

DOCKETED

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Project Title:	Local Ordinances Exceeding the 2019 Energy Code
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_____ CALENDAR Agenda Item # _____

AGENDA REPORT SUMMARY

Meeting Date: November 10, 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, October 27, 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.

Reviewed By:

City Manager

CJ

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

Policy Question(s) for Council Consideration:

- 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. The energy reach codes must be approved by the California Energy Commission (“CEC”) before they can be enforced by a local government. To obtain CEC approval, a local government must find that the energy reach code is cost-effective, and the CEC must find that the reach code will require the diminution of energy consumption levels permitted by the state code.

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 ordinance 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.

On September 22, 2020, a public hearing of this ordinance was held, at which time the Environmental Commission and staff provided an overview of the reach code measures proposed in the ordinance, described the reach code development process, and explained findings that the energy reach code is cost-effective and will require the diminution of energy consumption levels permitted by the state



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Energy Code. Council by motion directed staff to make modifications to the Building and Electrification Reach Code ordinance building type/use and reintroduce the ordinances.

On October 27, 2020, Council introduced the Building Electrification Reach Codes ordinance and waived its reading. No changes have been done since the introduction of the ordinance and we recommend its adoption.

Discussion/Analysis

On October 27, 2020, by motion Council directed staff to modify the Electric Vehicle Infrastructure Reach Code ordinances, introduced the ordinances, as amended, and waived their reading. Changes have been made and incorporated since the introduction of the ordinance per Council’s direction and we recommend their adoption. Substantive changes or modifications to the code may not be made between the introduction of an ordinance and its adoption. Any substantive change to the ordinance would require its re-introduction.

Options

- 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



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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.