*PLEASE READ: Peninsula Clean Energy and Silicon Valley Clean Energy are sharing an edited version of the Menlo Park all-electric code to serve as a model for all-electric energy code amendments. Amendments to the Title 24 Part 6, the Building Energy Efficiency Standards, are underlined for additions and ~~stricken through for deletions~~.*

*Please see ‘Sample Code Facts and Findings’ on the website under ‘Materials’ for related template language.*

*Version date: July 1, 2021. This update clarifies that fireplaces are included in the definition of All-Electric Buildings.*

**SECTION 100.0 – Scope**

(e) Sections applicable to particular buildings. TABLE 100.0-A and this subsection list the provisions of Part 6 that are applicable to different types of buildings covered by Section 100.0(a).

1. All buildings. Sections 100.0 through 110.12 apply to all buildings.

EXCEPTION to Section 100.0(e) 1: Spaces or requirements not listed in TABLE 100.0-A.

2. Newly constructed buildings.

1. All newly constructed buildings. Sections 110.0 through 110.12 apply to all newly constructed buildings within the scope of Section 100.0(a). In addition, newly constructed buildings shall meet the requirements of Subsections B, C, D or E, as applicable~~;~~ and shall be an All-Electric Building as defined in Section 100.1(b). For the purposes of All-Electric Building requirements, newly constructed buildings as defined in Section 100.1 shall include a construction project where an alteration includes replacement of over 50% of the existing foundation for purposes other than a repair or reinforcement as defined in California Existing Building Code Section 202; or when over 50% of the existing framing above the sill plate is removed or replaced for purposes other than repair. If either of these criteria are met within a 3-year period, measured from the date of the most recent previously obtained permit final date, that structure is considered new construction and shall be subject to the All-Electric Building requirements. The final determination whether a project meets the definition of substantial reconstruction/alteration shall be made by a designated building official.

Exception 1: Multifamily residential building projects that have been granted entitlements within one year or less before the effective date of this ordinance are not required to install all-electric water heating systems. If the Building Official grants a modification pursuant to this Exception, the applicant shall comply with the pre-wiring provision of Note 1 below.

Exception 2: If the applicant establishes that there is not an all-electric prescriptive compliance pathway for the building under the Energy Code, and that the building is not able to achieve the performance compliance standard applicable to the building under the Energy Code using commercially available technology and an approved calculation method, then the Building Official may grant a modification. If the Building Official grants a modification pursuant to this Exception, the applicant shall comply with the pre-wiring provision of Note 1 below.

Exception 3: Non-residential buildings containing a for-profit restaurant open to the public or an employee kitchen may apply to a City Council appointed body, which body shall be designated from time to time by the City Council, for an exception to install gas-fueled cooking appliances. This request must be based on a business-related reason to cook with a flame that cannot be reasonably achieved with an electric fuel source. Examples include barbeque-themed restaurants and pizza ovens. The City Council appointed body shall grant this exception if they find the following:

1. There is a business-related reason to cook with a flame;

2. This need cannot be reasonably achieved with an electric fuel source;

3. The applicant has employed reasonable methods to mitigate the greenhouse gas impacts of the gas-fueled appliance;

4. The applicant shall comply with the pre-wiring provision of Note 1 below.

The City Council appointed body’s decision shall be final unless the applicant appeals to the City Council within 15 days of the appointed body’s decision. The City Council’s decision on the appeal shall be final.

Note 1: If natural gas appliances are used in any of the above exceptions 1-4, natural gas appliance locations must also be electrically pre-wired for future electric appliance installation. They shall include the following:

1. A dedicated circuit, phased appropriately, for each appliance, with a minimum amperage requirement for a comparable electric appliance (see manufacturer’s recommendations) with an electrical receptacle or junction box that is connected to the electric panel with conductors of adequate capacity, extending to within 3 feet of the appliance and accessible with no obstructions. Appropriately sized conduit may be installed in lieu of conductors;

2. Both ends of the conductor or conduit shall be labeled with the words “For Future Electric appliance” and be electrically isolated;

3. A circuit breaker shall be installed in the electrical panel for the branch circuit and labeled for each circuit, an example is as follows (i.e “For Future Electric Range;”) and

4. All electrical components, including conductors, receptacles, junction boxes, or blank covers, related to this section shall be installed in accordance with the California Electrical Code.

Note 2: If any of the exceptions 1-3 are granted, the Building Official shall have the authority to approve alternative materials, design and methods of construction or equipment per CBC 104.

*Section 100.1(b) is modified by adding the following definitions:*

ALL ELECTRIC BUILDING: is a building that has no natural gas or propane plumbing installed within the building property lines, and instead uses only electricity, as the source of energy for its space heating, water heating (including pools and spas), cooking appliances, clothes drying appliances, and fireplaces. All Electric Buildings may include solar thermal pool heating, or fossil fuels for backup power generation.

*SECTION 140.0(b) is modified as follows:*

SECTION 140.0 – PERFORMANCE AND PRESCRIPTIVE COMPLIANCE APPROACHES

1. The requirements of Sections 120.0 through 130.5 (mandatory measures for nonresidential, high-rise residential and hotel/motel buildings)~~,~~ and for all newly constructed buildings:
	1. A solar photovoltaic system equivalent in size to 15 percent of the roof area, excluding any skylight area, shall be installed on the roof or overhang of the building or on the roof or overhang of another structure located within 250 feet of the building or on covered parking installed with the building project.

Exception 1 to 140.0(b)1: The Community Development Director or his/her designee may grant a modification if the applicant demonstrates that the required percentage of PV installation will over-generate the annual kWh required to operate the proposed building;

Exception 2 to 140.0(b)1: The PV system size may be reduced in size to the maximum that can be accommodated by the effective annual solar access due to shading from existing permanent natural or manmade barriers external to the building, including but not limited to trees, hills, and adjacent structures. The effective annual solar access shall be 70 percent or greater of the output of an unshaded PV array on an annual basis. No PV system is required if the effective annual solar access is restricted to less than 200 contiguous square feet. If the applicant demonstrates that conditions exist where excessive shading occurs, a performance equivalency approved by the Building Official may be used as an alternative.

Exception 3 to 140.0(b)1: Vegetative roofs covering 35 percent of the roof area or greater, meeting all relevant code requirements including considerations for wind, fire, and structural loads.