



Date: October 5, 2022

To: Mayor and City Council

From: Michael Chandler, Acting City Manager

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Subject: Conduct a public hearing and adopt an ordinance amending Title 15 of the Martinez Municipal Code to adopt by reference the 2019 California Energy Code and All-Electric New Buildings Ordinance, CEQA exempt pursuant to Title 14, Chapter 3, California Code of Regulations, Section 15061(b)(3)

Recommendation

Conduct a public hearing and at the conclusion of the public hearing adopt an ordinance amending Title 15, of the Martinez Municipal Code to adopt by reference the Title 24, Part 6, known as the 2019 California Energy Code and the All-Electric New Building Ordinance - CEQA exempt pursuant to Title 14, Chapter 3, California Code of Regulations, Section 15061(b)(3).

Background

On April 21, 2021, the City Council adopted the attached Resolution No. 047-21 declaring a climate emergency. This resolution, among other things, indicated the City should develop policies to require all new construction to be fully electric through adoption of REACH building codes that extend beyond the State's minimum requirements for energy use in building design and construction.

On January 18, 2022, the Contra Costa County Board of Supervisors adopted the attached Ordinance 2022-02 to require new construction in residential (including single family and multi-family buildings), detached accessory dwelling units (ADU's), hotel, office, and retail buildings be constructed as all-electric buildings. The County's ordinance does not any apply to additions, alterations, or tenant improvements to any existing buildings, including any attached accessory dwelling units. Additionally, it does not preclude anyone from installing natural gas for any existing buildings, including other allowed ancillary uses to existing buildings, such as pools, spas, or other similar outdoor

equipment. Furthermore, the ordinance does not prohibit the use of emergency backup power sources, such as generators, that may be fossil-fuel operated.

Discussion

The Franchise and Public Infrastructure Subcommittee met on May 19, 2022, and recommended the City introduce an ordinance similar to the County's, including the exemptions described in the paragraph above. Staff subsequently worked with the City Attorney's office to develop the attached draft Ordinance, which adopts the 2019 California Energy Code and amends the 2019 Energy Code with REACH building codes to require all newly constructed residential buildings, hotels, offices, and retail buildings to be constructed as all-electric buildings without natural gas infrastructure, pursuant to Health and Safety Code sections 17922, 17958, 17958.5, 17958.7, and 18941.5, Public Resources Code section 25402.1(h)(2), and Government Code sections 50020 through 50022.10.

This ordinance was introduced at the City Council meeting on September 14, 2022, at which time the City Council also set a public hearing on the adoption of the ordinance for this date in accordance with Government Code Section 50022.3. Upon the conclusion of the public hearing, the City Council may proceed to adoption of the ordinance.

Next Steps

Following the public hearing, the Council may by motion adopt the ordinance amending Title 15 of the Martinez Municipal Code to adopt by reference the 2019 California Energy Code and All-Electric New Building Ordinance.

Fiscal Impact

No City fiscal actions are associated with adoption of this Ordinance.

Attachments

- All-Electric New Building Ordinance
- Attachment A – Resolution No. 047-21
- Attachment B – Contra Costa County Ordinance 2022-02