



CITY OF ENCINITAS

Nonresidential Solar Photovoltaic Regulations

Encinitas Municipal Code Section 23.12.080.B



What projects are affected?

Ordinance 2021-13, adopted by City Council on October 27, 2021, effects all **new** nonresidential, certain multi-unit residential, and hotel/motel buildings as well as all **existing** non-residential, certain multi-unit residential, and hotel/motel buildings **additions that increase 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 gross floor area.** The ordinance is effective on August 2, 2022 as part of EMC Section 23.12.080.B.

What are the requirements?

Required solar photovoltaic (PV) equipment shall be sized according to ONE of the following methods:

1) Based on Gross Floor Area of Building:

Gross floor area \geq 10,000 sq. ft.: at least 15 kilowatts direct current (kWdc) per 10,000 sq. ft. of gross floor area.

Note: PV system size = 15 kWdc X (Gross Area / 10,000 sq. ft.) where resulting product shall be rounded to nearest whole number. For example, an applicant with a 126,800 sq. ft. building shall install a minimum 191 kWdc PV system; or

Gross floor area < 10,000 sq. ft.: a minimum size of 5 kWdc.

Note: Applicants are encouraged to right-size PV systems based on buildings' electrical demand to improve system's cost effectiveness. Applicants should also ensure that the PV system meets electrical corporation net energy metering (NEM) requirements, if applicable.

2) Based on Time Dependent Valuation (TDV):

The installed PV system must offset 80% of the building's TDV energy on an annual basis. Total building TDV energy use shall include both conditioned and unconditioned space and be calculated using modeling software or other methods approved by the Development Services Director or their designee.

Are there any exceptions?

1) The requirement may be waived or reduced:

- a. On a case-by-case basis, where it is determined that there are sufficient practical challenges that make compliance infeasible, including: Building site location; Limited rooftop availability; Shading from nearby structures, topography, or vegetation; or Structural load limitations.
- b. By the maximum extent necessary, if it is determined that this requirement through the use of alternative on-site renewable generation, such as wind energy systems.

2) Applicants may comply:

- a. By voluntarily installing ground mounted PV; or
- b. By enrolling in a local utility provider's renewable energy portfolio program that provides the greatest available percentage of electrical power from renewable energy sources.

3) Greenhouse structures used for commercial cultivation, educational purposes, or the conservancy of plants or animals are exempted from this requirement.

4) Aesthetic exterior only façade alterations are excluded from the permit valuation calculation.

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Compliance Pathway

