Additions are underlined.
Deletions are ~~struck through.~~
Revision markers are noted in left or right margins as vertical lines.

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF NAPA COUNTY, STATE OF CALIFORNIA, AMENDING VARIOUS SECTIONS OF TITLE 15, BUILDINGS AND CONSTRUCTION, OF THE NAPA COUNTY CODE TO REDUCE GREENHOUSE GAS EMISSIONS AND REDUCE THE IMPACTS OF CLIMATE CHANGE

WHEREAS, the 2023 Napa County Safety Element as a part of the General Plan states: "Due to its geographic location and environmental conditions, Napa County is expected to experience worsening impacts from air pollution, extreme weather, flooding, sea level rise, and wildfires," and Goal SAF-3 in the Safety Element says: "The County will address and reduce hazards caused by climate change, with climate change adaptation;" and

WHEREAS, the 2022 Regional Greenhouse Gas (GHG) Emissions Inventory indicated that building energy use resulted in the release of 279,592 tons of metric tons of carbon dioxide equivalent (MTCO2e) in 2019, which comprised 22.9 percent of all GHGs emitted in Napa County that year; and

WHEREAS, on October 27, 2023, the Climate Action Committee formed under the "Cooperative Joint Powers Agreement (JPA) to Fund and Administer the Napa Countywide Climate Action Program" recommended that all member jurisdictions adopt a building "reach" code to further reduce GHG emissions; and

WHEREAS, the California Energy Code, adopted by the Board of Supervisors with modifications in 2022, allow local jurisdictions to adopt stricter conservation standards to lower energy demand and reduce GHG emissions; and

WHEREAS, the Board of Supervisors desires to adopt standards that are more restrictive than the California Energy Code to provide for greater greenhouse gas emissions reductions than are currently required, thereby reducing the impacts of climate change.

NOW, THEREFORE, the Board of Supervisors of Napa County, State of California, ordains as follows:

SECTION 1. A new Section 15.29.030 (Options for homebuyers.) is added to Chapter 15.29 (ENERGY CODE) of the Napa County Code to read in full as follows:

15.29.030 Options for homebuyers

Section 100.0.(e).2.D is amended to read as follows:

D. **Single-family buildings.**
   i. Sections applicable. Sections 150.0 through 150.1 apply to newly constructed single-family buildings.
   ii. Compliance approaches. In order to comply with Part 6 newly constructed single-family buildings must meet the requirements of:
      a. Mandatory measures: The applicable provisions of Sections 110.0 through 110.10, and 150.0; and
      b. Either:
         (i) Performance approach: Sections 150.1(a) and (b); or
         (ii) Prescriptive approach: Sections 150.1(a) and

         Exception to Section 100.0(e)2Diib: Seasonally occupied agricultural housing limited by state or federal agency contract to occupancy not more than 180 days in any calendar year.
   iii. Designers, builders, licensed contractors, professionals, or other owner designees of newly constructed single-family buildings shall provide all owners with the option of installing a stationary storage battery system and/or all-electric appliances.

SECTION 2. A new Section 15.29.040 (Definitions.) is added to Chapter 15.29 (ENERGY CODE) of the Napa County Code to read in full as follows:

15.29.040 Definitions.

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

CERTIFIED ENERGY ANALYST is a person registered as a Certified Energy Analyst with the California Association of Building Energy Consultants as of the date of submission of a Certificate of Compliance as required under Section 10.103.

FREE-STANDING ACCESSORY DWELLING UNIT is a detached building that is not intended for sale separate from the primary residence, except pursuant to Government Code Sections 66340 *et seq.*,-on a lot that is zoned for single-family or multifamily use, located on the same lot as an existing dwelling, and does not exceed 1,200 -square-feet of total floor area.

SECTION 3. A new Section 15.29.050 (Electric readiness for nonresidential structures.) is added to Chapter 15.29 (ENERGY CODE) of the Napa County Code to read in full as follows:

15.29.050 Electric readiness for nonresidential structures.

A new section, 120.9.(d), is added to read as follows:

120.9(d) Where systems using gas are installed, dedicated circuits at the main building panel shall be provided with sufficient power to support future conversion of all fossil fuel-fired service water heating appliances to electric appliances.

SECTION 4. A new Section 15.29.060 (Electric readiness for single-family units.) is added to Chapter 15.29 (ENERGY CODE) of the Napa County Code to read in full as follows:

15.29.060 Electric readiness for single-family units.

The first two paragraphs of Section 150.0 are modified to read as follows:

SECTION 150.0 – MANDATORY FEATURES AND DEVICES
Single-family residential buildings shall comply with the applicable requirements of Sections 150(a) through 150.0(v).

NOTE: The requirements of Sections 150.0(a) through 150.0(r) and 150.0(t)3 apply to newly constructed buildings. Sections 150.2(a) and 150.2(b) specify which requirements of Sections 150.0(a) through 150.0(r) also apply to additions or alterations.

Section 150.0.(t) is modified to read as follows:

(t) Heat Pump Space Heater Ready.
Systems using gas ~~or propane~~ furnaces to serve individual dwelling units shall include the following:

1. A dedicated 240-volt branch circuit wiring shall be installed within 3-feet from the furnace and accessible to the furnace with no obstructions. The branch circuit conductors shall be rated at 30 amps minimum. The blank cover shall be identified as “240V ready”. All electrical components shall be installed in accordance with the California Electrical Code.
2. The main electrical service panel shall have a reserved space to allow for the installation of a double pole circuit breaker for a future heat pump

space heater installation. The reserved space shall be permanently marked as "For Future 240V use".

3. A designated exterior location for a future heat pump compressor unit with either a drain or natural drainage for condensate.

SECTION 5. A new Section 15.29.070 (Performance requirements for single-family units.) is added to Chapter 15.29 (ENERGY CODE) of the Napa County Code to read in full as follows:

15.29.070 Performance requirements for single-family units.

A new section, 150.1.(b).1.A, is added to read as follows:

In addition, the total source energy (EDR1) of the Proposed Design Building shall be less than the EDR1 of the Standard Design Building by a compliance margin of 13.

EXCEPTION 1 to Section 150.1(b)1.A. A Free-Standing Accessory Dwelling Unit.

EXCEPTION 2 to Section 150.1(b)1.A. If the Certificate of Compliance is prepared and signed by a Certified Energy Analyst, compliance margin may be reduced by one point, but in no event shall be less than zero.

SECTION 6. A new Section 15.29.080 (Electric Vehicle (EV) charging for new single-family units and duplexes.) is added to Chapter 15.29 (ENERGY CODE) of the Napa County Code to read in full as follows:

15.29.080 Electric Vehicle (EV) charging for new single-family units and duplexes.

A new section, A4.106.8, is added to read as follows:

New construction of one- and two-family units, including townhouses, with attached garages shall comply with Section A4.106.8.a to facilitate the installation and use of EV ready spaces. Electric vehicle supply equipment (EVSE) shall comply with the California Electrical Code. The following requirements shall apply:

1. Tier 1 and Tier 2. For each dwelling unit, a dedicated 208/240-volt branch circuit shall be installed in the raceway required by Section 4.106.4.1. The branch circuit and associated overcurrent protective device shall be rated at 40 amperes minimum. Other electrical components, including a receptacle or blank cover, related to this section shall be installed in accordance with the California Electrical Code.

2. The service panel or subpanel circuit directory shall identify the overcurrent protective device designated for future EV charging purposes as "EV READY" in accordance with the California Electrical Code. The receptacle or blank cover shall be identified as "EV READY."

SECTION 7. A new Section 15.29.090 (Electric readiness for multifamily units.) is added to Chapter 15.29 (ENERGY CODE) of the Napa County Code to read in full as follows:

15.29.090 Electric readiness for multifamily units.

A new section, 160.4.(g) is added to read as follows:

Systems using gas water heaters that do not serve individual dwelling units shall include dedicated circuits at the main building panel with sufficient power to support future conversion of all fossil fuel-fired service water heating appliances to electric appliances.

SECTION 8. A new Section 15.29.100 (Performance requirements for multifamily units.) is added to Chapter 15.29 (ENERGY CODE) of the Napa County Code to read in full as follows:

15.29.100 Performance requirements for multifamily units.

Section 170.1 is modified to read as follows:

SECTION 170.1 – PERFORMANCE APPROACH: ENERGY BUDGETS
A building complies with the performance approach if the TDV energy budget calculated for the Proposed Design Building under Subsection (b) is no greater than the TDV energy budget calculated for the Standard Design Building under Subsection (a). Additionally, the energy budget, expressed in terms of source energy, of a newly constructed low-rise multifamily building (less than four habitable stories) shall be at least ten percent (10%) lower than that of the Standard Design Building.

EXCEPTION 1 to Section 170.1. If the Certificate of Compliance is prepared and signed by a Certified Energy Analyst, the compliance margin may be reduced to by one percentage point, but in no event shall be less than zero.

SECTION 9: The Board finds that the adoption of this Ordinance will not have a significant effect on the environment and is exempt from the California Environmental Quality Act pursuant to Categorical Exemption Class 3 ("New Construction or Conversion of Small Structures") which may be found in the guidelines for the implementation of the CEQA at 14

CCR §15303; and the General Rule in that it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore the CEQA is not applicable. [See Guidelines for the Implementation of the CEQA 14 CCR §15061(b)(3).]

SECTION 10: It is hereby declared to be the intention of the Board of Supervisors that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, section, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 11: This Ordinance shall take effect thirty (30) days from and after the date of its certification by the California Building Standards Council (BSC).

SECTION 12: A summary of this Ordinance shall be published at least once five (5) days before adoption and at least once before the expiration of fifteen (15) days after its passage in the Napa Valley Register, a newspaper of general circulation published in Napa County, together with the names of members voting for and against the same.

The foregoing Ordinance was introduced and read at a regular meeting of the Napa County Board of Supervisors, State of California, held on the 9th day of July, 2024, and passed at a regular meeting of the Napa County Board of Supervisors, State of California, held on the 9th day of July, 2024, by the following vote:

AYES: SUPERVISORS _____

_____

NOES: SUPERVISORS _____

ABSTAIN: SUPERVISORS _____

ABSENT: SUPERVISORS _____

NAPA COUNTY, a political subdivision of the State of California

_____
JOELLE GALLAGHER, Chair of the Board of Supervisors

APPROVED AS TO FORM Office of County Counsel	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS	ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors
By: *Jason M. Dooley* Deputy County Counsel By: */S/ Brandon Aguilera* County Code Services Date: 5/29/2024	Date: ____, 2024 Processed By: _____ Clerk of the Board	By: _____

I HEREBY CERTIFY THAT THE ORDINANCE ABOVE WAS POSTED IN THE OFFICE OF THE CLERK OF THE BOARD IN THE ADMINISTRATIVE BUILDING, 1195 THIRD STREET ROOM 310, NAPA, CALIFORNIA ON _____.

_____
NEHA HOSKINS, CLERK OF THE BOARD