| DOCKETED | |
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| **Docket Number:** | 25-BSTD-04 |
| **Project Title:** | Applications for Local Ordinances Exceeding the 2025 Energy Code |
| **TN #:** | 268656 |
| **Document Title:** | Resolution finding building energy efficiency standards contained in Town of Corte Madera Ordinance No 1048 |
| **Description:** | Resolution No. 26-0211-03b Resolution finding building energy efficiency standards contained in Town of Corte Madera's Ordinance No 1048 satisfy statutory requirements under Public Resources Code section 25402.1(h)(2) |
| **Filer:** | Anushka Raut |
| **Organization:** | California Energy Commission |
| **Submitter Role:** | Commission Staff |
| **Submission Date:** | 2/17/2026 11:08:54 AM |
| **Docketed Date:** | 2/17/2026 |

**RESOLUTION NO: 26-0211-03b**

**STATE OF CALIFORNIA**

**STATE ENERGY RESOURCES**
**CONSERVATION AND DEVELOPMENT COMMISSION**

# RESOLUTION FINDING BUILDING ENERGY EFFICIENCY STANDARDS CONTAINED IN THE TOWN OF CORTE MADERA ORDINANCE NO. 1048 SATISFY STATUTORY REQUIREMENTS UNDER PUBLIC RESOURCES CODE SECTION 25402.1(h)(2)

**WHEREAS,** The Town of Corte Madera adopted Ordinance No. 1048, which establishes certain locally adopted building energy efficiency standards; and

**WHEREAS**, Public Resources Code section 25402(a) and (b) establishes that the California Energy Commission (CEC) shall prescribe, by regulation, statewide building energy efficiency and conservation standards; and

**WHEREAS**, Public Resources Code section 25402.1(h)(2) provides that nothing in Public Resources Code section 25402(a) or (b) shall prohibit the enforcement of city or county building energy efficiency standards if: (1) the city or county files the basis of its determination that the standards are cost-effective with the CEC and (2) the CEC finds that the locally adopted standards will require the diminution of energy consumption levels permitted by the rules and regulations adopted pursuant to Public Resources Code section 25402(a) and (b); and

**WHEREAS**, California Code of Regulations, Title 24, Part 1, section 10-106 establishes a process for local governmental agencies to submit an application to the CEC for a determination that locally adopted building energy efficiency standards meet the requirements set forth in Public Resources Code section 25402.1(h)(2); and

**WHEREAS**, The Town of Corte Madera submitted an application to the CEC that included (1) the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 1048 are cost-effective and (2) documentation that the locally adopted energy efficiency standards contained in Ordinance No. 1048 will require the diminution of energy consumption levels compared to the 2025 Building Energy Efficiency Standards (Energy Code), as required by California Code of Regulations, Title 24, Part 1, section 10-106, on October 28, 2025; and

**WHEREAS,** The Town of Corte Madera adopted a determination at a public meeting on October 21, 2025, that the locally adopted energy efficiency standards contained in Ordinance No. 1048 are cost-effective; and

**WHEREAS**, CEC staff has analyzed whether the locally adopted energy efficiency standards contained in Ordinance No. 1048 will require the diminution of energy consumption levels compared to the 2025 Energy Code, and determined that it will do so; and

**WHEREAS**, California Code of Regulations, Title 24, Part 1, section 10-106(b)(4) requires that the local governmental agency's application include any findings, determinations, declarations, or reports, including any negative declaration or environmental impact report, required pursuant to the California Environmental Quality Act, Public Resources Code section 21000 et seq.; and

**WHEREAS**, The Town of Corte Madera, in its application to the CEC, submitted the California Environmental Quality Act documentation required by California Code of Regulations, Title 24, Part 1, section 10-106(b)(4); and

**WHEREAS**, CEC staff has considered the application of the California Environmental Quality Act (CEQA) to approval of the Town of Corte Madera′s application to enforce its local energy efficiency ordinance and finds that the approval does not meet the definition of a "project" under California Code of Regulations, Title 14, section 15378(a), because the approval has no potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment; and

**WHEREAS**, Even if the approval was to be considered a project under CEQA, the project would either be an exempt ministerial project under California Code of Regulations, Title 14, section 15268, as the required CEC findings for approval are non-discretionary, or fall under the "common sense exemption" in California Code of Regulations, Title 14, section 15061(b)(3) because it can be seen with certainty that there is no possibility the approval of the Town of Corte Madera′s application would have a significant effect on the environment; and

**WHEREAS**, The locally adopted energy efficiency and conservation standards application filed by the Town of Corte Madera satisfies the requirements of California Code of Regulations, Title 24, Part 1, section 10-106; and

**THEREFORE, BE IT RESOLVED**, that, pursuant to Public Resources Code section 25402.1(h)(2), the CEC finds the following: (1) the Town of Corte Madera has filed the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 1048 are cost-effective, and (2) Ordinance No. 1048 will require the diminution of energy consumption levels compared to the 2025 Energy Code; and

**THEREFORE, BE IT FURTHER RESOLVED**, that on the basis of the entire record before it, the CEC hereby adopts staff′s finding that the approval of the Town of Corte Madera′s application to enforce its local energy efficiency ordinance is not subject to CEQA because it is not a project for purposes of CEQA, or if it is, the approval is ministerial and is otherwise exempt from CEQA pursuant to the Common-Sense Exemption (Cal. Code Regs., tit 14, 15061(b)(3)) because it can be seen with certainty

that there is no possibility that the activity will have a significant effect on the environment; and

**THEREFORE, BE IT FURTHER RESOLVED**, that the CEC directs the Executive Director to take all actions necessary to implement this Resolution.

## ***CERTIFICATION***

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on February 11, 2026.

AYE: Hochschild, Gunda, Gallardo
NAY: NONE
ABSENT: McAllister, Skinner
ABSTAIN: NONE

Kim Todd
Secretariat