



CITY OF ENCINITAS
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NONRESIDENTIAL / MULTIFAMILY GREEN BUILDING CHECKLIST

PURPOSE AND RELEVANCE TO CAP AND CEQA

The City's Climate Action Plan (CAP) outlines actions and measures to reduce greenhouse gas (GHG) emissions, including measures that must be implemented by development projects seeking building permits. The goal of this checklist is to provide a streamlined review process for all proposed development projects that are subject to local CAP-related building requirements. The City's CAP is a qualified greenhouse gas (GHG) emissions reduction plan in accordance with CA CEQA Guidelines Section 15183.5. Pursuant to CEQA Guidelines Sections 15064(h)(3), 15130(d), and 15183(b), a project's incremental contribution to a cumulative GHG emissions effect may be determined not to be cumulatively considerable if it complies with the requirements of a CAP. Projects that are consistent with the CAP, as determined through the use of this checklist, may rely on the CAP for the cumulative impact analysis of GHG emissions. Projects that are not consistent with the CAP must prepare a comprehensive project-specific analysis of GHG emissions, including quantification of existing and projected GHG emissions and incorporation of the measures in this checklist to the extent feasible. Cumulative GHG impacts would be significant for any project that is not consistent with the CAP or Ordinances 2022-13 and 2022-14.

CHECKLIST PROCEDURE

- The applicant must complete this checklist and include it with the project submittal package or as part of a building permit application when seeking a permit for a New Construction, Addition, or Alteration project.
- The applicant must provide plan references, an explanation, and/or relevant supporting materials to demonstrate how the project satisfies, is not applicable to, or qualifies for an exception to the Green Building Ordinance requirements.
- The applicable requirements in the checklist must be included in the project's conditions of approval (if discretionary permit needed) and on the permitted building plans.
- Applicant is responsible for recording/retaining all manufacturer name plate data or similar for equipment installed before it becomes inaccessible or illegible due to construction. Recording/retaining installed equipment information is mandatory.

REFERENCED CODE

Ordinances 2022-13 and 2022-14 were adopted on October 26, 2022 and incorporated into Chapter 23 of the Encinitas Municipal Code effective January, 2023. This checklist references sections of EMC Chapter 23, the California Energy code (Title 24, Part 11), and the California Green Building Code (Title 24, Part 11), where relevant. The links below may be used to review the code sections referenced.

Encinitas Municipal Code Chapter 23 - Denoted as "EMC" throughout the checklist.

Full Code: <http://www.qcode.us/codes/encinitas/misc/title23.pdf>

California Title 24 Part 6 - Denoted as "T24P6" throughout the checklist.

Full Code: <https://codes.iccsafe.org/content/CAEC2022P1>

California Title 24 Part 11 - Denoted as "T24P11" throughout the checklist.

Full Code: <https://codes.iccsafe.org/content/CAGBC2022P1>

Fact Sheets summarizing the requirements can be found [here](#)

CONTACT INFORMATION

Applicant Name/Company:

Applicant Contact Phone:

Applicant Contact Email:

PROJECT INFORMATION	
Project Number:	Project Name:
Project Address:	APN #:
Proposed Building Gross Sq Ft.:	Permit Valuation:
Scope of Work/Project Description:	

PROJECT TYPE AND APPLICABLE CHECKLIST SECTIONS		
Project Type	Required Sections	Notes
<input type="checkbox"/> Multifamily		
<input type="checkbox"/> New Construction	1, 4B, 5A	Includes new, detached ADUs
<input type="checkbox"/> Alteration/Addition*:		See Alteration/Addition footnote
<input type="checkbox"/> Permit Value <\$50,000	N/A	
<input type="checkbox"/> Permit Value ≥\$50,000	2	
<input type="checkbox"/> Nonresidential		
<input type="checkbox"/> New Construction	1, 5A, 5B	5B applicable to hotel/motels only
<input type="checkbox"/> Alteration/Addition*:	5A, 5B	See Alteration/Addition footnote
<input type="checkbox"/> Addition ≥1,000 sq. ft. (floor area) OR <input type="checkbox"/> Alteration Permit Value ≥\$200,000	3	
<input type="checkbox"/> Addition ≥1,000 sq. ft. (roof area) OR <input type="checkbox"/> Permit Value ≥\$1,000,000	4A	<i>Permit Value:</i> If permit affects at least 75% of gross floor area.
<input type="checkbox"/> Addition <1,000 sq. ft. (Floor or roof area) AND Permit Value <\$1,000,000	N/A	
<input type="checkbox"/> Alteration Permit Value <\$200,000	N/A	

***Additions/Alterations** where more than 50 percent of the roof framing and exterior bearing walls/column supports are removed OR the building’s conditioned area is more than doubled are considered new construction and should be submitted accordingly.

Note: All sections of the green ordinance checklist MUST be complete. If a specific requirement does not apply to your project, check the corresponding “Not Applicable” box.

Definitions:

New Construction: All new buildings and any existing buildings where more than 50% of the roof framing and exterior bearing walls/columns are removed or conditioned area more than doubles.

Nonresidential: Buildings used for business or commerce. Ex: store, warehouse, workplace, office, hotel/motel, high-rise residential (multi-family greater than 3 stories). (See [T24P6 100.1\(b\)](#))

Multifamily: Buildings containing more than one housing unit and up to three stories. Ex. Duplex, townhome, apartment complex, condominium. (See [T24P6 100.1\(b\)](#))

Mixed use: Buildings which combine residential and nonresidential uses. Mixed-use buildings must comply with all applicable residential and nonresidential requirements. Select both categories above and complete applicable sections.

Accessory Dwelling Unit (ADU): Dwelling unit accessory to a primary dwelling. Detached and newly constructed ADUs are considered new residential. Attached ADUs are considered existing residential in Ordinances 2022-13 and 2022-14.

OPTIONAL MEASURE ¹	APPLICABILITY																
1. ALL-ELECTRIC - NEW BUILDINGS (Nonresidential)																	
<p>All Electric Building Requirements (EMC 23.12.110 B and C). All nonresidential and all multifamily new construction shall be all-electric unless an exemption is applicable and approved by the City (see EMC 23.12.110 B and C).</p> <p>All-Electric buildings <u>must</u> include:</p> <ul style="list-style-type: none"> <input type="checkbox"/> No natural gas or propane plumbing in the building or on the property; <input type="checkbox"/> No gas meter connection; <input type="checkbox"/> Electricity as the source of energy for space heating, water heating, cooking appliances, and clothes drying appliances; and <input type="checkbox"/> If a pool is associated, may use solar thermal collectors (e.g. solar pool heating), but no gas. 	<p>To be completed by Applicant:</p> <p><input type="checkbox"/> Voluntarily Comply</p> <p>Plan Sheet Reference(s):</p> <p>_____</p> <p><input type="checkbox"/> Opt Out</p>																
MANDATORY MEASURE																	
2. EXISTING RESIDENTIAL ENERGY EFFICIENCY																	
<p>Multifamily residential additions and alterations (EMC 23.12.080.E) shall include any one of the measures identified as <i>Available</i> in Table 180.5-A, Multifamily Requirements, where vintage shall refer to the year in which the building was originally permitted for construction.</p> <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th colspan="4" style="text-align: left;">Table 180.5-A: Multifamily Requirements</th> </tr> <tr> <th style="width: 30%;"></th> <th colspan="3" style="text-align: center;">Building Vintage</th> </tr> <tr> <th style="text-align: left;">Measures</th> <th style="text-align: center;">Pre-1978</th> <th style="text-align: center;">1978-1991</th> <th style="text-align: center;">Post-1991</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Table 180.5-A: Multifamily Requirements					Building Vintage			Measures	Pre-1978	1978-1991	Post-1991					<p>To be completed by Applicant:</p> <p><input type="checkbox"/> Required</p> <p>Measure Selected:</p> <p>_____</p> <p>Plan Sheet Reference(s):</p> <p>_____</p>
Table 180.5-A: Multifamily Requirements																	
	Building Vintage																
Measures	Pre-1978	1978-1991	Post-1991														

¹ On June 14, 2023, in response to the Ninth Circuit’s ruling in *California Restaurant Association v. City of Berkeley*, Encinitas City Council temporarily suspended EMC 23.12.110.B and EMC 23.12.110.C. If the Ninth Circuit’s ruling is overturned or modified, the City Council will immediately consider reinstating the regulation. All other portions of the local Energy Code and Green Building Code and all portions of Title 24 building code are still in effect.

LED Lamps, Vacancy Sensors and Exterior Photocells	Available	Available	Available	<input type="checkbox"/> Exception request* <input type="checkbox"/> Not Applicable* *Provide documentation, see below.
Water Heating Package	Available	Available	Available	
Cool Roof	Available	Available	Available	
R-38 Attic Insulation and Air Sealing	Available	Available	Available	
Duct Sealing	Available	Available	Not applicable	
New Ducts + Duct Sealing	Available	Available	Available	
Windows	Available	Available	Available	
R-13 Wall Insulation	Available	Not applicable	Not applicable	
Floor Insulation	Available	Not applicable	Not applicable	
Heat Pump Water Heater (HPWH)	Available	Available	Available	
Heat Pump HVAC	Available	Available	Available	
Heat Pump Clothes Dryer	Available	Available	Available	
Induction Cooktop	Available	Available	Available	
PV + Electric Ready Pre-Wire	Available	Available	Available	

The measures shall be installed to the specifications in Table 180.5-B, multifamily Measure Specifications. Existing measures that meet the specifications in Table 180.5-B may be used to satisfy the requirements. Specifications can be found in Table 180.5-B in Ordinance 2022-13.

***For section 2, substantiate any request for exception or non-applicability. Submit any necessary supplementary documentation.**

MANDATORY MEASURE	APPLICABILITY
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3. EXISTING NONRESIDENTIAL ENERGY EFFICIENCY

<p>Energy Efficient Steel Framing (EMC 23.12.110 F). All nonresidential buildings that include steel framing, shall design steel framing for maximum energy efficiency, including:</p> <ol style="list-style-type: none"> 1) Exterior rigid insulation; 2) Punching large holes in the stud web without affecting the structural integrity of the stud; 3) Spacing the studs as far as possible while maintaining the structural integrity of the structure; and 4) Detailed design of intersections of wall openings and building intersections of floors, walls, and roofs. 	<p>To be completed by Applicant:</p> <p><input type="checkbox"/> Required</p> <p>Plan Sheet Reference(s):</p> <p>_____</p> <p><input type="checkbox"/> Exception request* <input type="checkbox"/> Not Applicable*</p> <p>*Provide documentation, see below.</p>
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***For section 3, substantiate any request for exception or non-applicability. Submit any necessary supplementary documentation.**

4. SOLAR PHOTOVOLTAIC SYSTEMS (Nonresidential and High-Rise Residential)

4A) Nonresidential and High-Rise Residential Solar PV (EMC 23.12.080 B and C).

All nonresidential and high-rise residential additions that increase the total roof area by at least 1,000 sq. ft. or alterations with a permit value of at least \$1,000,000 that affect at least 75% of the gross floor area are required to install solar photovoltaic equipment sized according to one of the following methods:

Based on Gross Floor Area:

- 1) Buildings with a gross floor area greater than or equal to 10,000 ft² shall install a minimum of 15 kilowatts direct current (kWdc) per 10,000 ft² gross floor area.
- 2) Buildings with a gross floor area under 10,000 ft² shall install a minimum 5-kilowatt (kWdc) PV system.

Note: If ≥ 10,000 sq. ft., minimum system size = 15 kWdc x (GFA/10,000).

To be completed by Applicant:

Gross Floor Area: _____sq. ft. Min. System Size: _____kWdc

Actual System Size: _____kWdc Battery Size: _____kWh (optional)

To be completed by Applicant:

Required

Plan Sheet Reference(s):

Exception request*

Not Applicable*

*Provide documentation, see below.

Based on State Code (T24P6 140.10(a) or 170.2(g)):

Comply with CA Title 24, Part 6, Energy Code Section 140.10(a) or 170.2(g) which otherwise applies to newly constructed buildings.

To be completed by Applicant:

Conditioned Floor Area: _____sq. ft.

Min. System Size: _____kWdc Actual System Size: _____kWdc

Battery Size: _____kWh (optional)

To be completed by Applicant:

Required

Plan Sheet Reference(s):

Exception request*

Not Applicable*

*Provide documentation, see below.

***For section 4, substantiate any request for exception or non-applicability. Submit any necessary supplementary documentation.**

4B) Multifamily Solar PV (T24P6 140.10(a) or 170.2(g))

All newly constructed multifamily buildings are required to install solar photovoltaic equipment sized according to CA Title 24, Part 6, Energy Code Section 140.10(a) or 170.2(g).

To be completed by Applicant:

To be completed by Applicant:

Required

Plan Sheet Reference(s):

Exception request*

Conditioned Floor Area: _____sq. ft. Min. System Size: _____kWdc Actual System Size: _____kWdc Battery Size: _____kWh (optional)	<input type="checkbox"/> Not Applicable* *Provide documentation, see below.
<p>*For section 4, substantiate any request for exception or non-applicability. Submit any necessary supplementary documentation.</p>	

MANDATORY MEASURE	APPLICABILITY
5. ELECTRIC VEHICLE CHARGING	
<p>5A) EV Charging: Newly Constructed Multifamily and Hotel/motel Buildings (EMC 23.12.110 E).</p> <p>New Multifamily: At least fifteen (15) percent of the total number of parking spaces provided for all parking facilities, but in no case less than one, shall be electric vehicle charging spaces (EV spaces).</p> <p>New/Remodeled Hotel/Motel: For any new hotel or motel project, or for any alteration or addition to a hotel, or motel that requires a building permit with square footage larger than 10,000 square feet as determined by the City of Encinitas Building Division, at least eight (8) percent of the total number of parking spaces provided for all types of parking facilities, but in no case less than one, shall be electric vehicle charging spaces (EV spaces). Each such space shall be equipped, at a minimum, with fully operational Level 2 Electric Vehicle Supply Equipment (EVSE).</p> <p>These requirements are in addition to State Code requirements for EV Capable spaces.</p>	<p>To be completed by Applicant:</p> <input type="checkbox"/> Required* Plan Sheet Reference(s): _____ <input type="checkbox"/> Exception request* <input type="checkbox"/> Not Applicable* *Provide documentation, see below.
<p>5B) Electric Vehicle Charging: Nonresidential New Construction/Additions/Alterations (EMC 23.12.110 E).</p> <p>For any new nonresidential development or any nonresidential alteration or addition that requires a building permit with square footage larger than 10,000 sq. ft. as determined by the City of Encinitas Building Division, at least eight (8) percent of the total number of parking spaces provided for all types of parking facilities, but in no case less than one, shall be electric vehicle charging spaces (EV spaces). Each such space shall be equipped with, at a minimum, fully operational Level 2 electric vehicle supply equipment (EVSE).</p> <p>These requirements are in addition to State Code requirements for EV capable and off-street loading spaces.</p>	<p>To be completed by Applicant:</p> <input type="checkbox"/> Required* Plan Sheet Reference(s): _____ <input type="checkbox"/> Exception request* <input type="checkbox"/> Not Applicable* *Provide documentation, see below.

For 5A, and 5B, complete as applicable to EMC 23.12.110 E and T24 Part 11 for your project.

Total number of ports by charger type: EV Capable: _____ EV Ready: _____ Level 2: _____

DC Fast: _____ Off-street loading spaces: _____

Definitions:

EV-Ready: Energized electrical outlets installed at the time of construction that are capable of charging an EV when a charging station is installed the future.

EV-Capable: A parking space linked to a listed electrical panel with sufficient capacity to provide at least 110/120 volts and 20 amperes to the parking space.

Off-street loading spaces: Reserved for medium- and heavy-duty EV charging cabinets and charging dispensers.

***For 5A and 5B, substantiate any request for exception or non-applicability. Submit any necessary supplementary documentation.**

DETERMINATION OF COMPLETION

By signing below, applicant confirms having read, understood, and filled out the checklist truthfully and accurately and hence affirming compliancy of the Encinitas Local Energy Ordinance 2022-13 and Green Building Ordinance 2022-14.

Applicant Name (print) _____ Signature _____ Date: _____