

ORDINANCE NO. 2014-12-02-1205

AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.72 OF THE STOCKTON MUNICIPAL CODE, GREEN BUILDING STANDARDS, GENERAL PROVISIONS: APPLICABILITY

SECTION I. FINDINGS AND INTENT.

The City Council of the City of Stockton finds that the building standards, rules, and regulations established in the California Building Standards Code, as provided by California Health and Safety Code section 17922, shall be adopted and incorporated by reference into the SMC.

The City Council finds that the location of Stockton within an area of expansive clay soils, the proximity of the City to the San Joaquin River Delta system, and the extreme hot summer temperatures with very low humidity, seasonal winds of high velocities, extreme seasonal visibility reduction due to thick fog, and the current pattern of development in relation to the location of emergency services require the following amendments, additions, and deletions to the standards, rules, and regulations to mitigate unique local climatic, geological, topographical conditions and impose substantially the same requirements as are contained in the uniform model industry codes, as provided in California Health and Safety Code sections 17958, 17958.5, and 17958.7.

The City Council further finds those existing provisions of Title 15 of the SMC which are not hereby adopted, amended, or repealed are amendments, additions, or deletions to the standards, rules, and regulations of the Uniform Model Codes which are necessary to mitigate the above noted unique local conditions and continue to impose substantially the same requirements of the California Model Codes.

The City Council further finds that the provisions of Title 15 of the SMC will require that buildings consume no more energy than that permitted by State of California Title 24, Part 6, exceed the energy efficiency requirements of Title 24, Part 6, and are cost-effective.

SECTION II. AMENDMENT OF CODE.

15.72 GREEN BUILDING ORDINANCE

15.72.010 Purpose

The purpose of this code is to improve the public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts that result in reduced negative impact or positive impact on the environment. The City of Stockton is required to comply with Assembly Bill 32 (AB 32), the Global Warming

Solutions Act of 2006, which requires a reduction in greenhouse gas (GHG) emissions and the 2008 Settlement Agreement with the California Attorney General and the Sierra Club. This ordinance is a tool to implement GHG reductions through improvements to the built environment, consistent with the goals of AB 32; in compliance with the requirements of the California Environmental Quality Act; and, an aid in implementing the goals, objectives, policies, and strategies established in the Stockton General Plan. It is the intent of this ordinance to establish regulations that are equally or more stringent than the requirements of state law. Unless specifically prohibited by state law, requirements established by this ordinance that are more stringent than state law shall be given full effect. This ordinance will be reviewed a minimum of every 5 years from the date of adoption, and updated as needed.

15.72.020 General Provisions: Applicability

- A. This title shall not in any manner affect the permissible use of property, density/intensity of development, design and improvement standards, design review and other applicable standards or requirements of this code, all of which shall be operative and remain in full force and effect without limitation.

- B. This title shall not in any manner preclude any applicant from implementing additional green strategies or to earn certification per the Leadership in Energy and Environmental Design (LEED), Green Point Rated, Living Building Challenge or other similar third-party verified green building rating systems, provided that these rating systems meet or exceed the requirements of the California Building Standards Code, Title 24, Part 4 (energy code) and Part 11, (CALGreen).

- C. All new construction, additions, alterations, and repairs shall demonstrate compliance with the applicable requirements the 2013 California Building Energy Efficiency Standards, Title 24, Part 6 of the California Building Code.

When conditions warrant the City Council may request that staff propose for adoption of an enhanced green building program (ordinance).

///

///

///

///

///

///

SECTION III. EFFECTIVE DATE.

This ordinance shall take effect and be in full force and effect thirty (30) days after its passage.

ADOPTED: December 02, 2012

EFFECTIVE: January 01, 2015



ANTHONY SILVA, Mayor
of the City of Stockton

ATTEST:



BONNIE PAIGE
City Clerk of the City of Stockton

