

DOCKETED

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Project Title:	Local Ordinance Applications - 2016 Standards
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Document Title:	Carlsbad Local Ordinance Application Letter to Energy Commission
Description:	This is the cover letter addressed to the Executive Director of the Energy Commission for the City of Carlsbad's application for approval of reach codes addressing energy efficiency, photovoltaic energy systems, and water heating in residential and nonresidential buildings.
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Organization:	City of Carlsbad/Mike Peterson
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March 13, 2019

Mr. Drew Bohan
Executive Director
California Energy Commission
1516 9th Street
Sacramento, CA 95814-5514

Delivered via email to: Ingrid.Neumann@energy.ca.gov

Dear Mr. Bohan,

Please accept the City of Carlsbad's application for approval of reach codes addressing energy efficiency, photovoltaic energy systems, and water heating in residential and nonresidential buildings.

The attached ordinances were introduced in a public hearing by the Carlsbad City Council on February 26, 2019 and then adopted at a regular meeting on March 12, 2019. The adopted ordinances require the following:

Ordinance No. CS-347

- All new and certain alterations to existing nonresidential buildings shall comply with the Tier 1 energy efficiency provisions of the California Green Building Standards Code, Appendix A5, Division A5.2, as further described and amended in the ordinance.
- Certain additions and alterations to existing residential buildings shall include specified energy efficiency improvements, which vary according to a building's age at the time improvements are made.
- All new and certain alterations to existing nonresidential buildings shall install a photovoltaic system, based on gross floor area or time-dependent valuation of electricity use.
- All new nonresidential buildings shall derive their service water heating from a system that provides at least 40 percent of the energy needed for service water heating from on-site solar energy or recovered energy. Solar energy includes solar photovoltaics and solar water heating systems.

Ordinance No. CS-348

- All new residential buildings shall derive their service water heating from a system that provides at least 60 percent of the energy needed for service water heating from on-site

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solar energy or recovered energy. Solar energy includes solar photovoltaics and solar water heating systems.

Note that upon approval by the California Energy Commission, Ordinance No. CS-347 will become effective and enforceable immediately as part of the 2016 Title 24 Codes, Parts 6 and 11, while Ordinance No. CS-348 will become effective and enforceable as part of the 2019 Title 24, Part 6 Energy Code, beginning January 1, 2020.

The City Council has adopted express findings that the ordinances are cost-effective based on cost-effectiveness studies commissioned by PG&E¹ and the City of Carlsbad², and that they will require buildings to be designed to consume no more energy than permitted by the California Energy Code. The City Council further found that each of the amendments, additions and deletions of the California Green Building Standards Code and California Energy Code contained in the ordinances is necessary due to local climatic, geological, or topographical conditions. These findings are contained in the ordinances.

On September 22, 2015, the Carlsbad City Council certified program environmental impact report EIR 13-02 in compliance with the California Environmental Quality Act (CEQA). The program EIR 13-02 evaluated the potential environmental effects of the Carlsbad Climate Action Plan (CAP) implementation, including the adoption and enforcement of various ordinances intended to reduce greenhouse gas emissions through improved energy efficiency and increased use of renewable energy in buildings.

The City Planner reviewed Ordinances CS-347 and CS-348 and determined that: 1) adoption of these ordinances is a subsequent activity of the CAP for which program EIR 13-02 was prepared; 2) this activity is within the scope of the approved CAP and is adequately described in program EIR 13-02 for the purposes of CEQA Section 15168(c)(2) and (e); 3) the activity has no new significant environmental effect not analyzed as significant in program EIR 13-02; and 4) none of the circumstances requiring a subsequent or a supplemental EIR under CEQA Guidelines sections 15162 or 15163 exist. As such, no further environmental review under CEQA was required. These findings were published in a local newspaper of record 10 days prior to the City Council public hearing to consider the ordinances.

As the City of Carlsbad's chief building official, I affirm that the City of Carlsbad is strongly committed to enforcing Title 24, Part 6 Building Energy Efficiency Standards of the California Building Code as part of the implementation of our local energy ordinances. I will work with

¹ Residential energy efficiency requirements see: *Existing Building Efficiency Upgrade Cost-effectiveness Study*, Frontier Energy, Misti Bruceri & Associates, LLC, 6/8/18; Nonresidential energy efficiency requirements see: *2016 Title 24 Nonresidential Reach Code Recommendations: Cost Effectiveness Analysis for All California Climate Zones*, TRC Energy Services, 8/18/17.

² Residential and nonresidential photovoltaic and water heating systems requirements see: *Energy Conservation Ordinance Cost-effectiveness Analysis*, TRC Energy Services, 2/20/19.

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staff involved in energy plan review and field inspection to improve their working knowledge of the energy standards, including special training as needed which focuses on enforcement of the energy standards and the special requirements of local energy standards.

Please approve the enclosed ordinances pursuant to Public Resources Code Subsection 25402.1(h)(2).

Sincerely,



MIKE PETERSON
Building Manager

Attachments

1. Ordinance Nos. CS-347 and CS-348
2. Staff reports to City Council dated February 26, 2019 and March 12, 2019
3. Cost-effectiveness studies, dated 8/18/17, 6/8/18, and 2/20/19
4. Notice of Public Hearing, published 2/15/19