

DOCKETED	
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Project Title:	Local Ordinance Applications Exceeding the 2022 Energy Code
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Document Title:	City of Mill Valley Cover Letter
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September 05, 2025

Mr. Drew Bohan, Executive Director
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

Electronic Delivery to: Anushka.raut@energy.ca.gov

**Re: California Energy Commission Approval Requested:
Local Amendment to the California Building Standards Code – City of Mill Valley
Ordinance No. 1340 (Tier 1) and Ordinance No. 1360 (Flex Path Standards)**

Dear Mr. Bohan,

Please be advised that the City of Mill Valley has adopted amendments to the 2022 Edition of the California Building and Energy Efficiency Standards Code via City Council adoption of Ordinance No. 1340 and Ordinance No. 1360.

In accordance with Public Resources Code Section 25402.1 (h)2 and Section 10-106 of the Building Energy Efficiency Standards, this package includes supporting materials related to two ordinances adopted by the City of Mill Valley that establish local regulations that have more stringent energy requirements than those set by California's 2022 Building Energy Efficiency Standards Title 24, Part 6. Note that these local code amendments align with Mill Valley's greenhouse gas emission reduction targets originally established in the City's Climate Element Chapter of the Mill Valley 2040 General Plan (adopted in 2016) and as recently updated in the City's Climate Action Plan and Climate Element Update (adopted May 6, 2024). More specifically, the local amendments established in the two proposed ordinances align and implement the City's current greenhouse gas emissions reduction strategy as directed in the City's General Plan policy guidance and with detailed emission reduction targets and implementation strategies identified in the City's Climate Action Plan adopted on May 6, 2024.

Details of the local amendments contained in the two adopted ordinances are summarized below, with supporting attachments related to the approval, cost-effectiveness and local conditions are enclosed.

Ordinance 1340 (Attachment 2a) to adopt Appendix Chapter A4 and Appendix Chapter A5, Tier 1 Residential and Nonresidential Voluntary Measures. At its regular meeting on October 17, 2022, the City Council approved the first reading of the Ordinance No. 1340 amending the 2022 California Energy Code, Title 24, Part 6. The ordinance was adopted at the second reading on December 5, 2022. The City

made the determination at a public meeting that mandating the enclosed ordinance is: 1) consistent with the City's General Plan, particularly measures RE-C1, RE-C3(a-c), EE-C4, and EE-C5 which address efforts to promote energy efficiency, support electrification, and adopt reach codes; 2) cost effective based on a cost effectiveness study prepared by the California Energy Codes and Standards team and 3) exempt from the California Environmental Quality Act pursuant to section 15061(b)(3). This ordinance was not previously submitted to the CEC for approval; therefore, it is included in this package.

Ordinance 1360 (Attachment 2b) to adopt Flex Path Requirements for Single-Family Renovations of 500 square feet or more. At its regular meeting on August 11, 2025, the City Council approved the first reading of the enclosed Ordinance No. 1360 amending the 2022 California Energy Code, Title 24, Part 6. The ordinance was adopted at the second reading on August 18, 2025. The City made the determination at a public meeting that mandating the enclosed ordinance is: 1) consistent with the City's General Plan, particularly measures RE-C1, RE-C3(a-c), EE-C4, and EE-C5 which address efforts to promote energy efficiency, support electrification, and adopt reach codes ; 2) cost effective based on a cost effectiveness study prepared by the California Energy Codes and Standards team and 3) exempt from the California Environmental Quality Act pursuant to section 15061(b)(3).

Supporting materials enclosed include the following:

Letter of Support from Building Official:

- **Attachment 1:** A letter from the Chief Building Official to the Executive Director of the CEC about the changes to the local green building and building energy efficiency standards to adopt Tier 1 requirements (Ordinance No. 1340) and Flex Path Standards (Ordinance 1360).

Signed Ordinances:

- **Attachment 2a:** Signed Ordinance No. 1340, which adopts updates to the City's building standards, including requirements for energy reach standards beyond Title 24, Part 6 baseline for residential and non-residential buildings. This provides clear requirements that buildings be designed to consume no more energy than permitted by Part 6.
- **Attachment 2b:** Signed Ordinance No. 1360, which adopts updates to the City's building standards, including requirements for energy reach standards beyond Title 24, Part 6 baseline for certain residential additions and alterations. The amended reach standards use a flexible compliance pathway as developed by the California Energy Codes and Standards Team.

Supporting Staff Reports:

- **Attachment 3a:** Staff reports that accompanies Ordinance No. 1340 (first and second reading)
- **Attachment 3b:** Staff report that accompanies Ordinance No. 1360 (first reading)

Mark-up Illustration of Changes to the State Code:

- **Attachment 4a:** A markup of a portion of Ordinance No. 1340 showing changes to the relevant State codes.
- **Attachment 4b:** A markup of Ordinance No. 1360 showing changes to the State code.

Evidence of Cost Effectiveness:

- **Attachment 5a:** Downloaded data from the Cost Effectiveness Explorer documenting that the Ordinance 1360 requirements have been found to be cost effective in Mill Valley (climate zone 3) based on studies prepared by California Energy Codes and Standards team. Additionally, this attachment includes cost effectiveness studies for new construction prepared by the California Energy Codes and Standards team supporting that the Ordinance 1340 requirements have also been found to be cost effective.
- **Attachment 5b:** Memo on the application of the 2022 Studies to the 2025 Energy Code for Existing Single Family Building Upgrades prepared by the State Reach Codes team.

Documentation of Local Conditions:

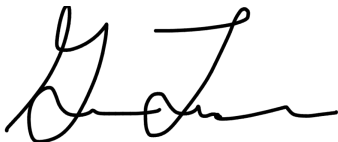
- **Attachment 6:** Resolution for Ordinance 1340
- **Attachment 2b:** See Ordinance 1360 with findings set forth in Section 4 of the Ordinance (starting on page 11)

Evidence of CEQA compliance: The Council found that both ordinances are exempt from the requirements of CEQA under the commonsense exemption in CEQA Guidelines section 15061(b)(3) on the grounds that these standards are more stringent than the State energy standards, there are no reasonably foreseeable adverse impacts and there is no possibility that the activity in question may have a significant effect on the environment.

- **Attachment 7:** Notice of Exemption for Ordinance 1360
- **Attachment 2a and 2b:** See Ordinances, both of which contain a Section on “CEQA findings” approved by City Council as part of the adoption of the Ordinances

The City of Mill Valley would like to express to you our firm commitment to enforce the 2022 Title 24, Part 6 Building Energy Efficiency Standards of the California Building Code as part of the implementation of our local energy ordinances. Ordinance No. 1340 (Tier 1) and Ordinance No. 1360 (Flex Path Standards) ensures that residential and non-residential buildings in the City work to achieve the City (and State) greenhouse gas emission reduction targets in a cost-effective manner for residents and property owners.

Sincerely,

A handwritten signature in black ink, appearing to read 'Grace Ledwith', with a stylized flourish at the end.

Grace Ledwith
Climate Action Coordinator
City of Mill Valley