

DOCKETED	
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Planning and Development Department
Office of Energy and Sustainable Development

December 6, 2019

Gabriel Taylor and Peter Strait
California Energy Commission
1516 9th Street, MS-37
Sacramento, CA 95814

RE: Application for Locally Adopted Energy Standards by the City of Berkeley in Accordance with the 2019 California Energy Code, Title 24, Part 6, of the California Code of Regulations.

Dear Mr. Taylor and Mr. Strait,

In accordance with Public Resources Code Section 25402.1(h)2 and Section 10-106 of the Building Energy Efficiency Standards, this package of materials includes the City of Berkeley's local ordinance requiring more stringent energy requirements than those in the 2019 California Energy Code, Title 24, Part 6 (2019 Energy Code) for California Energy Commission review and approval.

The first reading of this ordinance, which includes local amendments to the 2019 Energy Code, was approved by Berkeley City Council at its regular public meeting on November 12, 2019. It was adopted, following a public hearing, on December 3, 2019. The adopted ordinance requires:

1. **Solar Photovoltaic:** Newly constructed nonresidential, high-rise residential, and hotel/motel buildings must install a solar photovoltaic system on the solar zone specified in Section 110.10 of the 2019 Energy Code.
2. **Increased Energy Efficiency:** Newly constructed high-rise residential, hotel/motel, and nonresidential¹ buildings designed to utilize mixed-fuel (natural gas or propane in addition to electricity) must exceed the calculated energy budget by 10%² using the performance approach or incorporate additional measures if using the prescriptive approach. Newly constructed low-rise residential buildings designed to utilize mixed-fuel must exceed the calculated

¹ Other than laboratory, industrial, and manufacturing uses or occupancies

² The required compliance margin is reduced to 9% if the Certificate of Compliance is prepared and signed by a Certified Energy Analyst

Total Energy Design Rating (EDR) by 10 points³ using the performance approach or incorporate additional measures if using the prescriptive approach. Electric readiness is required of systems that use natural gas to support future electrification.

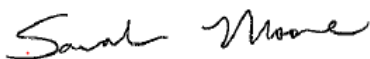
Berkeley has adopted these local Energy Code amendments to meet local climate action goals, to assist in the State's goal of zero net carbon emissions by 2045, and to create safer, healthier, cost-effective new buildings. The City of Berkeley has been actively engaged in outreach and education about these amendments. City Council has authorized funding for a new staff position in the Building and Safety Division to further support education, training, and implementation of these local energy amendments and other elements of the 2019 Energy Code and 2019 CALGreen.

Please find the following materials enclosed:

1. Staff report to the Berkeley Mayor and Members of City Council, November 12, 2019, outlining the goals and details of the proposed local amendments to the 2019 Energy Code on pp. 6-8.
2. Signed Resolution No. 69,170-N.S., adopted by Berkeley City Council on November 12, 2019. This Resolution:
 - a. Adopts findings of local climatic, geological, and topographical conditions;
 - b. Adopts cost-effectiveness of the local amendments to the 2019 Energy Code based on studies prepared for the California Statewide Codes and Standards Program (included as attachments to the Resolution);
 - c. Finds that the local ordinance will require buildings to be designed to consume no more energy than permitted by the 2019 Energy Code; and
 - d. Finds that the local ordinance is exempt from the requirements of CEQA.
3. Signed Ordinance No. 7,678-N.S., adopted by Berkeley City Council on December 3, 2019. Local amendments to the 2019 Energy Code are found on pp. 46-60.

Please contact me at (510) 981-7494 or smoore@cityofberkeley.info if you need any additional information. Thank you for your review and consideration.

Sincerely,



Sarah Moore, Sustainability Program Manager
City of Berkeley, Office of Energy and Sustainable Development

³ The required compliance margin is reduced to 9 Total EDR points if the Certificate of Compliance is prepared and signed by a Certified Energy Analyst