

DOCKETED	
Docket Number:	22-BSTD-07
Project Title:	Local Ordinance Applications Exceeding the 2022 Energy Code
TN #:	266549
Document Title:	City of Mill Valley Mark up of Ordinance No 1340
Description:	Plain text of City of Mill Valley Mark up of ordinance no. 1340
Filer:	Anushka Raut
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	10/13/2025 2:50:28 PM
Docketed Date:	10/13/2025

All references to a “Board of Appeals” or “board” shall be deemed for purposes of the Mechanical Code of the City of Mill Valley to be references to the City Council of Mill Valley. Appeals of the Mechanical Code of the City of Mill Valley shall be consistent with the same processes found in 14.05.030 of the Mill Valley Municipal Code.”

SECTION 6: Section 14.05.026 of Chapter 14.05 of the Mill Valley Municipal Code is hereby amended to read as follows:

“14.05.026 California Plumbing Code, 2019 Edition, adopted by reference.

Except as hereinafter provided, Title 24, Part 5 of the California Code of Regulations, known as the 2022 California Plumbing Code (CPC), incorporating the 2021 edition of the Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials, and the appendices thereof, is hereby adopted by reference and incorporated as though fully set forth in this Section. This code shall constitute the Plumbing Code of the City of Mill Valley, and may be cited as such.

- A. CPC section 107.0, inclusive of section 107.1 and 107.2, is hereby deleted and replaced as follows:

All references to a “Board of Appeals” or “board” shall be deemed for purposes of the Mechanical Code of the City of Mill Valley to be references to the City Council of Mill Valley. Appeals of the Plumbing Code of the City of Mill Valley shall be consistent with the same processes found in 14.05.030 of the Mill Valley Municipal Code.”

SECTION 7: Section 14.48.010 of Chapter 14.48 of the Mill Valley Municipal Code is hereby amended to read as follows:

“14.48.010 California Green Building Standards Code adopted by reference.

The City hereby adopts by reference the 2022 edition of the California Green Building Standards Code, Title 24, Part 11 of the California Code of Regulations (“CALGreen”), including the following Appendix chapters and together with those amendments, additions, and deletions set forth in this Chapter 14.48 of the Mill Valley Municipal Code:

- A. Appendix Chapter A4 - Residential Voluntary Measures (Tier 1 levels for new construction, as defined in Section 14.48.030)
B. Appendix Chapter A5 - Nonresidential Voluntary Measures (Tier 1 levels for new construction, as defined in Section 14.48.030)

This code, together with amendments, additions, and deletions set forth in Chapter 14.48, shall constitute the Green Building Standards of the City of Mill Valley and may be cited as such.”

SECTION 8: Section 14.48.020 of Chapter 14.48 of the Mill Valley Municipal Code is hereby amended to read as follows:

“14.48.020 Local amendments to the California Green Building Standards Code.

The 2022 California Green Building Standards Code (“CALGreen”) adopted herein by reference is hereby amended by the following additions, deletions, and amendments, together with such changes made by Sections 14.48.030 through 14.48.070:

Section 202 of Chapter 2 is hereby amended by revising the definitions of Electric Vehicle Charging Station and of Newly Constructed (or New Construction) to read as follows:

ELECTRIC VEHICLE CHARGING STATION (EVCS). One or more electric vehicle charging spaces served by electric vehicle charger(s) or other charging equipment allowing charging of electric vehicles. For purposes of determining compliance with accessibility requirements, when the permitted length of time a vehicle may occupy an electric vehicle charging station differs from the permitted duration of stay in publicly accessible parking spaces in the same parking area, electric vehicle charging stations are not considered parking spaces. When the permitted duration of stay in a space served by electric vehicle charger(s) is the same as other publicly accessible parking spaces in the same parking area, EVCS may be considered parking spaces. The EVCS need not be reserved exclusively for electric vehicle charging.

NEWLY CONSTRUCTED (or NEW CONSTRUCTION). A newly constructed building (or new construction) includes the production of new or replacement building(s) and major remodels.

Section 301.1 of Chapter 3 is hereby amended by replacing the first sentence with the following:

301.1 Scope. Buildings shall be designed to comply with the applicable requirements of the Mill Valley Municipal Code beginning at Chapter 14.48.010, and shall also include the green building measures specified as mandatory in the application checklists contained in this code.

Section 301.1.1 of Chapter 3 is hereby amended by replacing the first sentence with the following:

301.1.1 Additions and alterations. The mandatory provisions of Chapter 4 shall be applied to additions and alterations of existing residential buildings, in accordance with applicable requirements of Chapter 14.48 of the Mill Valley Municipal Code.

Section 301.3 of Chapter 3 is hereby amended by replacing the first sentence with the following:

301.3 Nonresidential additions and alterations. The provisions of individual sections of Chapter 5 apply to newly constructed buildings and building additions and alterations (for occupancies within the authority of California Building Standards Commission).

Section 4.106.4.2 of Chapter 4 is hereby amended to read in its entirety as follows:

Section 4.106.4.2 New multifamily dwellings, Hotel and Motels and New Residential Parking Facilities. If residential parking is available, the number of spaces designated for the project type as outlined in Table 1 of Section 14.48.040 of the Mill Valley Municipal Code, provided for all types of parking facilities, shall be electric vehicle charging spaces (EV spaces) capable of supporting future EVSE. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.

Section 5.106.5.3 of Chapter 5 is hereby amended by replacing the first sentence with the following:

Section 5.106.5.3 Electric vehicle (EV) Charging. Construction shall comply with Section 5.106.5.3.1, using the space requirements designated for the project type as outlined in Table 1 of Section 14.48.040 of the Mill Valley Municipal Code, to facilitate future installation of electric vehicle supply equipment (EVSE).

Section A4.106.8.2.1 of Appendix A4 is hereby amended by revising “Tier 1” to read as follows:

The number of spaces designated for the project type as outlined in Table 1 of Section 14.48.040 of the Mill Valley Municipal Code, provided for all types of parking facilities, but in no case less than one, shall be electric vehicle charging spaces (EV spaces) capable of supporting future EVSE. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.”

SECTION 9: Section 14.48.040 of Chapter 14.48 of the Mill Valley Municipal Code is hereby amended to read as follows:

“14.48.040 Green building requirements by project type.

The Mill Valley Municipal Code defines compliance thresholds for different projects that are covered by this chapter. These standards are outlined below in Table 1.

Table 1: Requirements by Project Type and Size			
<u>Project Type and Size</u>	<u>Green Building Requirements</u>	<u>Additional Energy Efficiency Requirements</u>	<u>Electric Vehicle Requirements</u>

<u>Single and Two-Family New Construction</u>	<u>CALGreen Tier 1, including Section A4.2 (Energy Efficiency)</u>	<u>“All-electric”, meeting the requirements outlined for the project in the 2019 Building Energy Efficiency Standards</u> <u>OR</u> <u>“Limited mixed-fuel”, prewired for future induction cooking, with an Efficiency EDR Compliance Margin of 3, demonstrated on Title 24 energy reports</u> <u>OR</u> <u>“Mixed-fuel”, prewired for future induction cooking, with an Efficiency EDR Compliance Margin of 3 and a Total EDR Compliance Margin of 10, demonstrated on Title 24 energy reports</u> <u>See Section 14.48.030 for applicable definitions of “All-electric”, “Limited mixed-fuel”, and “Mixed-fuel”</u>	<u>Comply with CALGreen Measure A4.106.8.1</u>
<u>Single and Two-Family Additions and Alterations less than 1,200 square feet</u>	<u>CALGreen Mandatory</u>	<u>Meet the standards outlined for the project in the 2022 Building Energy Efficiency Standards</u>	<u>If the project is upgrading the main electrical service panel, comply with CALGreen Measure A4.106.8.1</u>
<u>Single and Two-Family Additions and Alterations 1,200 square feet or greater</u>	<u>CALGreen Tier 1 Section A4.2 (Energy Efficiency)</u>	<u>Meet the standards outlined for the project in the 2022 Building Energy Efficiency Standards</u>	

<u>Multifamily New Construction 3 stories or less</u>	<u>CALGreen Tier 1, including Section A4.2 (Energy Efficiency)</u>	<u>“All-electric”, meeting the requirements outlined for the project in the 2022 Building Energy Efficiency Standards</u> <u>OR</u> <u>“Limited mixed-fuel”, prewired for future induction cooking, with an Efficiency EDR Compliance Margin of 0.5, demonstrated on Title 24 energy reports</u> <u>OR</u> <u>“Mixed-fuel”, prewired for future induction cooking, with an Efficiency EDR Compliance Margin of 0.5 and a Total EDR Compliance Margin of 10, demonstrated on Title 24 energy reports.</u> <u>See Section 14.48.030 for applicable definitions of “All-electric”, “Limited mixed-fuel”, and “Mixed-fuel”</u>	<u>Build one electric vehicle charging space¹ per dwelling unit, as defined in Chapter 17.04.026 of Mill Valley Municipal Code (but not including an accessory dwelling unit), complying with technical requirements referenced in A4.106.8.2.1</u>
<u>Multifamily New Construction 4 stories or greater</u>	<u>CALGreen Tier 1, less Section A4.2 (Energy Efficiency)</u>	<u>“All-electric”, meeting the requirements outlined for the project in the 2022 Building Energy Efficiency Standards</u> <u>OR</u> <u>“Limited mixed-fuel”, prewired for future induction cooking, with a compliance margin of 5%, demonstrated on Title 24 energy reports</u> <u>OR</u> <u>“Mixed-fuel”, prewired for future induction cooking, with a compliance margin of 10%, demonstrated on Title 24 energy reports</u> <u>See Section 14.48.030 for applicable definitions of “All-electric”, “Limited mixed-fuel”, and “Mixed-fuel”</u>	
<u>Nonresidential Additions and Alterations less than 3,000 square feet</u>	<u>CALGreen Tier 1, less Section A4.2 (Energy Efficiency)</u>	<u>Meet the standards outlined for the project in the 2022 Building Energy Efficiency Standards</u>	<u>If the service panel is modified, add designated electrical capacity for 20%</u>

<u>Nonresidential Additions and Alterations 3,000 square feet or greater</u>	<u>Meet the standards outlined for the project in the 2022 Building Energy Efficiency Standards</u>	<u>of onsite parking spaces to be EV Capable¹.</u>
<u>New construction of hotels or motels</u>		<u>When parking lot surface is modified (paving material and curbing removed), add conduit to all exposed parking spaces. Where existing electrical service will not be upgraded in the existing project scope, designate capacity for parking spaces to the maximum extent that does not require an upgrade to existing electrical service.</u>

¹ Electrical service capacity shall be able to deliver a minimum 40 amperes at 208 or 240 volts multiplied by 20% of the total number of EV Spaces. The panelboard(s) shall have sufficient space to install a minimum of one 40-ampere dedicated branch circuit and overcurrent protective device per EV Space up to a minimum of 20% of the total number of EV Spaces. The circuits and overcurrent protective devices shall remain reserved exclusively for EV charging. An EV Load management system may be necessary in order to provide EV charging at more than 20% of EV Spaces.”

SECTION 10: The City Council of the City of Mill Valley finds that adoption of this ordinance is exempt from the California Environmental Quality Act (“CEQA”) under California Code of Regulations, Title 14, § 15061(b)(3), as it can be seen with certainty that there is no possibility that the adoption of this ordinance may have a significant effect on the environment.

SECTION 11: Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Mill Valley hereby declares that it would have adopted this ordinance and each section, subsection, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, clauses, phrases, or portions thereof may be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared severable.

SECTION 12: Effective Date and Publication. This ordinance shall become at 12:01 a.m. on January 1, 2023. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published or posted in the manner prescribed by law.