

DOCKETED

Docket Number:	19-BSTD-06
Project Title:	Local Ordinances Exceeding the 2019 Energy Code
TN #:	231838
Document Title:	Local Ordinance Application Cover Letter to CEC
Description:	Cover Letter to CEC regarding Local Energy Ordinance No. 65.148 and the Building Energy Efficiency Standards
Filer:	Danuta Drozdowicz
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	1/31/2020 11:02:16 AM
Docketed Date:	1/31/2020

December 11,2019

Mr. Drew Bohan
Executive Director
California Energy Commission
1516 Ninth Street
Sacramento, Ca 95814-5514

Delivered via email to: Gabriel.Taylor@energy.ca.gov

Re: Local Energy Ordinance No. 65.148 and the Building Energy Efficiency Standards

Dear Mr. Bohan,

Please accept the City of Milpitas's application for approval of reach codes addressing energy efficiency, photovoltaic systems and electric readiness in newly constructed residential, residential addition, and non-residential projects.

The attached ordinance No. 65.148 was introduced (first reading) by the City Council at its meeting of November 5, 2019 and was adopted (second reading) in a public hearing by the City Council at its meeting of December 3rd, 2019.

Enclosed with this application are the following:

1. Signed Energy Efficiency Local Ordinance No. 65.148
2. Staff reports (AR), including requirements for local energy standards beyond the baseline energy code. The ARs include statements that conclude the proposed standards are cost effective and will not require buildings to consume more energy than permitted by the current California Energy Code.
3. Cost Effectiveness Studies for Low-Rise Residential New Construction and Nonresidential New Construction.
4. Notice of Public Hearing.

The City of Milpitas would like to express to you our firm commitment to enforce the 2019 Title 24, Part 6 Building Energy Efficiency Standards of the California Building Code as part of the implementation of our local energy ordinance. As the Building Official, I will work with my staff to provide training on enforcement of the energy standards and the ordinance requirement to exceed the state standards for new residential, residential additions, and non-residential projects as contained in Ordinance No. 65.148. This ordinance will ensure that new residential and non-residential buildings in Milpitas will consume no more energy than permitted by Title 24, Part 6.

On December 3rd, 2019, the City Council found and determined that this ordinance has been assessed in accordance with the California Environmental Quality Act (Cal. Pub. Res. Code, sec 2100 et seq) (CEQA) and the State CEQA Guidelines 15061(b)(3), which exempts from CEQA any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Adoption of the proposed Ordinance would not be an activity with potential to cause significant effect on the environment because the changes to the California Energy Code within the Ordinance are enacted to provide more protection to the environment, and therefore is exempt from CEQA.

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

Respectfully,

A handwritten signature in blue ink, appearing to read "BILL TOTT", with a stylized flourish at the end.

BILL TOTT

Building Official

Attachments

1. Ordinance No. 65.148
2. Staff reports (AR) with attachments to City Council dated November 3rd and December 5th, 2019
3. Low-Rise Residential New Construction Cost Effectiveness Study, dated August 1, 2019
4. Nonresidential New Construction Cost Effectiveness Study, dated July 25, 2019
5. Notice of Public Hearing, published 11/15/2019 and 11/22/2019