storage leaks, inefficient combustion, and abandoned wells. Methane leaks from natural gas are not only impactful due to their GHG potential, but natural gas leaks can also pose a threat to property and human safety due to the potential for explosions of varying severity.

Another primary consideration of pursuing a building electrification policy is the positive impact it will have on indoor air quality, especially for vulnerable populations. Indoor natural gas use for stovetop and oven cooking has been linked to an increase in respiratory diseases, including increased instances of wheezing and asthma, particularly in children.⁴ The combustion of natural gas in homes can result in toxic levels of nitrogen dioxide, formaldehyde and carbon monoxide,⁵⁶ Ultimately, continued natural gas use has broader climate, health and public safety implications, including the significant social and financial costs associated with respiratory illness and poor indoor air quality.

The California Air Resources Board 2022 Scoping Plan, which serves as the state's plan to meet its carbon reduction goals, recommends for all-electric buildings to become standard for residential construction starting in 2026 and non-residential construction starting in 2029. The Scoping Plan provides an extensive overview and background on building decarbonization considerations⁷.

³ CEC, 2019 Integrated Energy Policy Report, February, 2020. Pg. 3

<https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2019-integrated-energy-policy-report>

⁴ Andee Krasner, MPH & T. Stephen Jones, MD, MPH. Cooking with Gas Can Harm Children: Cooking with Gas is Associated with Increased Risk of Childhood Respiratory Illnesses, Including Asthma. (2019)

⁵ Methane and NO_x Emissions from Natural Gas Stoves, Cooktops, and Ovens in Residential Homes. (2022). *Environmental science & technology*, 56(4), 2529-2539.

<https://pubs.acs.org/doi/10.1021/acs.est.1c04707>

⁶ "Pollution in the Home: Kitchens Can Produce Hazardous Levels of Indoor Pollutants," Julie Chao, Lawrence Berkeley National Laboratory, July 23, 2013, <https://newscenter.lbl.gov/2013/07/23/kitchens-can-produce-hazardous-levels-of-indoor-pollutants/>

⁷ <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents>

City staff have been collaborating with the cities of Goleta and Santa Barbara, County of Santa Barbara, Central Coast Community Energy (3CE), Southern California Edison (SCE), and the Tri-County Regional Energy Network (3C-REN) in order to develop code amendments with regional consistency and to collaborate on public outreach.

In October 2022, several options for developing building electrification standards were presented to the City Council. At that time, Council directed staff to move forward with developing a Reach Code to encourage building electrification. A Reach Code is a local building energy code that “reaches” beyond the state minimum requirements for energy use in building design and construction, creating opportunities for local governments to lead beyond State requirements. Reach Codes help encourage development of energy efficient and increasingly electrified, sustainable buildings.

In January 2022, Council received a comprehensive update on energy reliability, energy programs and projects, and education opportunities in a joint presentation from SCE, 3CE, and 3C-REN. In February 2023, the City’s Utilities Committee received a presentation of the proposed exemptions. With no comments on the ordinance language and timeline, the Committee recommended that staff bring the draft all-electric new building ordinance to the City Council for review.

The purpose of this agenda item is for the City Council to consider and approve Ordinance No. 764, that, if adopted, will add Chapter 8.30 of Title 8 (Health and Safety) of the City of Carpinteria Municipal Code regarding a prohibition of fuel gas infrastructure in new construction.

DISCUSSION

Ordinance Applicability

Ordinance No. 764 is intended to prohibit fuel gas construction in new buildings, as well as significant remodels. The regulations of the Ordinance include a prohibition on new gas meter installation and reactivating or operating inactive fuel gas infrastructure, unless an applicant has filed and is approved for an exemption.

The definition for “Newly Constructed Building” varies across local jurisdictions that have adopted Reach Codes; however, nearly all have in common being based on square footage or building permit valuation, or both. In discussions with the City’s Building Official, as well as the Utilities Committee, it was determined that using a definition consistent with other City requirements would capture the broadest number of projects while not imposing additional thresholds on applicants. For the purposes of this ordinance, “Newly Constructed Building” is defined as:

A building that has never before been used or occupied for any purpose, or removal and replacement of an existing structure. For the purposes of this Chapter, removal and replacement of an existing structure shall include a construction project where:

1. The size of an alteration, replacement, or addition exceeds 50% of the area of the existing building; or,
2. The value of the alteration, replacement, or addition exceeds 50% of the estimated value of the existing building

This definition is designed to capture significant alterations and additions in addition to brand-new, unoccupied construction to address portions of the existing building stock undergoing significant renovation. Minor modifications to a building and commercial building tenant improvements are not considered to be new construction and would not be required to transition to all-electric under the ordinance provisions.

Periodic Review

An additional provision of the ordinance is a periodic review of the clauses by staff, set at an interval of every three years. This provision allows for staff to assess any potential adjustments to the ordinance language, its internal implementation, and to potentially expand measures to better meet the changing building requirements and best practices across the state. This clause has also been commonly included in other Reach Codes, such as those adopted by the Cities of Santa Barbara, Santa Cruz, and Berkeley.

Reach Code Exemptions

Possible exemptions vary across jurisdictions with certain recently adopted ordinances being broadly applicable to both residential and commercial operations while others provide certain exemptions based on public interest or technical infeasibility. Exemptions have been of interest to local developers throughout Reach Code development; however, some jurisdictions have recently updated their Reach Codes to reduce the prevalence of previously-adopted exemptions. In January 2023, the Ojai City Council voted to remove nine exemptions that had been a part of its reach code. This included removing exemptions for attached and detached ADUs, emergency generators, restaurants, and swimming pools. When there are exemptions within a fuel gas prohibition, there are trade-offs, such as less GHG emissions reduction, reduced cost-effectiveness, and a reduction in public health and hazard safety benefits. The draft Ordinance was presented to the Utilities Committee, which agreed with the staff recommendation of limiting exemption pathways for new construction, additions, or alterations unless where infeasible or cost prohibitive.

Staff evaluated exemptions on the criteria of the availability of alternatives to fuel gas technology, flexibility and feasibility for implementation, and anticipated emissions and health impacts. The exemptions included in the proposed ordinance for new construction include:

- Physical Infeasibility
- Public Interest, including commercial cooking equipment and laboratories
- Junior ADUs where existing fuel gas infrastructure already serves the building for water and space heating

Staff does not recommend including exemptions for specific equipment, systems and appliances where cost-effective all electric alternatives to natural gas have been found to be readily available. This includes items such as space heaters, pool and spa heaters, clothes dryers, water heaters, and fire pits. These items all have readily available electric alternatives.

Electric Readiness for Qualifying Exemptions

An additional clause in the proposed ordinance supports electric readiness for newly constructed buildings that have exemptions for natural gas infrastructure. For applicants granted exemptions as determined by the ordinance, newly constructed buildings shall be required to have sufficient electrical capacity, including reserved circuit breakers, electrical conduit, subpanels, panels, switchboards, and transformers, to facilitate future full building electrification in accordance with the California Electrical Code and manufacturer specifications.

The 2022 California Building Energy Efficiency Standards include electric-readiness provisions for new residential construction. While electric-readiness for non-residential new construction is expected to be a part of future California Building Codes, the state standards currently do not apply. Including an electric-readiness requirement for non-residential new construction in the City's proposed building electrification ordinance supports electric readiness of non-residential buildings. The proposed clause is included in the ordinance in anticipation of these future building code requirements and would help prepare applicants and their new buildings granted exemptions for more efficient conversion to all electric at a later date.

Implementation Date

Carpinteria staff, the County of Santa Barbara and the City of Goleta are coordinating an implementation date of October 1st, 2023 for the respective all-electric new construction ordinances. This date was selected to provide adequate time to develop exemption materials, conduct further outreach with the development community, and prepare local government staff for implementation. Any projects submitted prior to this date will be encouraged, but not subject to the all-electric requirements of the proposed ordinance.

Regional Collaboration & Public Outreach

Over the past year, Carpinteria staff have engaged in regional coordination and collaboration with the County of Santa Barbara and City of Goleta to develop Reach Codes on new building electrification. Additionally, the group has received technical and public outreach support from building and energy experts at the Tri-County Regional Energy Network, Colorado Energy Group, Southern California Edison, Pacific Gas & Electric, NegaWatt, Central Coast Community Energy, and the City of Santa Barbara.

The intent of the Santa Barbara regional collaboration effort has been to align each jurisdiction with similar local building electrification policies, and to efficiently utilize local

government resources by co-hosting and coordinating public workshops and other public engagement opportunities together. Coordinating local government building electrification ordinances also benefit developers, who typically work in multiple jurisdictions, by providing increased clarity and consistency of regulations.

As a result of coordination and progress, all three local jurisdictions are on similar adoption and implementation timeframes. The City of Goleta and the County of Santa Barbara are presenting the first reading of their ordinances to their respective governing bodies beginning in late April, and both are recommending a municipal health and safety prohibition on fuel gas in new construction, similar to the policy adopted by the City of Santa Barbara in 2021.

The regional group has held standing meetings to discuss policy avenues, share resources, and coordinate outreach strategy for stakeholders and the broader community. The collaborative outreach process consisted of soliciting and forming both an Advisory Committee of stakeholders and open public workshops to engage the regional community on the topic of building electrification and Reach Codes. There have been three Advisory Committee meetings held in September 2022, October 2022, and February 2023 that were open to the public and had an average of 25 attendees per meeting. At these meetings, local government staff presented on each stage of the reach code development and sought advice and feedback from stakeholders. Additionally, three public workshops were held in October 2022 and February 2023, reaching approximately 75 community members and stakeholders alike. At these meetings, members of each jurisdiction provided an overview of Reach Code pathways and solicited feedback from attendees on considerations for policy development. Feedback at all six of these public meetings were overwhelmingly positive for the pursuit of building electrification and Reach Codes, and attendees brought up key considerations for exemptions and considerations for local government staff.

Staff from the County of Santa Barbara and cities of Carpinteria and Goleta presented to the Santa Barbara South Coast Chamber of Commerce Policy Committee in September 2022, and the County and Goleta presented again in March 2023, and provided written Reach Code updates to the Chamber in-between meetings. Santa Barbara County also presented to the Santa Maria Valley Chamber and Cities-County Joint Affordable Housing Task Group Meeting in October 2022, and the cities of Carpinteria and Goleta, along with the County presented to the Santa Barbara Association of Realtors and the Santa Barbara Regional Climate Collaborative Equity, Outreach & Advocacy Subcommittee in December 2022. In addition, staff sought Advisory Meeting stakeholders at all presentations to the aforementioned groups. The regional Reach Code group additionally organized two in-person induction cooking demonstrations in partnership with SCE and the Carpinteria and Goleta Valley Libraries in mid-March 2023 to support public education around new electric cooking technologies and update the public on building electrification reach code development. Public comments received at the Goleta Valley Library workshop related to support for

building electrification, and interest in the City addressing electrification of existing residential development, especially in regards to rental homes.

Outreach to the public and targeted stakeholders will continue through 2023, focusing on implementation and creating a streamlined exemption application process.

POLICY CONSISTENCY

The recommendation may be found consistent with the City's Sustainable Community Policy (Resolution No. 5500), in particular, the following:

Environmental Stewardship

- *Develop and implement standards to reduce energy use;*
- *Publicize energy efficient building design and construction practices that allow for future adaptation to efficient energy solutions such as solar electric or grey water systems for landscape irrigation;*
- *Continue to collaborate with regional and state entities to reduce impacts to the environment and reduce energy consumption;*
- *Streamline permitting for energy efficient improvements to existing structures; and*
- *Develop a municipal/government agency efficiency program to improve and update existing facilities and fleets to more energy efficient alternatives and "lead by example" for the community and other local agencies.*

FINANCIAL CONSIDERATIONS

Fiscal impacts of moving forward with the recommendation include staff time to implement the new regulations and is considered incidental.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

The City Attorney has reviewed Ordinance No. 764 and has no exceptions.

OPTIONS

1. Approve Ordinance No. 764, on first reading, as read by title only, and continue second reading for adoption to April 24, 2023.
2. Do not approve Ordinance No. 764 and direct staff as determined appropriate.

PRINCIPAL PARTIES EXPECTED AT MEETING

None.

ATTACHMENTS

Ordinance No. 764

Staff contact:

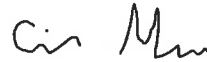
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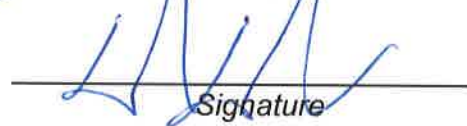
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Signature



Signature



Signature

ATTACHMENT A
Prohibition of Fuel Gas Plumbing Infrastructure in Newly Constructed Buildings

ORDINANCE NO. 764

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, ADDING TO TITLE 8 OF THE CARPINTERIA MUNICIPAL CODE CHAPTER 8.30 ENTITLED PROHIBITION OF FUEL GAS PLUMBING INFRASTRUCTURE IN NEWLY CONSTRUCTED BUILDINGS

WHEREAS, scientific evidence has established that natural gas combustion, procurement and transportation produce significant greenhouse gas emissions that contribute to global warming and climate change; and

WHEREAS, the Intergovernmental Panel on Climate Change estimates that global emissions need to be reduced by 45 percent from 2010 levels by 2030, and 100 percent by 2050 to prevent global catastrophe; and

WHEREAS, the State of California enacted Senate Bill (SB) 32 to require greenhouse gas emissions to be reduced to 40 percent below 1990 levels by 2030 and Governor Brown issued Executive Order B-55-18 establishing a statewide target of carbon neutrality by 2045; and

WHEREAS, Carpinteria is situated along a wildland-urban interface and is extremely vulnerable to wildfires and firestorms, and human activities releasing greenhouse gases into the atmosphere cause increases in worldwide average temperature, drought conditions, vegetative fuel, and length of fire seasons; and

WHEREAS, the inventoried greenhouse gas emissions in the City of Carpinteria come from a variety of sources, primarily transportation and energy use in buildings and facilities; and

WHEREAS, this Chapter is also reasonably necessary due to health and safety concerns as City residents suffer from asthma and other health conditions associated with poor indoor and outdoor air quality exacerbated by the combustion of natural gas; and

WHEREAS, the City Council has adopted a Sustainable Community Policy, which recognizes that rapid, far-reaching, and unprecedented changes in all aspects of society are required to limit global warming and the resulting environmental threat posed by climate change, including the prompt phasing out of natural gas as a fuel for heating and cooling infrastructure in new buildings; and

WHEREAS, using electric heating and cooling infrastructure in new buildings fueled by less greenhouse gas intensive electricity is linked to significantly lower greenhouse gas emissions and is cost competitive due to the cost savings associated with all-electric designs that avoid new gas infrastructure; and

WHEREAS, all-electric building design benefits the health, welfare, and resiliency of Carpinteria and its residents; and

WHEREAS, the most cost-effective time to integrate electrical infrastructure is in the design phase of a building project because building systems and spaces can be designed to optimize the performance of electrical systems and the project can take full advantage of avoided costs and space requirements from the elimination of natural gas piping and venting for combustion air safety; and

WHEREAS, it is the intent of the City Council to eliminate obsolete natural gas infrastructure and associated greenhouse gas emissions in new buildings where all electric infrastructure can be most practicably integrated, thereby reducing the environmental and health hazards produced by the consumption and transportation of natural gas.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARPINTERIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. INCORPORATION OF RECITALS

The above recitals are true and correct and are incorporated herein, and are each relied upon independently by the City Council for its adoption of this Ordinance.

SECTION 2. AMENDMENT TO CODE

Title 8 of the Carpinteria Municipal Code ("Health and Safety") is amended to add Chapter 8.30 entitled "Prohibition of Fuel Gas Plumbing Infrastructure in Newly Constructed Buildings," as follows:

"Chapter 8.30 Prohibition of Fuel Gas Plumbing Infrastructure in Newly Constructed Buildings

- 8.30.010 Findings and Purpose**
- 8.30.020 Applicability**
- 8.30.030 Definitions**
- 8.30.040 Prohibited Fuel Gas Infrastructure in Newly Constructed Buildings**
- 8.30.050 Qualifying Exemptions**
- 8.30.060 Electric Readiness for Qualifying Exemptions**
- 8.30.070 Revocation of Qualifying Exemption**
- 8.30.080 Appeals and Exceptions**
- 8.30.090 Periodic Review of Ordinance**

8.30.010 – Findings and Purpose.

The City Council finds and declares that this Chapter is intended to enhance long-term public health and welfare by contributing to the overall reduction of greenhouse gas (GHG) emissions and the reduction of emissions associated with natural gas transport and combustion by requiring that all new buildings be constructed as all-electric buildings. The provisions in this Chapter are designed to achieve the following objectives:

1. Reduce consumption of natural gas in the City of Carpinteria;
2. Reduce the risks associated with transporting natural gas in the City of Carpinteria;
3. Reduce GHG emissions associated with use of natural gas;
4. Lower the cost of building new residential and non-residential buildings; and
5. Improve indoor air quality and occupant health.

8.30.020 – Applicability.

- A. The requirements of this Chapter shall apply to the building permits for all newly constructed buildings, as defined herein, that are proposed to be located in whole or in part within the City.
- B. The prohibition of fuel gas infrastructure shall apply to permit applications submitted on or after the effective date of this Chapter.
- C. The requirements of this Chapter shall not apply to the use of portable propane appliances for outdoor cooking or heating.
- D. This Chapter shall in no way be construed as amending California Energy Code requirements under California Code of Regulations, Title 24, Part 6, nor as requiring the use or installation of any specific appliance or system as a condition of approval.
- E. The requirements of this Chapter shall be incorporated into conditions of approval for building permits under Municipal Code Chapter 15.16.

8.30.030 – Definitions.

“Applicant” means an any person, firm, partnership, association, joint venture, corporation, or any other entity or combination of entities, or State or local government agency applying for a permit for a newly constructed building.

“Commercial Food Heat-Processing Equipment” means equipment used in a food establishment for heat-processing food or utensils and that produces grease vapors, steam, fumes, smoke, or odors that are required to be removed through a local exhaust ventilation system, as defined in the California Mechanical Code.

“Energy Code” means the most current version of the California Building Energy Efficiency Standards, as adopted by reference in Chapter 15.08 and any local amendments thereto.

“Fuel Gas” means natural gas, manufactured gas, liquefied petroleum, or a mixture of these, as defined in the California Mechanical Codes.

“Fuel Gas Infrastructure” means fuel gas piping, other than service pipe, in or in connection with a building, structure or within the property lines of the premises, extending from the point of delivery at the gas meter, service meter assembly, outlet of the service regulator, service shutoff valve, or final pressure regulator, whichever is applicable, as defined in the California Mechanical Code.

“Electric Heating Appliance” means 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 specified in the California Mechanical Code.

“Junior Accessory Dwelling Unit (JADU)” means a residential unit that: is no more than 500 square feet in size; is contained entirely within an existing or proposed single-unit dwelling structure; includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-unit dwelling structure; and includes an efficiency kitchen.

“Mechanical Code” means the California Mechanical Code published by the California Building Standards Commission as adopted by reference in Chapter 15.08 and any local amendments thereto.

“Newly Constructed Building” means a building that has never before been used or occupied for any purpose, or removal and replacement of an existing structure. For the purposes of this Chapter, removal and replacement of an existing structure shall include a construction project where:

1. The size of an alteration, replacement, or addition exceeds 50% of the area of the existing building; or,
2. The value of the alteration, replacement, or addition exceeds 50% of the estimated value of the existing building.

If either of these criteria are met within a three-year period, measured from the date of the most recent previously obtained permit final date, that structure shall be considered a Newly Constructed Building and shall be subject to provisions of this Chapter.

8.30.040 – Prohibited Fuel Gas Infrastructure in Newly Constructed Buildings.

Existing Fuel Gas Infrastructure shall not be extended to any system or device within a building unless an exemption applies pursuant to the provisions of this Chapter. Inactive Fuel Gas Infrastructure shall not be activated, have a meter installed, or otherwise be operated unless the exemptions specified in this Chapter have been confirmed as part of the issuance of a building permit.

8.30.050 – Qualifying Exemptions.

A. Notwithstanding the requirements of Section 8.30.040, minimally necessary and specifically tailored Fuel Gas Infrastructure shall be allowed in a newly constructed building on a revocable basis limited to the duration of time during which one of the conditions set forth below is satisfied, and the building continues occupancy as specified in the original construction drawings permitted by the City as a Newly Constructed Building.

1. Compliance Pathway. If the Applicant establishes that it is not feasible to construct the building without fuel gas infrastructure. For purposes of this exemption, it is feasible to construct the building without natural gas infrastructure if either an all-electric prescriptive compliance approach is available for the building under the Energy Code or the building is able to achieve the performance

compliance standards under the Energy Code using commercially available technology and a calculation method approved by the City.

2. Public Interest. If the Applicant establishes that the use serves the public interest. In determining whether fuel gas infrastructure is in the public interest, the City will consider impacts on the health, safety, or welfare of the public, as well as the availability of alternative technologies or systems that do not use fuel gas.
 - a. For purposes this Section, provision of Natural Gas Infrastructure for Commercial food heat-processing equipment in commercial kitchens in restaurants and institutional cooking facilities shall be deemed to be in the public interest provided that the infrastructure is limited to the capacity necessary to operate the appliances as designed.
 - b. For purposes of this Section, provision of Natural Gas Infrastructure for laboratory equipment or clean-rooms in buildings designed for scientific or medical uses shall be deemed to be in the public interest provided that the infrastructure is limited to the capacity necessary for designated laboratory or clean-room areas.
3. Junior Accessory Dwelling Units. An Applicant may apply for an exemption for utilizing fuel gas infrastructure in a JADU if the existing building already has fuel gas service and the JADU will use the existing fuel gas infrastructure.

8.30.060 – Electric Readiness for Qualifying Exemptions.

- A. Where fuel gas infrastructure is permitted due to a qualifying exemption, newly constructed buildings shall be required to have sufficient electrical capacity, including reserved circuit breakers, electrical conduit, subpanels, panels, switchboards, and transformers, to facilitate future full building electrification in accordance with the California Electrical Code and manufacturer specifications, in addition to all other code requirements, as certified by affidavit of either a registered design professional or a licensed electrical contractor.
- B. Physical space for future electric heating appliances, including equipment footprint and any associated ducting, shall be depicted on the construction drawings. The footprint necessary for future electric heating appliances may overlap with non-structural partitions and with the location of currently designed combustion equipment.

8.30.070 – Revocation of Qualifying Exemption.

At such time as the conditions of the applicable revocable building and infrastructure exemption of this Chapter ceases to be satisfied, the fuel gas infrastructure shall either be capped, otherwise terminated, or removed by the entity previously entitled to the exemption, in a manner pursuant to all applicable codes.

8.30.080 - Appeals and Exceptions.

Any person, firm or corporation that opposes the application of a standard described in this chapter may file an appeal to the "local appeals board" as described in Section 15.08.180.

8.30.090 – Periodic Review of Ordinance.

The City shall conduct a periodic review the requirements of this ordinance for consistency with the California Energy Code and the Energy Commission's mid-cycle amendments and triennial code adoption cycle as applicable."

SECTION 3. SEVERABILITY.

If any word, phrase, sentence, part, section, subsection, or other portion of this Chapter, or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Chapter, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect.

The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, and phrase of this Chapter 8.30, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases is declared invalid or unconstitutional.

SECTION 4. CERTIFICATION.

The City Clerk shall certify to the adoption of this ordinance and, within 15 days after its adoption, shall cause it to be published in accord with California Law.

SECTION 5. EFFECTIVE DATE.

This ordinance shall take effect on October 1, 2023.

PASSED, APPROVED AND ADOPTED on April _____, 2023, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held on April 10, 2023.

Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria