

DOCKETED

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| Project Title: | Local Ordinances Exceeding the 2019 Energy Code |
| TN #: | 235918-2 |
| Document Title: | City of Los Altos 2019 Oct 27 2020 Staff Reort |
| Description: | Plain text of the City of Los Altos 2019 Oct, 27 2020 Local Ordinance Staff Report |
| Filer: | Danuta Drozdowicz |
| Organization: | California Energy Commission |
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PUBLIC HEARING

Agenda Item # 7

AGENDA REPORT SUMMARY

Meeting Date: October 27, 2020

Subject: Building Electrification and Electric Vehicle Infrastructure Reach Codes – Proposed Reach Codes for 2019 Energy Code

Prepared by: Environmental Commission and Staff

Reviewed by: Jon Biggs, Community Development Director

Approved by: Chris Jordan, City Manager

Attachment(s):

1. Ordinance No. 2020-470A
2. Ordinance No. 2020-470B
3. Ordinance No. 2020-470C
4. Ordinance No. 2020-471

Initiated by:

Environmental Commission

Previous Council Consideration:

November 19, 2019; September 22, 2020

Fiscal Impact:

None

Environmental Review:

The City Council hereby finds and determines that this Ordinance has been assessed in accordance with the California Environmental Quality Act (Cal. Pub. Res. Code, § 21000 et seq.) (“CEQA”) and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) and is categorically exempt from CEQA under 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 adverse effect on the environment because the changes made to the California Energy Code are to provide more protection to the environment, and therefore is exempt from CEQA. It is also exempt from CEQA pursuant to CEQA Guidelines, § 15308 which exempts actions taken by regulatory agencies for the enhancement and protection of the environment. As such, the Ordinance is categorically exempt from CEQA.

Policy Question(s) for Council Consideration:

City Manager

CJ

Reviewed By:

City Attorney

JH

Finance Director

SE



Subject: Building Electrification and Electric Vehicle Infrastructure Reach Codes – Proposed Reach Codes for 2019 Energy Code and the 2019 Green Building Standards Code

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- Does the Council wish to adopt Building Electrification and Electric Vehicle Infrastructure Codes containing requirements that limits power sources to principally electric appliances, fixtures, and equipment?

Summary:

Every three years, the State of California adopts new building standards that are organized in Title 24 of the California Code of Regulations, referred to as the California Building Standards Code. The City has adopted the 2019 building codes, which became effective statewide on January 1, 2020. Cities and counties can adopt amendments to building codes that have requirements that exceed minimum building code requirements. Reach codes provide requirements that exceed the standards for the energy and green building standards codes and require the installation of electric vehicle infrastructure in new construction.

Recommendation:

The Environmental Commission recommends the City Council adopt building electrification and electric vehicle reach codes, which amend the 2019 California Building Standards Code that was adopted, and became effective on January 1, 2020; to help reduce carbon emissions associated with new construction, reduce costs in new construction, improve indoor air quality and safety of our building stock, support affordable housing, and increase adoption of electric vehicles.

Purpose

The ordinances will put into effect requirements that mandate newly constructed buildings be all-electric with exceptions, and the installation of electric vehicle charging infrastructure for new construction.

Background

On November 19, 2019, the Environmental Commission presented the City Council with a Mixed-Fuel Reach Code Ordinance. During the first reading of the Ordinance, Council directed the Environmental Commission to pursue an All-Electric Reach Code Ordinance and to conduct community outreach.

Discussion/Analysis

On September 22, 2020, by motion Council directed staff to modify the Building and Electrification Reach Code ordinance building type/use and include the following exceptions:

1. All newly constructed Residential Single-Family Buildings, Multi-family Buildings having two to nine residential units, and Detached Accessory Dwelling Unit Buildings, will allow for the following exceptions:



Subject: Building Electrification and Electric Vehicle Infrastructure Reach Codes – Proposed Reach Codes for 2019 Energy Code and the 2019 Green Building Standards Code

Exception 1: Residential Single-Family Dwellings, Detached ADUs (Accessory Dwelling Units), and Multifamily Dwellings with two to nine units may install non-electric (natural gas-fueled) cooking and fireplace appliances if the applicant complies with the prewiring provisions, Subsection 12.22.020 B.3.

2. All newly constructed Multi-Family Residential Developments having ten (10) or more units shall meet the requirements of Subsections B, C, D or E, as applicable and shall be an all-electric building as defined in Section 100.1(b).
3. All newly constructed Non-Residential Buildings, Scientific Laboratory Buildings, and Public Buildings will allow for the following exceptions:

Exception 2: Non-residential Buildings containing for-profit restaurant open to the public may install gas-fueled cooking appliances. The applicant shall comply with the pre-wiring provision of Subsection 12.22.020 B. 3.

Exception 3: Non-residential buildings, Scientific Laboratory Buildings and Public Buildings may apply to the Building Division of the Los Altos Community Development Department for an exception to install a non-electric fueled appliance or piece of equipment. The Building Division of the Los Altos Community Development Department shall grant an exception if they find the following conditions are met:

- i. The applicant shows that there is a public or business-related need that cannot be reasonably met with an electric appliance or piece of equipment.
- ii. The applicant complies with the pre-wiring provisions to the non-electric appliance or piece of equipment noted at Subsection 12.22.020 B. 3.

The ordinances have been drafted in a way that requires they be adopted in a specific sequence, given the varying votes on the types of uses subject to the new code sections – the Ordinance No. 2020-470A should be considered first, Ordinance No. 2020-470B should be considered next and Ordinance 2020-470C considered last. To assist in tracking the changes presented by each ordinance, staff has underlined language being added.

Options



Subject: Building Electrification and Electric Vehicle Infrastructure Reach Codes – Proposed Reach Codes for 2019 Energy Code and the 2019 Green Building Standards Code

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- 1) Adopt Ordinance No. 2020-470A, Ordinance No. 2020-470B, and Ordinance No. 2020-470C, in the recommended sequence, amending chapter 12.22 Energy Code of Title 12 of the Los Altos Municipal code relating to amendments to the 2019 California Energy Code for All-Electric Buildings and adopt Ordinance No. 2020-471 amending chapter 12.26 Green Building Standards Code for Electric Vehicle Infrastructure.

Advantages: Reduce carbon emissions associated with new construction, improve indoor air quality and building safety, support affordable housing, and increase adoption of electric vehicles.

Disadvantages: Fail to follow PCE and SVCE member agencies that have already adopted reach codes to reduce carbon emissions associated with new construction, Fail to adopt a policy that advances the City’s sustainability and GHG emission reductions in line with Council Strategic Goals and Objectives 7. Do not take advantage of an opportunity to improve new building indoor air quality and safety, support affordable housing, and increase adoption of electric vehicles.

- 2) Do not adopt the Ordinance(s) and provide staff direction on changes to the Ordinance(s).

Advantages: Modifications can be made to the Ordinance(s) as necessary before being reintroduced

Disadvantages: Implementation will be delayed and allow for continued environmental harm and action to further environmental goals will be delayed

Recommendation

The staff recommends Option 1.