

ORDINANCE NO. 2061

AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, AMENDING SECTION 18.60.050 ("ELECTRIC POWER PLANTS AND WATER WELLS") OF CHAPTER 18.60 ("SPECIAL USE REGULATIONS APPLICABLE TO CERTAIN ZONING DISTRICTS"), OF TITLE 18 ("ZONING") OF "THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA," RELATED TO ELECTRIC POWER PLANTS.

BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

SECTION 1: Section 18.60.050 ("Electric Power Plants and Water Wells") of Chapter 18.60 ("Special Use Regulations Applicable To Certain Zoning Districts"), Of Title 18 ("Zoning") of "The Code Of The City Of Santa Clara, California," is hereby amended to read as follows:

"18.60.050 Electric power plants and water wells.

- (a) The construction or operation of electric power plants, or the drilling, construction, or operation of water wells, is permitted only in the MP, ML, MH, PD, or B zoning districts. Water wells and electric power plants (excluding fuel cells and photovoltaic panels), shall first secure a use permit in each case as provided in Chapter 18.110 SCCC.
- (b) All power plants, except fuel cells, shall not exceed state of California emissions requirements. Emissions requirements can be met in whole or in part by purchasing renewable energy credits, or offsets that meet CARB requirements.
- (c) For purposes of this section, "fuel cells" means all equipment, fixtures, and personal property operated or maintained in connection with a direct energy conversion device that converts chemical energy into electrical energy, or vice versa, using an electrochemical reaction.

(d) For purposes of this section, “state of California emissions requirements” shall mean the requirements applicable to retail sales of electricity to California end-use customers under Public Utilities Code Section 454.53, subdivision (a), and the interim targets established by the California Energy Commission (CEC) under Public Utilities Code Section 399.15, subdivision (b), pursuant to the Renewable Portfolios Standard (RPS) Program, as set forth below. Should these targets be amended by legislation or regulatory changes to be more stringent, the more stringent requirements shall be applicable under this section.

- a. 44 percent by December 31, 2024
- b. 52 percent by December 31, 2027
- c. 60 percent by December 31, 2030
- d. 90 percent by December 31, 2035
- e. 95 percent by December 31, 2040
- f. 100 percent by December 31, 2045

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SECTION 2. Effective date. This ordinance shall take effect thirty (30) days after its final adoption; however, prior to its final adoption it shall be published in accordance with the requirements of Section 808 and 812 of "The Charter of the City of Santa Clara, California."

PASSED FOR THE PURPOSE OF PUBLICATION this 9TH day of May, 2023,

by the following vote:

AYES:	COUNCILORS:	Becker, Chahal, Hardy, Jain, Park, and Watanabe, and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST:



NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None