

DOCKETED

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Project Title:	Local Ordinance Applications Exceeding the 2022 Energy Code
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CALIFORNIA ENERGY COMMISSION715 P Street
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CEC-057 (Revised 1/21)

Notice of Public Comment Period
Docket No. 22-BSTD-07
Application Concerning
Locally Adopted Building Energy Efficiency Standards
in Accordance with Section 10-106 of
the California Code of Regulations, Title 24, Part 1

Local Jurisdiction Name: City of Encinitas**Date of Local Adoption:** October 26, 2022**Designation of Locally Adopted Standard:** Ordinance # 2022-13**Purpose**

The California Energy Commission (CEC) has posted locally adopted energy efficiency or conservation standards for a mandatory public review period of 15 days, per California Code of Regulations, Title 24, Part 1, Chapter 10, Section 10-106 and Section 10-110. The application has been determined to be complete by CEC staff, including all the supporting information necessary to meet the requirements of Section 10-106. The CEC seeks public comments on whether the locally adopted energy efficiency or conservation standards will require buildings to be designed to consume less energy than the *2022 California Energy Code*, California Code of Regulations, Title 24, Part 6 (Energy Code).

The [full application](#) is available for download on the CEC's website at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-BSTD-07>.

The following files are included in this application:

- 1) City of Encinitas - 2022 Attachment 1_Cover Letter
- 2) City of Encinitas - 2022 Attachment 2_Final Staff Report
- 3) City of Encinitas - 2022 Attachment 3_Signed Ordinance 2022-13
- 4) City of Encinitas - 2022 -Attachment 4_Energy Code Changes Redlined
- 5) City of Encinitas - 2022 Attachment 5a_2019 V2-Residential Retrofit Cost-eff Report-2021-08-27
- 6) City of Encinitas - 2022 Attachment 5b_Residential Retrofit Memo

- 7) City of Encinitas - 2022 Attachment 5c_Low-rise Multifamily Retrofits-Cost-eff Report
- 8) City of Encinitas - 2022 Attachment 5d_Nonresidential Alterations Cost-effectiveness Report
- 9) City of Encinitas - 2022 Attachment 6_Notice of Exemption
- 10) City of Encinitas - 2022 Attachment 7_Director Commitment Letter

Background

Statutory provisions in Public Resources Code Section 25402.1(h)(2) and regulatory provisions in Sections 10-106 and 10-110 of Title 24, Part 1 (2022) (California Administrative Code) establish a process that allows local governmental agencies to adopt and enforce energy efficiency standards for newly constructed buildings, additions, alterations, and repairs to existing buildings. Such local ordinances may not be enforced, however, unless and until the CEC finds that the local standards will require buildings to be designed to consume less energy than permitted by the Energy Code.

Local governmental agencies are required to submit these local standards to the CEC prior to enforcement. Per Section 10-106, this application must include the following:

- 1) The proposed energy standards;
- 2) The local governmental agency's energy-savings and cost-effectiveness findings, and supporting analyses;
- 3) A statement or finding by the local governmental agency that the local energy standards will require buildings to be designed to consume no more energy than permitted by the Energy Code; and
- 4) Any findings, determinations, declarations, or reports, including any negative declaration or environmental impact report, required pursuant to the California Environmental Quality Act.

For the local jurisdiction to enforce the standard, the CEC must then find, based on the submitted application materials, that the local standards will result a reduction in energy consumption compared to the statewide Energy Code and that the local jurisdiction has filed the basis of its cost-effectiveness determination with the CEC.

Public Comments

Written comments must be submitted by: **5:00 p.m. on December 5, 2022.**

If you wish to submit comments on the proposal, please submit them using the [e-commenting](#) feature on the CEC's webpage at

<https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=22-BSTD-07>.

A full name, email address, comment title, and either a comment or a downloadable, searchable document consistent with 20 California Code of Regulations section 1208.1 is mandatory. After a challenge response test used by the system to ensure that responses are generated by a human user and not a computer, click on the "Agree & Submit Your Comment" button to submit the comment to the CEC Docket Unit.

You are encouraged to use the electronic filing system described above to submit comments. If you are unable to submit electronically, a paper copy of your comments, including the docket number **22-BSTD-07** and indicating "City of Encinitas - 2022 Ordinance No. 2022-13" may be sent to:

California Energy Commission
Docket Unit, MS-4
Docket No. 22-BSTD-07
715 P Street
Sacramento, CA 95814

Or, email them to: docket@energy.ca.gov. Please note that your e-comments, emails, written letters, any attachments and associated contact information (for example, address, phone number, and email address) become part of the viewable public record. Additionally, this information may become available via internet search engines.

Public Advisor and Other CEC Contacts

The CEC's Public Advisor provides the public with assistance in participating in CEC proceedings. For information about how to participate or to request interpreting services or other reasonable modification and accommodations, reach out by phone at (916) 957-7910 or via email at publicadvisor@energy.ca.gov. The CEC will work diligently to meet all requests based on the availability of the service or resource requested.

Direct media inquiries to mediaoffice@energy.ca.gov or (916) 654-4989.

Direct general and technical subject inquiries to Danuta Drozdowicz at danuta.drozdowicz@energy.ca.gov or (916) 805-7436.

Availability of Documents

The [proposal and supporting materials](#) can be downloaded at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-BSTD-07>.