TO: Honorable Mayor and Members of the Town Council

FROM: Thomas Ahrens, Interim Chief Building Official

SUBJECT: Introduction of an Ordinance Repealing And Reenacting Chapters 15.01, 15.03, 15.05, 15.06, 15.07, 15.08, 15.09, 15.11, 15.13, 15.15 and 15.17 to Title 15; Adopting By Reference and Amending as Noted Parts 2, 2.5, 3, 4, 5, 6, 8, 10, 11, and 12 of the California Building Standards Code, Known As Title 24 of the California Code Of Regulations, Incorporating: The 2022 California Building Code; The 2022 California Residential Code; The 2022 California Electrical Code; The 2022 California Mechanical Code; The 2022 California Plumbing Code; The 2022 California Energy Code; The 2022 California Historic Building Code; The 2022 California Existing Building Code; The 2022 California Green Building Standards Code; and The 2022 California Referenced Standards Code; Adopting by Reference The International Code Council Electrical Code Administrative Provisions, 2006 Edition, Published by the International Code Council; and Adding Chapter 15.25 All-Electric Construction in Newly Constructed Buildings, and Finding that Adoption of the Ordinance is Exempt Pursuant to CEQA Guidelines and Setting a Public Hearing for Adoption of the Ordinance

RECOMMENDED ACTION:

Staff recommends the Town Council:

1) Introduce the proposed Ordinance by title only, and waive further reading of ordinance adopting the following construction codes: Parts 2, 2.5, 3, 4, 5, 6, 8, 10, 11, and 12 of the California Building Standards Code, known as Title 24 of the California Code of Regulations, incorporating the 2022 California Building Code, the 2022 California Residential Code, the 2022 California Electrical Code, the 2022 California Mechanical Code, the 2022 California Plumbing Code, the 2022 California Energy Code, the 2022 California Historical Building Code, the 2022 California Existing Building Code, the 2022
California Green Building Standards Code, the 2022 California Referenced Standards Code, and adding new Chapter 15.25 All-electric Construction in Newly Constructed Buildings; and

2) Set a public hearing on the adoption by reference of the California Building Standards Code as is being proposed for the next regular meeting of the Town Council on November 15, 2022.

BACKGROUND:

Pursuant to provisions of the Health and Safety Code and the administrative mandate of the California Building Standards Commission, California cities and counties are required to enforce minimum construction standards contained in the State Housing Law and in the California Building Standards Code. The most recent updates to the California Building Standards Code become effective on January 1, 2023 and are identified in the “subject” area of this staff report and in the following paragraph.

The International Building Codes are published on a triennial basis (last cycle was in 2019). The California Building Standards Commission then reviews the International model codes and determines changes to be made for the California Building Codes. Once the California Codes are published, local jurisdictions have 180 days to amend these codes as needed and adopt them for their own jurisdiction; otherwise the California Code becomes the default code for the jurisdiction.

DISCUSSION:


Administrative provisions have been amended in all of the codes that are proposed for adoption in order to allow for proper administration of future appeal or abatement actions. Under the amended provisions of the proposed adoption ordinance, appeals of the building department’s determinations under the California Building Standards Code would be administered by the Town Council, and abatement of dangerous and substandard building conditions would be administered pursuant to the nuisance regulations contained in the Corte Madera Municipal Code.

Green Building “Reach” Codes

Marin County Proposed “Reach” Codes
Marin County has spearheaded an effort this year to develop a model set of “reach codes” which would exceed the requirements of the California Building Standards Code (Title 24) as local amendments for consideration for adoption by all of Marin’s jurisdictions so as to have common building requirements for the benefit of both staff and applicants. This effort has included a technical advisory committee which included the Town’s building official, focus group interviews with various developers including builders of affordable housing, and a public workshop. This model code approach was also the subject of a recent Marin County Civil Grand Jury Report which encouraged steps towards building electrification and the collaborative effort. The Town Council adopted as response to the Grand Jury Report on August 16, 2022 and a revised response on October 3, 2022. Both responses and a copy of the Grand Jury Report is included as Attachment 2. The Council expressed agreement with the findings of the Report and support for the collaborative process, indicated it would consider electrification requirements for new construction as part of its building code adoption process this fall, and stated that requirements for remodeled structures requires additional analysis and collaboration between jurisdictions before adoption.

The underlying purpose of the proposed reach codes is to implement programs of adopted Climate Action Plans to reduce the emission of greenhouse gases by reducing the burning of fossil fuels in buildings and vehicles. In the case of energy use in buildings, the electricity supply is becoming increasingly carbon-free due to higher levels of renewable power in the grid. Burning of natural gas for space and water heating now constitutes nearly 27% of local greenhouse gas emissions, compared to only 7% for systems powered by electricity. In the case of transportation, the State intends to mandate the sales of only electric vehicles after 2035. The proposed reach code enhances requirements for installation of electric vehicle charging infrastructure and chargers in new construction and electrical or parking lot upgrades to accommodate current and future EV use.

In summary the County’s proposed reach codes include the following:

**Electrification of newly constructed buildings**

The proposed reach code would preclude the installation of natural gas infrastructure in newly constructed residential and non-residential buildings. The new 2022 State code requires that all new residential projects include either electric space heating or water heating as a first step in promoting electrification, but the proposed reach code goes further, requiring full electrification.

The model ordinance would exempt the following:

- Portable outdoor appliances (propane) for cooking and heating,
- Food service establishments (restaurants and commercial kitchens),
- New accessory dwelling units that are attached or within existing mixed-fuel residences,
- Emergency back-up generators for essential services buildings and multifamily buildings,
- Industrial uses requiring industrial process heat for its operations, and
- Projects that have previously received entitlements.

The draft ordinance also allows the Building Official to grant exceptions for:

- Affordable housing projects (100% affordable units) if costs of compliance are disproportionate to the overall project costs and decreases the level of affordability,
- Applicants who can demonstrate an equivalent GHG reduction to that of all-electric
construction, and
- Applicants who can demonstrate that the building is unable to meet the Energy Code performance compliance standard using available technology.

Exemptions granted by the Building Official are required to pre-wire locations of gas appliances for future conversion to electric.

A summary of the electrification reach code provided by Marin County is included as Attachment 3.

All-electric requirements for new buildings have been adopted in San Anselmo and Fairfax and approximately fifty other California agencies, and are being considered in this code adoption cycle by Marin County, San Rafael, Sausalito, Larkspur and Mill Valley.

Enhanced EV infrastructure requirements
The proposed reach code has differing requirements by type of construction (see Attachment 4 for a summary):

**Single-family and duplex**
*New construction:* Compliance with CALGreen Tier 1 requirements, which include installation of a 208/240v circuit with a receptacle and 40-amp service for new dwelling unit (“EV Ready”). The base State code only requires installation of conduit and capacity in the electrical service panel for a 40-amp circuit for future installation (“EV Capable”).
*Remodels:* If a remodel/addition requires an upgrade to the electrical service panel, a new 208/240v 40-amp circuit with a receptacle is required.

**Multifamily**
*New construction:* 15% of resident spaces with installed Level 2 chargers, 85% of resident spaces EV Ready (an installed circuit for 20-amp Low Power Level 2 receptacle).
*Remodels:* If a remodel/addition requires an upgrade to the electrical service panel, 20% of spaces require a new 208/240v circuit with receptacles and 40-amp service. If a parking lot is modified by removing paving and curbing, conduit must be run to at least 50% of the modified spaces OR conduit run to 20% of modified spaces and at least 5% must have installed Level 2 or 3 chargers.

**Hotels and motels**
*New construction:* 10% of spaces with installed Level 2 chargers, 35% of spaces EV Ready (an installed circuit for 20-amp Low Power Level 2 receptacle) and 10% EV Capable.
*Remodels:* Same as multi-family when an upgrade to electrical service panel or parking lot occurs.

**Non-residential**
*New construction:* Compliance with CALGreen Tier 1 requirements, which include installation of Level 2 chargers on between 0 and 33% of total spaces (on a sliding scale based on number of spaces) and provide EV Capable conduit and panel capacity for between 0 and 55% of total spaces. For example, a new building with up to 25 parking spaces would have to
provide 5 EV Capable spaces and no installed chargers. A building with up to 50 spaces would have to provide 11 EV Capable spaces and 2 spaces with Level 2 chargers.

In addition, under the new CALGreen requirements, grocery, retail and warehouse buildings with off-street loading facilities will be required to provide chargers for medium- and heavy-duty trucks, the number of which depend on the size of the facility.

**Remodels:** Same as multi-family when an upgrade to electrical service panel or parking lot occurs.

A summary of these requirements, including a comparison with the new CALGreen “base” code is included as Attachment 4.

**Enhanced energy requirements for additions/alterations of single-family residences**

To address incremental electrification of the existing building stock in Marin, which far exceeds anticipated construction of new units, the model reach code requires that additions and alterations to conditioned space in single-family homes which exceed 750 square feet comply with a points-based system from a listing of allowable energy efficiency and electrification options. The optional efficiency measures include improvements such as lighting upgrades, replacement of gas appliances with electric heat pump units, increasing insulation, air sealing, duct sealing and window replacement. The point requirements and efficiency measures are shown in Attachment 5.

**Town of Corte Madera Proposed “Reach Codes”**

Consistent with the Town’s response to the Marin County Civil Grand Jury Report, staff recommends that the Town Council consider adopting all-electric requirements and the enhanced EV charging infrastructure for newly constructed buildings as part of their adoption of the 2022 California Building Standards Code. Incorporating “green” technology in buildings is most cost effective at the time of original construction and since new buildings last for decades, it is most imperative to assure that they have the lowest energy demand possible. The impact of these code changes on staff administration will not be excessive since the Town does not issue that many permits annually for new buildings.

Staff is recommending that further work be done to analyze how best to address building renovations, consistent with the Town Council’s response to the recent Grand Jury Report. The County’s proposed reach code for renovations is a creative approach, but requires additional analysis and coordination among the Marin jurisdictions and building officials and much more extensive community outreach in all the communities which may consider adopting these proposals. Corte Madera is also currently impacted by the recent departure of our Building Official. Staff will recommend that this portion of the reach code be reconsidered by the Council in 2023, following additional staff work and community outreach, in which the CAC can play a significant role.

**Town of Corte Madera Climate Action Committee Recommendation**

The Town’s Climate Action Committee heard a presentation on the model reach codes by a member of the County’s Sustainability Team on September 21, 2022 and further discussed the matter with Town staff at its meeting of October 26, 2022. The Committee unanimously recommends that the Town Council incorporate the entire model reach code, including those...
related to remodels of existing buildings, in the adoption of the new building code. Their rationale is explained in Attachment 6.

**FISCAL IMPACT:**

Fiscal impacts are expected to be minimal given that State model construction codes undergo a deliberative, consensus-based industry evaluation process that allows for gradual implementation of new regulatory methods based on innovations in technology, safety systems, and construction methods.

**WORK PLAN:**

This project is identified as a Category I (Climate Hazards) work plan item for 2022. Specifically, Climate Hazards No. 6 states: “Adopt new California Building Code and consider increased building standards to address climate action policies and goals.”

**ENVIRONMENTAL IMPACT:**

Staff recommends the Town Council find that pursuant to CEQA Guidelines section 15378(b)(5), action on this item is not a project subject to CEQA because it is an administrative governmental activity which will not cause a direct or indirect physical change in the environment. And further finding that under section 15061(b)(3) of the State CEQA Guidelines, this Ordinance is exempt from the requirements of CEQA because it can be seen with certainty that the provisions contained herein would not have the potential for causing a significant effect on the environment. And further finding that the Ordinance is exempt from the requirements of CEQA pursuant to CEQA Guidelines sections 15307 and 15308 as an action by a regulatory agency taken to protect the environment and natural resources.

**OPTIONS:**

1. Introduce the ordinance as proposed;

2. Instruct staff to revise the proposed ordinance and return to the Council for introduction of the revised ordinance; or

3. Direct staff to provide more information regarding the proposed ordinance; however, notwithstanding the action that is chosen by the Town Council, application and enforcement of the subject construction standards is still mandated by California law.

If the Town Council chooses to introduce the ordinance, then it must set a public hearing for the adoption by reference of the California Building Standards Code as provided by the proposed ordinance for its next regular meeting on November 15, 2022 in order for the ordinance to take effect by the first business day in January 2023.
ATTACHMENTS:

1. Proposed Ordinance
2. June 2022 Marin County Civil Grand Jury Report and Town Responses to the Report
3. Summary of All-Electric Reach Code
4. Summary of EV Charging Infrastructure Reach Code
5. Summary of Enhanced Energy Requirements for Single-Family Additions/Alterations Reach Code
6. October 26, 2022 recommendation of the Climate Action Committee

THIS ITEM HAS BEEN REVIEWED AND APPROVED BY THE TOWN MANAGER.
ATTACHMENT 1

Proposed Ordinance
ORDINANCE NO. __


WHEREAS, on July 1, 2022, the California Building Standards Commission completed and adopted the 2022 California Building Standards Code to reflect the most recent triennial amendments to the model code; and

WHEREAS, the Town is proposing to adopt the 2022 California Building Standards Code with local amendments to assist Town staff in administration and enforcement of the Code, address local climatic, topographic, and geological conditions as set forth in Section 17 of this ordinance, and to facilitate the charging of electric vehicles in newly constructed buildings; and

WHEREAS, the Town is also proposing to preclude the installation of natural gas infrastructure and appliances in newly constructed buildings as a means of reducing greenhouse gas emissions as identified in the adopted Corte Madera Climate Action Plan and to improve indoor air quality and building safety resulting from the burning or release of natural gas within buildings.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA DOES ORDAIN AS FOLLOWS:

Section 1. Repeal and Replacement of Chapter 15.01 of the Municipal Code.

Chapter 15.01 of the Corte Madera Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

Chapter 15.01
15.01.010 - Adoption by reference.

The 2022 California Building Code, known as Part 2, Title 24 of the California Code of Regulations, excluding all but the following appendices: Appendices F, H, I and J, is hereby adopted by reference as though fully set forth in this chapter except as modified by the following subsections of this section and the following sections of this chapter:

(a) Building Code Chapter 1, Division I shall apply to State-regulated buildings, structures and applications set forth by Section 1.1.3.2 of Chapter 1, Division I.

(b) Building Code Chapter 1, Division II shall apply to State-regulated buildings, structures and applications in accordance with the Matrix Adoption Table in Chapter 1 of the California Building Code (except as may be modified by subsection (c)).

(c) Notwithstanding the exception stated by Section [A]101.2 Building Code Chapter
1, Division II shall apply to all Nonstate-regulated buildings and structures and detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height and their accessory structures. Where there is a conflict or inconsistency between the provisions of Division I and Division II, the provisions of Division II shall apply.

(d) Any of the following sections in this chapter which modify, amend, or replace any of the provisions of Chapter 1, Division I or Chapter 1, Division II shall be applicable to all State-regulated and Nonstate-regulated buildings and structures, including detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height and their accessory structures.

15.01.020 - Addition – Chapter 1, Division I, Section 1.8.9.3.

Section 1.8.9.3, Conditions, is added as follows:

1.8.9.3 Conditions. Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or public welfare, or that involve illegal or improper occupancy or inadequate maintenance, are deemed an unsafe condition. Any structure that contains an unsafe condition may be deemed by the building official to be an unsafe structure. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and in accordance with the provisions of Chapter 15.01 of the Corte Madera Municipal Code. A vacant structure that is not secured against entry is deemed unsafe.

15.01.030 - Addition – Chapter 1, Division I, Section 1.8.9.4.

Section 1.8.9.4, Record, is added as follows:

1.8.9.4 Record. The building official may cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

15.01.040 - Addition – Chapter 1, Division I, Section 1.8.9.5.

Section 1.8.9.5, Notice and Order, is added as follows:

1.8.9.5 Notice and Order. If an unsafe condition is found, the building official may serve on the owner, agent or person in control of the structure, a written notice and order that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be vacated or demolished within a stipulated time.

15.01.050 - Addition – Chapter 1, Division I, Section 1.8.9.6

Section 1.8.9.6, Method of Service, is added as follows:
1.8.9.6 Method of Service. Such notice shall be deemed properly served if a copy thereof is: (a) delivered to the owner personally or (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner’s agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

15.01.060 - Addition – Chapter 1, Division I, Section 1.8.9.7.

Section 1.8.9.7, Restoration, is added as follows:

1.8.9.7 Restoration. The structure or equipment determined to be unsafe by the building official may be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of the California Existing Building Code.

15.01.070 - Addition – Chapter 1, Division I, Section 1.8.9.8.

Section 1.8.9.8, Nuisance Proceedings, is added as follows:

1.8.9.8 Nuisance Proceedings. When the building official has inspected, or caused to be inspected, any structure or equipment and has found and determined that such structure or equipment is unsafe, such structure or equipment shall be considered a nuisance and the building official may commence proceedings to cause the repair, vacation or demolition of the building or equipment pursuant to this code and/or the provisions of Chapter 9.04 of the Corte Madera Municipal Code. An order to abate a nuisance may not be appealed under Title 15 of the Corte Madera Municipal Code.

15.01.080 - Addition – Chapter 1, Division I, Section 1.8.9.9.

Section 1.8.9.9, Staying of Order, is added as follows:

1.8.9.9 Staying of Order. Except as otherwise provided by this paragraph, if the owner fails to take those actions required by the building official in the notice and order, the building official shall not compel the owner to take such action until such time as the Town Council or a court with proper jurisdiction orders the nuisance to be abated. An order to vacate the building or structure in the notice and order shall be exempt from the provisions of this paragraph and is enforceable upon proper service being made under the provisions of Section 1.8.9.6.

15.01.081- Amendment- Chapter 1, Division I, Section 1.9.1.5.

The following is added at the end of Section 1.9.1.5:
The Town may retain the services of a Certified Access Specialist (CASp) to consult with the Town in reviewing, analyzing, evaluating, and providing the Town recommendations on the request being made by the applicant. The services provided to the Town shall be at the sole expense of the applicant and shall be fully reimbursed to the Town through a cost recovery agreement or by applying the building department fee schedule adopted by the Town Council.

15.01.082 – Deletion – Chapter 1, Division II, Section 104.10.1.

Section 104.10.1, Flood Hazard Areas, is repealed in its entirety.

15.01.084 - Amendment – Chapter 1, Division II, Section 105.2.

Section 105.2, Work Exempt from Permit, is amended to read as follows:

Building: (1) is revised to read as follows:

1. One story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area is not greater than 120 square feet and the structure contains no plumbing, electrical or heating appliances.

Building: (2) is amended to read as follows:

2. Fences not over 7 feet (213.4 cm) high, except that concrete, masonry or stone fences in excess of 3 feet high shall require a building permit.

Building: (6) is amended to read as follows:

6. Sidewalks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below, and which are not part of an accessible route, or are not a part of the means of egress from a normally occupied building.

Building: (7) is amended to read as follows:

7. Painting, papering, tiling, carpeting, millwork, counter tops and similar finish work, except that striping or restriping of parking lots shall require a permit.

15.01.086 - Amendment – Chapter 1, Division II, Section 105.3.2.

Section 105.3.2, Time Limitation of an Application, is amended to read as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one extension of time for an additional period not to exceed 180 days. The extension shall be requested in writing and justifiable cause demonstrated.
15.01.090 - Amendment – Chapter 1, Division II, Section 109.3.

Section 109.3, Building Permit Valuations, is amended to read as follows:

109.3 Building Permit Valuations. The applicant for a permit shall provide an estimated valuation of proposed work at time of application. Permit valuation shall include the total fair market value of work, including materials and labor, for all elements of the construction. If in the opinion of the building official the valuation is underestimated, the final building permit valuation may be set by the building official.

15.01.100 - Amendment – Chapter 1, Division II, Section 113.1.

Section 113.1, General, is repealed and replaced to read as follows:

113.1 General. The building code appeals board as established in Chapter 2.2. of the Corte Madera Municipal Code shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of building standards published in the California Building Standards Code.

15.01.110 - Amendment – Chapter 1, Division II, Section 113.2.

Section 113.2, Limitations on Authority, is repealed and replaced to read as follows:

113.2 Definitions. Whenever used in any section of this Chapter, the terms “Housing Appeals Board” and “Local Appeals Board” shall each refer to the building code appeals board as established in Chapter 2.2. of the Corte Madera Municipal Code.

15.01.120 - Amendment – Chapter 1, Division II, Section 113.3.

Section 113.3, Qualifications, is repealed and replaced to read as follows:

113.3 Appeals. Except as otherwise provided by law, any person, firm or corporation adversely affected by a decision, order or determination by the building official relating to the application of building standards published in the California Building Standards Code, or any other applicable rule or regulation adopted by the Department of Housing and Community Development, or any ordinance enacted by the Town under Chapter 15.01 of the Corte Madera Municipal Code, may appeal the issue for resolution to the building code appeals board as appropriate.

15.01.125 - Amendment – Chapter 1, Division II, Section 116.2.

Section 116.2, Record, is repealed and replaced to read as follows:

116.2 Record. The building official may cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

15.01.130 - Amendment – Chapter 1, Division II, Section 116.3.
Section 116.3, Notice, is repealed and replaced to read as follows:

116.3 Notice and Order. If an unsafe condition is found, the building official may serve on the owner, agent or person in control of the structure, a written notice and order that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be vacated or demolished within a stipulated time.

15.01.140 - Amendment – Chapter 1, Division II, Section 116.5.

Section 116.5, Restoration, is repealed and replaced to read as follows:

116.5 Restoration. The structure or equipment determined to be unsafe by the building official may be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of the California Existing Building Code.

15.01.145 - Addition – Chapter 1, Division II, Section 116.6.

Section 116.6, Nuisance Proceedings, is added as follows:

116.6 Nuisance Proceedings. When the building official has inspected, or caused to be inspected, any structure or equipment and has found and determined that such structure or equipment is unsafe, such structure or equipment shall be considered a nuisance and the building official may commence proceedings to cause the repair, vacation or demolition of the building or equipment pursuant to this code and/or the provisions of Chapter 9.04 of the Corte Madera Municipal Code. An order to abate a nuisance may not be appealed under Title 15 of the Corte Madera Municipal Code.

15.01.150 - Addition – Chapter 1, Division II, Section 116.7.

Section 116.7, Staying of Order, is added as follows:

116.7 Staying of Order. Except as otherwise provided by this paragraph, if the owner fails to take those actions required by the building official in the notice and order, the building official shall not compel the owner to take such action until such time as the Town Council or a court with proper jurisdiction orders the nuisance to be abated. An order to vacate the building or structure in the notice and order shall be exempt from the provisions of this paragraph and is enforceable upon proper service being made under the provisions of Section 116.3.

15.01.154 - Amendment – Chapter 15, Section 1505.1.3.

Section 1505.1.3, Roofing Requirements in Wildland-Urban interface Fire Areas, is amended to read as follows:
1505.1.3 Roofing requirements in a Wildland-Urban Interface Fire Area. Roofing requirements for structures located in a Wildland-Urban interface (WUI) Fire Area shall be a minimum Class A roof covering and shall also comply with CBC section 705A.

15.01.156 - Amendment – Chapter 18, Soils and Foundations.

Section 1807 is amended by adding the following subsection:

1807.4 Wooden retaining walls. Wooden retaining walls may not be used to support any building surcharge or vehicular way. In addition, wooden retaining walls shall not be employed to retain soils above or below a building where failure of the wall may subject the building to damage.

15.01.160 – Violation - Penalty.

(a) Any person who commits a violation of any of the provisions of this Chapter, including those that have been adopted by reference herein, is guilty of a misdemeanor and upon conviction is punishable by a fine of five hundred dollars, imprisonment for six months, or both.

(b) Any person violating any of the provisions or failing to comply with any of the requirements of this chapter, including those that have been adopted by reference herein, shall be subject to administrative citation and fines as set forth in Chapter 9.05 of Title 9 of this code.

15.01.170 – No Mandatory Duty.

By adoption of this chapter the Town Council does not intend to create, establish, or impose any mandatory duty or liability on the part of the town, its officers, employees, or any other person acting on its behalf, notwithstanding the use of “shall”, “will”, “must”, or similar terms within this chapter.

Section 2. Repeal and Replacement of Chapter 15.03 of the Municipal Code.

Chapter 15.03 of the Corte Madera Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

Chapter 15.03

RESIDENTIAL CODE

Sections:

15.03.010 Adoption by Reference.
15.03.020 Addition – Chapter 1, Division I, Section 1.8.9.3
The 2022 California Residential Code, known as Part 2.5, Title 24 of the California Code of Regulations, excluding all but the following Appendix Chapters: Appendix Chapter AH, Patio Covers —, is hereby adopted by reference as though fully set forth in this chapter except as modified by the following subsections of this section and the following sections of this chapter:

(a) Residential Code Chapter 1, Division I shall apply to State-regulated buildings, structures and applications set forth by Section 1.1.3 of Chapter 1, Division I (except as may be modified by subsection (c)).

(b) Residential Code Chapter 1, Division II shall apply to State-regulated buildings, structures and applications in accordance with the Matrix Adoption Table in Chapter 1 of the California Residential Code (except as may be modified by subsection (c)).

(c) Residential Code Chapter 1, Division II shall apply to Nonstate-regulated buildings and structures and detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height and their accessory structures. (See Section 15.01.010(C) for reference to application of Building Code Chapter 1, Division II to Nonstate-regulated buildings and structures and detached one- and two-family
dwellings and multiple single-family dwellings (townhouses) not more than three stories above
grade plane in height and their accessory structures.) Where there is a conflict or inconsistency
between the provisions of Division I and Division II, the provisions of Division II shall apply.

(d) Any of the following sections in this chapter which modify, amend, or replace any
of the provisions of Chapter 1, Division I or II shall be applicable to all State-regulated and non-
state-regulated buildings and structures, including detached one- and two-family dwellings and
multiple single-family dwellings (townhouses) not more than three stories above grade plane in
height and their accessory structures.

15.03.020 - Addition – Chapter 1, Division I, Section 1.8.9.3.

Section 1.8.9.3, Conditions, is added as follows:

1.8.9.3 Conditions. Structures or existing equipment that are or hereafter become unsafe,
insanitary or deficient because of inadequate means of egress facilities, inadequate light and
ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or public
welfare, or that involve illegal or improper occupancy or inadequate maintenance, are deemed an
unsafe condition. Any structure that contains an unsafe condition may be deemed by the building
official to be an unsafe structure. Unsafe structures shall be taken down and removed or made
safe, as the building official deems necessary and in accordance with the provisions of this Chapter.
A vacant structure that is not secured against entry is deemed unsafe.

15.03.030 - Addition – Chapter 1, Division I, Section 1.8.9.4.

Section 1.8.9.4, Record, is added as follows:

1.8.9.4 Record. The building official may cause a report to be filed on an unsafe condition.
The report shall state the occupancy of the structure and the nature of the unsafe condition.

15.03.040 - Addition – Chapter 1, Division I, Section 1.8.9.5.

Section 1.8.9.5, Notice and Order, is added as follows:

1.8.9.5 Notice and Order. If an unsafe condition is found, the building official may serve
on the owner, agent or person in control of the structure, a written notice and order that describes
the condition deemed unsafe and specifies the required repairs or improvements to be made to
abate the unsafe condition, or that requires the unsafe structure to be vacated or demolished within
a stipulated time.

15.03.050 - Addition – Chapter 1, Division I, Section 1.8.9.6.

Section 1.8.9.6, Method of Service, is added as follows:

1.8.9.6 Method of Service. Such notice shall be deemed properly served if a copy thereof
is (a) delivered to the owner personally or (b) sent by certified or registered mail addressed to the
owner at the last known address with the return receipt requested. If the certified or registered
letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner’s agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

15.03.060 - Addition – Chapter 1, Division I, Section 1.8.9.7.

Section 1.8.9.7, Restoration, is added as follows:

1.8.9.7 Restoration. The structure or equipment determined to be unsafe by the building official may be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of the California Existing Building Code.

15.03.070 - Addition – Chapter 1, Division I, Section 1.8.9.8.

Section 1.8.9.8, Nuisance Proceedings, is added as follows:

1.8.9.8 Nuisance Proceedings. When the building official has inspected, or caused to be inspected, any structure or equipment and has found and determined that such structure or equipment is unsafe, such structure or equipment shall be considered a nuisance and the building official may commence proceedings to cause the repair, vacation or demolition of the building or equipment pursuant to this code and/or the provisions of Chapter 9.04 of the Corte Madera Municipal Code. An order to abate a nuisance may not be appealed under Title 15 of the Corte Madera Municipal Code.

15.03.080 - Addition – Chapter 1, Division I, Section 1.8.9.9.

Section 1.8.9.9, Staying of Order, is added as follows:

1.8.9.9 Staying of Order. Except as otherwise provided by this paragraph, if the owner fails to take those actions required by the building official in the notice and order, the building official shall not compel the owner to take such action until such time as the Town Council or a court with proper jurisdiction orders the nuisance to be abated. An order to vacate the building or structure in the notice and order shall be exempt from the provisions of this paragraph and is enforceable upon proper service being made under the provisions of Section 1.8.9.6.

15.03.90 - Deletion – Chapter 1, Division II, Section R104.10.1.

Section R104.10.1, Areas Prone to Flooding, is repealed in its entirety.

15.03.92 - Amendment – Chapter 1, Division II, Section R105.2.

Section R105.2, Work Exempt from Permit, is amended to read as follows:
Building: (1) is revised to read as follows:

1. One story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, providing the floor area does not exceed 120 square feet and the structure contains no plumbing, electrical or heating appliances.

Building: (2) is amended to read as follows:

2. Fences not over 7 feet high, except that masonry, concrete and stone fences in excess of 3 feet high shall require a building permit.

Building: (6) is amended to read as follows:

6. Painting, papering, tiling, carpeting, millwork, counter tops and similar finish work.

Building: (10) is amended to read as follows:

10. Decks not exceeding 200 square feet in area that are not more than 30 inches above grade at any point, are not attached to a dwelling, and are not part of any path of egress from the dwelling.

15.03.100 - Deletion – Chapter 1, Division II, Section R105.3.1.1.

Section R105.3.1.1, Determination of Substantially Improved or Substantially Damaged Existing Buildings in Flood Hazard Areas, is repealed in its entirety.

15.03.110 - Amendment – Chapter 1, Division II, Section R108.3.

Section R108.3, Building Permit Valuations, is repealed and replaced to read as follows:

R108.3 Building Permit Valuations. The applicant for a permit shall provide an estimated valuation of proposed work at time of application. Permit valuation shall include the total fair market value of work, including materials and labor, for all elements of the construction. If in the opinion of the building official the valuation is underestimated, the final building permit valuation may be set by the building official.

15.03.120 - Deletion – Chapter 1, Division II, Section R109.1.3.

Section R109.1.3, Flood Plain Inspections, is repealed in its entirety.

15.03.130 - Amendment – Chapter 1, Division II, Section R112.1.

Section R112.1, General, is deleted and replaced to read as follows:

R112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of building standards
published in the California Building Standards Code, there shall be and is hereby created a local appeals board.

15.03.140 - Amendment – Chapter 1, Division II, Section R112.2.

Section R112.2, Limitations on Authority, is deleted and replaced to read as follows:

112.2 Definitions. Whenever used in any section of this Chapter, the terms “Housing Appeals Board” and “Local Appeals Board” shall each refer to the building code appeals board as established in Chapter 2.2. of the Corte Madera Municipal Code.

15.03.170 - Amendment – Chapter 1, Division II, Section R112.3.

Section R112.3, Qualifications, is deleted and replaced to read as follows:

R112.3 Appeals. Except as otherwise provided by law, any person, firm or corporation adversely affected by a decision, order or determination by the building official relating to the application of building standards published in the California Building Standards Code, or any other applicable rule or regulation adopted by the Department of Housing and Community Development, or any ordinance enacted by the Town under Chapters 15.03 of the Corte Madera Municipal Code, may appeal the issue for resolution to the building code appeals board.

15.03.180 - Addition – Chapter 1, Division II, Section R115.

Section R115, Unsafe Structures and Equipment, is added with subsections as shown.

15.03.190 - Addition – Chapter 1, Division II, Section R115.1.

Section R115.1, Conditions, is added as follows:

R115.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or public welfare, or that involve illegal or improper occupancy or inadequate maintenance, are deemed an unsafe condition. Any structure that contains an unsafe condition may be deemed by the building official to be an unsafe structure. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and in accordance with the provisions of this Chapter. A vacant structure that is not secured against entry is deemed unsafe.

15.03.200 - Addition – Chapter 1, Division II, Section R115.2.

Section R115.2, Record, is added as follows:

R115.2 Record. The building official may cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.
Section R115.3, Notice, is added as follows:

R115.3 Notice and Order. If an unsafe condition is found, the building official may serve on the owner, agent or person in control of the structure, a written notice and order that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be vacated or demolished within a stipulated time.

Section R115.4, Method of Service, is added as follows:

R115.4 Method of Service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally or (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner’s agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

Section R115.5, Restoration, is added as follows:

R115.5 Restoration. The structure or equipment determined to be unsafe by the building official may be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of the California Existing Building Code.

Section R115.6, Nuisance Proceedings, is added as follows:

R115.6 Nuisance Proceedings. When the building official has inspected, or caused to be inspected, any structure or equipment and has found and determined that such structure or equipment is unsafe, such structure or equipment shall be considered a nuisance and the building official may commence proceedings to cause the repair, vacation or demolition of the building or equipment pursuant to this code and/or the provisions of Chapter 9.04 of the Corte Madera Municipal Code. An order to abate a nuisance may not be appealed under Title 15 of the Corte Madera Municipal Code.
Section R115.7, Staying of Order, is added as follows:

R115.7 Staying of Order. Except as otherwise provided by this paragraph, if the owner fails to take those actions required by the building official in the notice and order, the building official shall not compel the owner to take such action until such time as the Town Council or a court with proper jurisdiction orders the nuisance to be abated. An order to vacate the building or structure in the notice and order shall be exempt from the provisions of this paragraph and is enforceable upon proper service being made under the provisions of Section R115.4.

15.03.236 - Amendment – Chapter 9, Section R902.

Section R902.1.3, Roofing Requirements in Wildland-Urban Interface Fire Areas, is amended to read as follows:

R902.1.3 Roofing requirements in a Wildland-Urban Interface Fire Area. Roofing requirements for structures located in a Wildland-Urban Interface (WUI) Fire Area shall be a minimum Class A roof covering and shall also comply with the provisions of California Residential Code Section 337.5.

15.03.240 - Violation - Penalty.

(a) Any person who commits a violation of any of the provisions of this Chapter, including those that have been adopted by reference herein, is guilty of a misdemeanor and upon conviction is punishable by a fine of five hundred dollars, imprisonment for six months, or both.

(b) Any person violating any of the provisions or failing to comply with any of the requirements of this chapter, including those that have been adopted by reference herein, shall be subject to administrative citation and fines as set forth in Chapter 9.05 of Title 9 of this code.

15.03.250 – No Mandatory Duty.

By adoption of this chapter the Town Council does not intend to create, establish, or impose any mandatory duty or liability on the part of the town, its officers, employees or any other person acting on its behalf, notwithstanding the use of “shall”, “will”, “must”, or similar terms within this chapter.

Section 3. Repeal and Replacement of Chapter 15.05 of the Municipal Code.

Chapter 15.05 of the Corte Madera Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

Chapter 15.05

ELECTRICAL CODE
Sections:

15.05.010 Adoption by Reference.
15.05.020 Addition – Section 89.108.9.3
15.05.030 Addition – Section 89.108.9.4
15.05.040 Addition – Section 89.108.9.5
15.05.050 Addition – Section 89.108.9.6
15.05.060 Addition – Section 89.108.9.7
15.05.070 Addition – Section 89.108.9.8
15.05.080 Addition – Section 89.108.9.9
15.05.090 Violation – Penalty
15.05.100 No Mandatory Duty

15.05.010 - Adoption by reference.

The 2022 California Electrical Code, known as Part 3, Title 24 of the California Code of Regulations, including all tables and annex chapters, is hereby adopted by reference as though fully set forth in this Chapter except as modified by the following sections of this Chapter.

15.05.020 - Addition – Section 89.108.9.3.

Section 89.108.9.3, Conditions, is added as follows:

89.108.9.3 Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or public welfare, or that involve illegal or improper occupancy or inadequate maintenance, are deemed an unsafe condition. Any structure that contains an unsafe condition may be deemed by the building official to be an unsafe structure. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and in accordance with the provisions of this Chapter. A vacant structure that is not secured against entry is deemed unsafe.

15.05.030 - Addition – Section 89.108.9.4.

Section 89.108.9.4, Record, is added as follows:

89.108.9.4 Record. The building official may cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

15.05.040 - Addition – Section 89.108.9.5.

Section 89.108.9.5, Notice and Order, is added as follows:

89.108.9.5 Notice and Order. If an unsafe condition is found, the building official may
serve on the owner, agent or person in control of the structure, a written notice and order that
describes the condition deemed unsafe and specifies the required repairs or improvements to be
made to abate the unsafe condition, or that requires the unsafe structure to be vacated or
demolished within a stipulated time.

15.05.050 - Addition – Section 89.108.9.6.

Section 89.108.9.6, Method of Service, is added as follows:

89.108.9.6 Method of Service. Such notice shall be deemed properly served if a copy
thereof is (a) delivered to the owner personally or (b) sent by certified or registered mail addressed
to the owner at the last known address with the return receipt requested. If the certified or
registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted
in a conspicuous place in or about the structure affected by such notice. Service of such notice in
the foregoing manner upon the owner’s agent or upon the person responsible for the structure shall
constitute service of notice upon the owner.

15.05.060 - Addition – Section 89.108.9.7.

Section 89.108.9.7, Restoration, is added as follows:

89.108.9.7 Restoration. The structure or equipment determined to be unsafe by the
building official may be restored to a safe condition. To the extent that repairs, alterations or
additions are made or a change of occupancy occurs during the restoration of the structure, such
repairs, alterations, additions or change of occupancy shall comply with the requirements of the
California Existing Building Code.

15.05.070 - Addition – Section 89.108.9.8.

Section 89.108.9.8, Nuisance Proceedings, is added as follows:

89.108.9.8 Nuisance Proceedings. When the building official has inspected, or caused to
be inspected, any structure or equipment and has found and determined that such structure or
equipment is unsafe, such structure or equipment shall be considered a nuisance and the building
official may commence proceedings to cause the repair, vacation or demolition of the building or
equipment pursuant to this code and/or the provisions of Chapter 9.04 of the Corte Madera
Municipal Code. An order to abate a nuisance may not be appealed under Title 15 of the Corte

15.05.080 - Addition – Section 89.108.9.9.

Section 89.108.9.9, Staying of Order, is added as follows:

89.108.9.9 Staying of Order. Except as otherwise provided by this paragraph, if the owner
fails to take those actions required by the building official in the notice and order, the building
official shall not compel the owner to take such action until such time as the Town Council or a
court with proper jurisdiction orders the nuisance to be abated. An order to vacate the building or structure in the notice and order shall be exempt from the provisions of this paragraph and is enforceable upon proper service being made under the provisions of Section 89.108.9.6.

15.05.090 - Violation - Penalty.

(a) Any person who commits a violation of any of the provisions of this Chapter, including those that have been adopted by reference herein, is guilty of a misdemeanor and upon conviction is punishable by a fine of five hundred dollars, imprisonment for six months, or both.

(b) Any person violating any of the provisions or failing to comply with any of the requirements of this chapter, including those that have been adopted by reference herein, shall be subject to administrative citation and fines as set forth in Chapter 9.05 of Title 9 of this code.

15.05.100 – No Mandatory Duty.

By adoption of this chapter the Town Council does not intend to create, establish, or impose any mandatory duty or liability on the part of the town, its officers, employees or any other person acting on its behalf, notwithstanding the use of “shall”, “will”, “must”, or similar terms within this chapter.

Section 4. Repeal and Reenactment of Chapter 15.06 of the Municipal Code.

Chapter 15.06 of the Corte Madera Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

Chapter 15.06

MECHANICAL CODE

Sections:

15.06.010 Adoption by Reference.
15.06.020 Addition – Chapter 1, Division I, Section 1.8.9.3
15.06.030 Addition – Chapter 1, Division I, Section 1.8.9.4
15.06.040 Addition – Chapter 1, Division I, Section 1.8.9.5
15.06.050 Addition – Chapter 1, Division I, Section 1.8.9.6
15.06.060 Addition – Chapter 1, Division I, Section 1.8.9.7
15.06.070 Addition – Chapter 1, Division I, Section 1.8.9.8
15.06.080 Addition – Chapter 1, Division I, Section 1.8.9.9
15.06.090 Addition – Chapter 1, Division II, Section 106.7
15.06.100 Addition – Chapter 1, Division II, Section 106.8
15.06.110 Addition – Chapter 1, Division II, Section 106.9
15.06.120 Addition – Chapter 1, Division II, Section 106.10
15.06.130 Addition – Chapter 1, Division II, Section 106.11
15.06.140 Addition – Chapter 1, Division II, Section 106.12
15.06.010 - Adoption by reference.

The 2022 California Mechanical Code, known as Part 4, Title 24 of the California Code of Regulations, including all appendices, is hereby adopted by reference as though fully set forth in this chapter except as modified by the following subsections of this section and the following sections of this chapter:

(a) Mechanical Code Chapter 1, Division I shall apply to State-regulated buildings, structures and applications set forth by Section 1.1.3.2 of Chapter 1, Division I.

(b) Mechanical Code Chapter 1, Division II shall apply to State-regulated buildings, structures and applications in accordance with the Matrix Adoption Table in Chapter 1 of the California Mechanical Code (except as may be modified by subsection (c)).

(c) Chapter 1, Division II shall apply to all Nonstate-regulated buildings and structures and detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height and their accessory structures. Where there is a conflict or inconsistency between the provisions of Division I and Division II, the provisions of Division II shall apply.

(d) Any of the following sections in this chapter which modify, amend, or replace any of the provisions of Chapter 1, Division I or Chapter 1, Division II shall be applicable to all State-regulated and Nonstate-regulated buildings and structures, including detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height and their accessory structures.

15.06.020 - Addition – Chapter 1, Division I, Section 1.8.9.3.

Section 1.8.9.3, Conditions, is added as follows:

1.8.9.3 Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or public welfare, or that involve illegal or improper occupancy or inadequate maintenance, are deemed an unsafe condition. Any structure that contains an unsafe condition may be deemed by the building official to be an unsafe structure. Unsafe structures shall be taken down and removed or made
safe, as the building official deems necessary and in accordance with the provisions of this Chapter. A vacant structure that is not secured against entry is deemed unsafe.

15.06.030 - Addition – Chapter 1, Division I, Section 1.8.9.4.

Section 1.8.9.4, Record, is added as follows:

1.8.9.4 Record. The building official may cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

15.06.040 - Addition – Chapter 1, Division I, Section 1.8.9.5.

Section 1.8.9.5, Notice and Order, is added as follows:

1.8.9.5 Notice and Order. If an unsafe condition is found, the building official may serve on the owner, agent or person in control of the structure, a written notice and order that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be vacated or demolished within a stipulated time.

15.06.050 - Addition – Chapter 1, Division I, Section 1.8.9.6.

Section 1.8.9.6, Method of Service, is added as follows:

1.8.9.6 Method of Service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally or (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner’s agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

15.06.060 - Addition – Chapter 1, Division I, Section 1.8.9.7.

Section 1.8.9.7, Restoration, is added as follows:

1.8.9.7 Restoration. The structure or equipment determined to be unsafe by the building official may be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of the California Existing Building Code.

15.06.070 - Addition – Chapter 1, Division I, Section 1.8.9.8.

Section 1.8.9.8, Nuisance Proceedings, is added as follows:
1.8.9.8 Nuisance Proceedings. When the building official has inspected, or caused to be inspected, any structure or equipment and has found and determined that such structure or equipment is unsafe, such structure or equipment shall be considered a nuisance and the building official may commence proceedings to cause the repair, vacation or demolition of the building or equipment pursuant to this code and/or the provisions of Chapter 9.04 of the Corte Madera Municipal Code. An order to abate a nuisance may not be appealed under Title 15 of the Corte Madera Municipal Code.

15.06.080 - Addition – Chapter 1, Division I, Section 1.8.9.9.

Section 1.8.9.9, Staying of Order, is added as follows:

1.8.9.9 Staying of Order. Except as otherwise provided by this paragraph, if the owner fails to take those actions required by the building official in the notice and order, the building official shall not compel the owner to take such action until such time as the Town Council or a court with proper jurisdiction orders the nuisance to be abated. An order to vacate the building or structure in the notice and order shall be exempt from the provisions of this paragraph and is enforceable upon proper service being made under the provisions of Section 1.8.9.6.

15.06.090 - Addition – Chapter 1, Division II, Section 106.7.

Section 106.7, Record, is added as follows:

106.7 Record. The building official may cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

15.06.100 - Addition – Chapter 1, Division II, Section 106.8.

Section 106.8, Notice and Order, is added as follows:

106.8 Notice and Order. If an unsafe condition is found, the building official may serve on the owner, agent or person in control of the structure, a written notice and order that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be vacated or demolished within a stipulated time.

15.06.110 - Addition – Chapter 1, Division II, Section 106.9.

Section 106.9, Method of Service, is added as follows:

106.9 Method of Service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally or (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner’s agent or upon the person responsible for the structure shall
constitute service of notice upon the owner.

15.06.120 - Addition – Chapter 1, Division II, Section 106.10.

Section 106.10, Restoration, is added as follows:

106.10 Restoration. The structure or equipment determined to be unsafe by the building official may be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of the California Existing Building Code.

15.06.130 - Addition – Chapter 1, Division II, Section 106.11.

Section 106.11, Nuisance Proceedings, is added as follows:

106.11 Nuisance Proceedings. When the building official has inspected, or caused to be inspected, any structure or equipment and has found and determined that such structure or equipment is unsafe, such structure or equipment shall be considered a nuisance and the building official may commence proceedings to cause the repair, vacation or demolition of the building or equipment pursuant to this code and/or the provisions of Chapter 9.04 of the Corte Madera Municipal Code. An order to abate a nuisance may not be appealed under Title 15 of the Corte Madera Municipal Code.

15.06.140 - Addition – Chapter 1, Division II, Section 106.12.

Section 106.12, Staying of Order, is added as follows:

106.12 Staying of Order. Except as otherwise provided by this paragraph, if the owner fails to take those actions required by the building official in the notice and order, the building official shall not compel the owner to take such action until such time as the Town Council or a court with proper jurisdiction orders the nuisance to be abated. An order to vacate the building or structure in the notice and order shall be exempt from the provisions of this paragraph and is enforceable upon proper service being made under the provisions of Section 106.9.

15.06.150 - Amendment – Chapter 1, Division II, Section 107.1.

Section 107.1, General, is deleted and replaced to read as follows:

107.1 General. The building code appeals board as established in Chapter 2.2. of the Corte Madera Municipal Code shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of building standards published in the California Building Standards Code.

15.06.160 - Amendment – Chapter 1, Division II, Section 107.2.
Section 107.2, Limitations on Authority, is amended to read as follows:

107.2 Definitions. Whenever used in any section of this Chapter, the terms “Housing Appeals Board” and “Local Appeals Board” shall each refer to the building code appeals board as established in Chapter 2.2. of the Corte Madera Municipal Code.

15.06.170 - Addition – Chapter 1, Division II, Section 107.3.

Section 107.3, Appeals, is added as follows:

107.3 Appeals. Except as otherwise provided by law, any person, firm or corporation adversely affected by a decision, order or determination by the building official relating to the application of building standards published in the California Building Standards Code, or any other applicable rule or regulation adopted by the Department of Housing and Community Development, or any ordinance enacted by the Town under Chapter 15.06 of the Corte Madera Municipal Code, may appeal the issue for resolution to the building code appeals board.

15.06.190 - Amendment – Chapter 1, Division II, Section 104.5.

Section 104.5, General, is deleted and replaced to read as follows:

104.5 General. Permit, plan review, and administrative fees shall be assessed in accordance with the fee schedule adopted by the Town of Corte Madera.

15.06.200 - Deletion – Chapter 1, Division II, Section 104.3.2

Section 104.3.2, Plan Review Fees, is deleted in its entirety.

15.06.210 - Deletion – Chapter 1, Division II, Table 104.5.

Table 104.5, Mechanical Permit Fees, is deleted in its entirety.

15.06.220 - Violation - Penalty.

(a) Any person who commits a violation of any of the provisions of this Chapter, including those that have been adopted by reference herein, is guilty of a misdemeanor and upon conviction is punishable by a fine of five hundred dollars, imprisonment for six months, or both.

(b) Any person violating any of the provisions or failing to comply with any of the requirements of this chapter, including those that have been adopted by reference herein, shall be subject to administrative citation and fines as set forth in Chapter 9.05 of Title 9 of this code.

15.06.230 – No Mandatory Duty.

By adoption of this chapter the Town Council does not intend to create, establish, or impose any mandatory duty or liability on the part of the town, its officers, employees, or any other person acting on its behalf, notwithstanding the use of “shall”, “will”, “must”, or similar terms within this chapter.
**Section 5. Repeal and Reenactment of Chapter 15.07 of the Municipal Code.**

Chapter 15.07 of the Corte Madera Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

**Chapter 15.07**

**PLUMBING CODE**

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**15.07.010 – Adoption by reference.**

The 2022 California Plumbing Code, known as Part 5, Title 24 of the California Code of Regulations, including all appendices, is hereby adopted by reference as though fully set forth in this chapter except as modified by the following subsections of this section and the following sections of this chapter:

(a) Plumbing Code Chapter 1, Division I shall apply to State-regulated buildings, structures and applications set forth by Section 1.1.3.2 of Chapter 1, Division I.
(b) Plumbing Code Chapter 1, Division II shall apply to State-regulated buildings, structures and applications in accordance with the Matrix Adoption Table in Chapter 1 of the California Plumbing Code (except as may be modified by subsection (c)).

(c) Chapter 1, Division II shall apply to all non-State-regulated buildings and structures and detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height and their accessory structures. Where there is a conflict or inconsistency between the provisions of Division I and Division II, the provisions of Division II shall apply.

(d) Any of the following sections in this chapter which modify, amend, or replace any of the provisions of Chapter 1, Division I or Chapter 1, Division II shall be applicable to all State-regulated and non-State-regulated buildings and structures, including detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height and their accessory structures.

15.07.020 - Addition – Chapter 1, Division I, Section 1.8.9.3.

Section 1.8.9.3, Conditions, is added as follows:

1.8.9.3 Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or public welfare, or that involve illegal or improper occupancy or inadequate maintenance, are deemed an unsafe condition. Any structure that contains an unsafe condition may be deemed by the building official to be an unsafe structure. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and in accordance with the provisions of this Chapter. A vacant structure that is not secured against entry is deemed unsafe.

15.07.030 - Addition – Chapter 1, Division I, Section 1.8.9.4.

Section 1.8.9.4, Record, is added as follows:

1.8.9.4 Record. The building official may cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

15.07.040 - Addition – Chapter 1, Division I, Section 1.8.9.5.

Section 1.8.9.5, Notice and Order, is added as follows:

1.8.9.5 Notice and Order. If an unsafe condition is found, the building official may serve on the owner, agent or person in control of the structure, a written notice and order that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be vacated or demolished within a stipulated time.
15.07.050 - Addition – Chapter 1, Division I, Section 1.8.9.6.

Section 1.8.9.6, Method of Service, is added as follows:

1.8.9.6 Method of Service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally or (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner’s agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

15.07.060 - Addition – Chapter 1, Division I, Section 1.8.9.7.

Section 1.8.9.7, Restoration, is added as follows:

1.8.9.7 Restoration. The structure or equipment determined to be unsafe by the building official may be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of the CaliforniaExisting Building Code.

15.07.070 - Addition – Chapter 1, Division I, Section 1.8.9.8.

Section 1.8.9.8, Nuisance Proceedings, is added as follows:

1.8.9.8 Nuisance Proceedings. When the building official has inspected, or caused to be inspected, any structure or equipment and has found and determined that such structure or equipment is unsafe, such structure or equipment shall be considered a nuisance and the building official may commence proceedings to cause the repair, vacation or demolition of the building or equipment pursuant to this code and/or the provisions of Chapter 9.04 of the Corte Madera Municipal Code. An order to abate a nuisance may not be appealed under Title 15 of the Corte Madera Municipal Code.

15.07.080 - Addition – Chapter 1, Division I, Section 1.8.9.9.

Section 1.8.9.9, Staying of Order, is added as follows:

1.8.9.9 Staying of Order. Except as otherwise provided by this paragraph, if the owner fails to take those actions required by the building official in the notice and order, the building official shall not compel the owner to take such action until such time as the Town Council or a court with proper jurisdiction orders the nuisance to be abated. An order to vacate the building or structure in the notice and order shall be exempt from the provisions of this paragraph and is enforceable upon proper service being made under the provisions of Section 1.8.9.6.
Section 106.7, Record, is added as follows:

106.7 Record. The building official may cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

Section 106.8, Notice and Order, is added as follows:

106.8 Notice and Order. If an unsafe condition is found, the building official may serve on the owner, agent or person in control of the structure, a written notice and order that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be vacated or demolished within a stipulated time.

Section 106.9, Method of Service, is added as follows:

106.9 Method of Service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally or (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner’s agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

Section 106.10, Restoration, is added as follows:

106.10 Restoration. The structure or equipment determined to be unsafe by the building official may be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of the California Existing Building Code.

Section 106.11, Nuisance Proceedings, is added as follows:

106.11 Nuisance Proceedings. When the building official has inspected, or caused to be inspected, any structure or equipment and has found and determined that such structure or equipment is unsafe, such structure or equipment shall be considered a nuisance and the building
official may commence proceedings to cause the repair, vacation or demolition of the building or equipment pursuant to this code and/or the provisions of Chapter 9.04 of the Corte Madera Municipal Code. An order to abate a nuisance may not be appealed under Title 15 of the Corte Madera Municipal Code.

15.07.140 - Addition – Chapter 1, Division II, Section 106.12.

Section 106.12, Staying of Order, is added as follows:

106.12 Staying of Order. Except as otherwise provided by this paragraph, if the owner fails to take those actions required by the building official in the notice and order, the building official shall not compel the owner to take such action until such time as the Town Council or a court with proper jurisdiction orders the nuisance to be abated. An order to vacate the building or structure in the notice and order shall be exempt from the provisions of this paragraph and is enforceable upon proper service being made under the provisions of Section 106.9.

15.07.150 - Amendment – Chapter 1, Division II, Section 107.1.

Section 107.1, Board of Appeals, is deleted and replaced to read as follows:

107.1 General. The building code appeals board as established in Chapter 2.2. of the Corte Madera Municipal Code shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of building standards published in the California Building Standards Code.

15.07.160 - Addition – Chapter 1, Division II, Section 107.2.

Section 107.2, Definitions, is added as follows:

107.2 Definitions. Whenever used in any section of this Chapter, the terms “Housing Appeals Board” and “Local Appeals Board” shall each refer to the building code appeals board as established in Chapter 2.2. of the Corte Madera Municipal Code.

15.07.170 - Addition – Chapter 1, Division II, Section 107.3.

Section 107.3, Appeals, is added as follows:

107.3 Appeals. Except as otherwise provided by law, any person, firm or corporation adversely affected by a decision, order or determination by the building official relating to the application of building standards published in the California Building Standards Code, or any other applicable rule or regulation adopted by the Department of Housing and Community Development, or any ordinance enacted by the Town under Chapter 15.07 of the Corte Madera Municipal Code, may appeal the issue for resolution to the building code appeals board.

15.07.180 - Addition – Chapter 1, Division II, Section 107.4.
Section 107.4, Limitations of Authority, is added to read as follows:

107.4 Limitations of Authority. The building code appeals board shall have no authority relative to interpretation of the administrative provisions of this code, nor shall the board be empowered to waive requirements of this code.

15.07.190 - Amendment – Chapter 1, Division II, Section 104.5.

Section 104.5, Fees, is deleted and replaced to read as follows:

104.5 Fees. Permit, plan review, and administrative fees shall be assessed in accordance with the fee schedule adopted by the Town of Corte Madera.

15.07.200 - Deletion – Chapter 1, Division II, Section 104.3.2.

Section 104.3.2, Plan Review Fees, is deleted in its entirety.

15.07.210 - Deletion – Chapter 1, Division II, Table 104.5.

Table 104.5, Plumbing Permit Fees, is deleted in its entirety.

15.07.220 - Violation - Penalty.

(a) Any person who commits a violation of any of the provisions of this Chapter, including those that have been adopted by reference herein, is guilty of a misdemeanor and upon conviction is punishable by a fine of five hundred dollars, imprisonment for six months, or both.

(b) Any person violating any of the provisions or failing to comply with any of the requirements of this chapter, including those that have been adopted by reference herein, shall be subject to administrative citation and fines as set forth in Chapter 9.05 of Title 9 of this code.

15.07.230 – No Mandatory Duty.

By adoption of this chapter the Town Council does not intend to create, establish, or impose any mandatory duty or liability on the part of the town, its officers, employees, or any other person acting on its behalf, notwithstanding the use of “shall”, “will”, “must”, or similar terms within this chapter.

Section 6. Repeal and Reenactment of Chapter 15.08 of the Municipal Code.

Chapter 15.08 of the Corte Madera Municipal Code is hereby repealed and reenacted to read as follows:

Chapter 15.08
ENERGY CODE

Sections:

15.08.010 Adoption by Reference
15.08.020 Violation – Penalty
15.08.030 No Mandatory Duty

15.08.010 - Adoption by reference.

The 2022 California Energy Code, known as Part 6, Title 24 of the California Code of Regulations, is hereby adopted by reference as though fully set forth in this chapter.

15.08.020 - Violation – Penalty.

(a) Any person who commits a violation of any of the provisions of this Chapter, including those that have been adopted by reference herein, is guilty of a misdemeanor and upon conviction is punishable by a fine of five hundred dollars, imprisonment for six months, or both.

(b) Any person violating any of the provisions or failing to comply with any of the requirements of this chapter, including those that have been adopted by reference herein, shall be subject to administrative citation and fines as set forth in Chapter 9.05 of Title 9 of this code.

15.08.030 – No Mandatory Duty.

By adoption of this chapter the Town Council does not intend to create, establish, or impose any mandatory duty or liability on the part of the town, its officers, employees, or any other person acting on its behalf, notwithstanding the use of “shall”, “will”, “must”, or similar terms within this chapter.

Section 7. Repeal and Reenactment of Chapter 15.09 of the Municipal Code.

Chapter 15.09 of the Corte Madera Municipal Code is hereby repealed and reenacted to read as follows:

Chapter 15.09

HISTORIC BUILDING CODE

Sections:

15.09.010 Adoption by Reference
15.09.020 Violation – Penalty
15.09.030 No Mandatory Duty
15.09.010 - Adoption by reference.

The 2022 California Historic Building Code, known as Part 8, Title 24 of the California Code of Regulations, including all appendices, is hereby adopted by reference as though fully set forth in this chapter.

15.09.020 - Violation - Penalty.

(a) Any person who commits a violation of any of the provisions of this Chapter, including those that have been adopted by reference herein, is guilty of a misdemeanor and upon conviction is punishable by a fine of five hundred dollars, imprisonment for six months, or both.

(b) Any person violating any of the provisions or failing to comply with any of the requirements of this chapter, including those that have been adopted by reference herein, shall be subject to administrative citation and fines as set forth in Chapter 9.05 of Title 9 of this code.

15.09.030 – No Mandatory Duty.

By adoption of this chapter the Town Council does not intend to create, establish, or impose any mandatory duty or liability on the part of the town, its officers, employees, or any other person acting on its behalf, notwithstanding the use of “shall”, “will”, “must”, or similar terms within this chapter.

Section 8. Repeal and Reenactment of Chapter 15.11 of the Municipal Code.

Chapter 15.11 of the Corte Madera Municipal Code is hereby repealed and reenacted to read as follows:

Chapter 15.11

EXISTING BUILDING CODE

Sections:

15.11.010  Adoption by Reference
15.11.020  Violation – Penalty
15.11.030  No Mandatory Duty

15.11.010 - Adoption by reference.

The 2022 California Existing Building Code, known as Part 10, Title 24 of the California Code of Regulations, including all appendices, is hereby adopted by reference as though fully set forth in this chapter.
15.11.020 - Violation - Penalty.

(a) Any person who commits a violation of any of the provisions of this Chapter, including those that have been adopted by reference herein, is guilty of a misdemeanor and upon conviction is punishable by a fine of five hundred dollars, imprisonment for six months, or both.

(b) Any person violating any of the provisions or failing to comply with any of the requirements of this chapter, including those that have been adopted by reference herein, shall be subject to administrative citation and fines as set forth in Chapter 9.05 of Title 9 of this code.

15.11.030 – No Mandatory Duty.

By adoption of this chapter the Town Council does not intend to create, establish, or impose any mandatory duty or liability on the part of the town, its officers, employees, or any other person acting on its behalf, notwithstanding the use of “shall”, “will”, “must”, or similar terms within this chapter.


Chapter 15.13 of the Corte Madera Municipal Code is hereby repealed and reenacted to read as follows:

Chapter 15.13

GREEN BUILDING STANDARDS CODE

Sections:

15.13.010 Adoption by Reference
15.13.020 Amendment – Section 202 of Chapter 2
15.13.030 Amendment - Section 4.106.4
15.13.040 Amendment – Section 5.106.5.3
15.13.050 Violation – Penalty
15.13.060 No Mandatory Duty

15.13.010 - Adoption by reference.

The 2022 California Green Building Standards Code, known as Part 11, Title 24 of the California Code of Regulations, including all appendices, is hereby adopted by reference as though fully set forth in this chapter.


Section 202 Definitions is added as follows.
Automatic Load Management System (ALMS). A control system designed to manage load across one or more electric vehicle supply equipment (EVSE), circuits, panels and to share electrical capacity and/or automatically manage power at each connection point. ALMS systems shall be designed to deliver no less than 3.3 kVa (208/240 volt, 16-ampere) to each EV Capable, EV Ready or EVCS space served by the ALMS, and meet the requirements of California Electrical Code Article 625. The connected amperage to the building site for the EV charging infrastructure shall not be lower than the required connected amperage per California Green Building Standards Code, Title 24 Part 11.

Direct Current Fast Charging (DCFC). A parking space provided with electrical infrastructure that meets the following conditions:

(a) A minimum of 48 kVa (480 volt, 100-ampere) capacity wiring.

(b) Electric vehicle supply equipment (EVSE) located within three (3) feet of the parking space providing a minimum capacity of 80-ampere.

Electric Vehicle Charging Station (EVCS). One or more electric vehicle charging spaces served by electric vehicle charger(s) or other charging equipment allowing charging of electric vehicles. Electric vehicle charging stations are not considered parking spaces. A parking space that includes installation of electric vehicle supply equipment (EVSE) at an EV Ready space. An EVCS space may be used to satisfy EV Ready space requirements. EVSE shall be installed in accordance with the California Electrical Code, Article 625.

Electric Vehicle (EV) Ready Space. [HCD] A vehicle space which is provided with a branch circuit; any necessary raceways, both underground and/or surface mounted; to accommodate EV charging, terminating in a receptacle or a charger.

Electric Vehicle (EV) Capable Space. A vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways, both underground and/or surface mounted, to support EV charging.

Level 2 (L2) EV Capable. A parking space provided with electrical infrastructure that meets the following requirements:

(a) Conduit that links a listed electrical panel with sufficient capacity to a junction box or receptacle located within three (3) feet of the parking space.

(b) The conduit shall be designed to accommodate at least 8.3 kVa (208/240 volt, 40-ampere) per parking space. Conduit shall have a minimum nominal trade size of 1 inch inside diameter and may be sized for multiple circuits as allowed by the California Electrical Code. Conduit shall be installed at a minimum in spaces that will be inaccessible after construction, either trenched underground or where penetrations to walls, floors, or other partitions would otherwise be required for future installation of branch circuits, and such additional elements deemed necessary by the Building Official. Construction documents shall indicate future completion of conduit from the panel to the parking space, via the installed inaccessible conduit.
(c) The electrical panel shall reserve a space for a 40-ampere overcurrent protective device space(s) for EV charging, labeled in the panel directory as “EV CAPABLE.”

(d) Electrical load calculations shall demonstrate that the electrical panel service capacity and electrical system, including any on-site distribution transformer(s), have sufficient capacity to simultaneously charge all EVs at all required EV spaces at a minimum of 40 amperes.

(e) The parking space shall contain signage with at least a 12” font adjacent to the parking space indicating the space is EV Capable.

Level 1 (L1) EV Ready. A parking space that is served by a complete electric circuit with the following requirements:

(a) A minimum of 2.2 kVa (110/120 volt, 20-ampere) capacity wiring.

(b) A receptacle labeled “Electric Vehicle Outlet” or electric vehicle supply equipment located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 16-ampere.

(c) Conduit oversized to accommodate future Level 2 EV Ready (208/240 volt, 40-ampere) at each parking space.

Level 2 (L2) EV Ready. A parking space that is served by a complete electric circuit with the following requirements:

(a) A minimum of 8.3 kVa (208/240 volt, 40-ampere) capacity wiring.

(b) A receptacle labeled “Electric Vehicle Outlet” or electric vehicle supply equipment located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 30-ampere.

Low Power Level 2 (L2) EV Ready. A parking space that is served by a complete electric circuit with the following requirements:

(a) A minimum of 4.1 kVA (208/240 Volt, 20-ampere) capacity wiring.

(b) A receptacle labeled “Electric Vehicle Outlet” or electric vehicle supply equipment located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 16-ampere.

(c) Conduit oversized to accommodate future Level 2 EV Ready (208/240 volt, 40-ampere) at each parking space.

Off-Street Loading Spaces. [BSC-CG, DSA-SS] An area, other than a public street, public
way, or other property (and exclusive of off-street parking spaces), permanently reserved or set aside for the loading or unloading of motor vehicles, including ways of ingress and egress and maneuvering areas. Whenever the term "loading space" is used, it shall, unless the context clearly requires otherwise, be construed as meaning off-street loading space. This excludes designated passenger loading/unloading.

15.13.030 - Amendment - Section 4.106.4.

Section 4.106.4, Electric Vehicle (EV) Charging for New Construction, is deleted and replaced in its entirety to read as follows:

4.106.4 Electric vehicle (EV) charging for new construction. New construction shall comply with Section 4.106.4.1 or 4.106.4.2 to facilitate future installation and use of EV chargers. Electric vehicle supply equipment (EVSE) shall be installed in accordance with the California Electrical Code, Article 625. For EVCS signs, refer to Caltrans Traffic Operations Policy Directive 13-01 (Zero Emission Vehicle Signs and Pavement Markings) or its successor(s). Calculation for spaces shall be rounded up to the nearest whole number.

Exceptions:

1. On a case-by-case basis, where the local enforcing agency has determined EV charging and infrastructure are not feasible based upon one or more of the following conditions:
   1.1. Where there is no local utility power supply or the local utility is unable to supply adequate power.
   1.2. Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 4.106.4, may adversely impact the construction cost of the project.
2. Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) without additional parking facilities.
3. Building projects that have approved entitlements before the code effective date.
4. Parking spaces accessible only by automated mechanical car parking systems are not required to comply with this code section.

4.106.4.1 New one- and two-family dwellings and town-houses with private garages. For each dwelling unit, a dedicated 208/240-volt branch circuit shall be installed in the raceway required by Section 4.106.4.1. The branch circuit and associated overcurrent protective device shall be rated at 40 amperes minimum. Other electrical components, including a receptacle or blank cover, related to this section shall be installed in accordance with the California Electrical Code.

4.106.4.2 New multifamily dwellings, and new residential parking facilities. When parking is provided, parking spaces for new multifamily dwellings, hotels and motels shall meet the requirements of Sections 4.106.2.1 and 4.106.4.2.2. Calculations for spaces shall be rounded
up to the nearest whole number. A parking space served by electric vehicle supply equipment or
designed as a future EV charging space shall count as at least one standards automobile parking
space only for the purpose of complying with any applicable minimum parking space
requirements established by a local jurisdiction. See Vehicle Code Section 22511.2 for further
details. Requirements apply to parking spaces that are assigned or leased to individual dwelling
units, as well as unassigned residential parking. Visitor or common area parking is not included.

4.106.4.2.1 Multifamily development projects. The number of dwelling units, sleeping
units or guest rooms shall be based on all buildings on a project site subject to this section.

Fifteen percent (15%) of dwelling units with parking spaces shall be EVCS with Level 2
EV Ready. ALMS shall be permitted to reduce load when multiple vehicles are charging. Eighty-
five percent (85%) of dwelling units with parking spaces shall be provided with a Low Power
Level 2 EV Ready space. EV ready spaces and EVCS in multifamily developments shall comply
with California Building Code, Chapter 11A, Section 1109A. EVCS shall comply with the
accessibility provisions for EV chargers in the California Building Code, Chapter 11B.

Notes:

a. Construction documents are intended to demonstrate the project’s capability
   and capacity for facilitating future EV charging.

b. There is no requirement for EV spaces to be constructed or available until
   receptacles for EV charging or EV chargers are installed for use.

4.106.4.2.2 Hotels and motels.
The number of dwelling units, sleeping units or guest rooms shall be based on all
buildings on a project site subject to this section.

Ten percent (10%) of parking spaces provided shall be EVCS with Level 2 EV Ready.
ALMS shall be permitted to reduce load when multiple vehicles are charging. Thirty-five percent
(35%) of parking spaces provided shall be Low Power Level 2 EV Ready space. Ten percent
(10%) of parking spaces provided shall be Level 2 EV Capable.

When new parking facilities are added and ALMS is installed, the ALMS system must be
designed to deliver no less than 2.2 kVa (110/120 volt, 20-ampere).

Notes:

a. Construction documents are intended to demonstrate the project’s capability and
   capacity for facilitating future EV charging.

b. There is no requirement for EV spaces to be constructed or available until
   receptacles for EV charging or EV chargers are installed for use.

4.106.4.2.2.1 Electric vehicle charging stations (EVCS).
Electric vehicle charging stations required by Section 4.106.4.2. 1 and 4.106.4.2, shall comply
with Section 4.106.4.2.2.1.
Exception: Electric vehicle charging stations serving public accommodations, public housing, motels and hotels shall not be required to comply with this section. See California Building Code, Chapter 11B, for applicable requirements.

4.106.4.2.1.1 Location.
EVCS shall comply with at least one of the following options:
1. The charging space shall be located adjacent to an accessible parking space meeting the requirements of the California Building Code, Chapter 11A, to allow use of the EV charger from the accessible parking space.
2. The charging space shall be located on an accessible route, as defined in the California Building Code, Chapter 2, to the building.

Exception: Electric vehicle charging stations designed and constructed in compliance with the California Building Code, Chapter 11B, are not required to comply with Section 4.106.4.2.1.1 and Section 4.106.4.2.1.2, Item 3.

4.106.4.2.1.2 Electric vehicle charging stations (EVCS) dimensions.
The charging spaces shall be designed to comply with the following:
1. The minimum length of each EV space shall be 18 feet (5486 mm).
2. The minimum width of each EV space shall be 9 feet (2743 mm).
3. One in every 25 charging spaces, but not less than one, shall also have an 8-foot (2438 mm) wide minimum aisle. A 5-foot (1524 mm) wide minimum aisle shall be permitted provided the minimum width of the EV space is 12 feet (3658 mm).
4. Surface slope for this EV space and the aisle shall not exceed 1 unit vertical in 48 units horizontal (2.083 percent slope) in any direction.

4.106.4.2.1.3 Accessible EV spaces.
In addition to the requirements in Sections 4.106.4.2.1.1 and 4.106.4.2.1.2, all EVSE, when installed shall comply with the accessibility provisions for EV chargers in the California Building Code, Chapter 11B. EV ready spaces and EVCS in multifamily developments shall comply with California Building Code, Chapter 11A, Section 1109A.

4.106.4.3 Direct current fast charging stations (DCFC).
One DCFC may be substituted for up to five (5) EVCS to meet the requirements of 4.106.4.2.1 and 4.106.4.2.2. Where ALMS serve DCFC stations, the power demand from the DCFC shall be prioritized above Level 1 and Level 2 spaces.

15.13.040 – Amendment – Section 4.106.5.3.

Section 4.106.5.3, Electric Vehicle (EV) Charging, is repealed and replaced to read as follows:
5.106.5.3 Electric vehicle (EV) charging.

[N] Construction to provide electric vehicle infrastructure and facilitate electric vehicle charging shall comply with Section 5.106.5.3.1 A5.106.5.3.1 or A5.106.5.3.2 and shall be provided in accordance with regulations in the California Building Code and the California Electrical Code. Accessible EVCS shall be provided in accordance with the California Building Code Chapter 11B Section 11B-228.3. For EVCS signs, refer to Caltrans Traffic Operations Policy Directive 13-01 (Zero Emission Vehicle Signs and Pavement Markings) or its successor(s). Calculation for spaces shall be rounded up to the nearest whole number.

Exceptions:

1. On a case-by-case basis, where the local enforcing agency has determined EV charging and infrastructure are not feasible based upon one or more of the following conditions:
   a. Where there is no local utility power supply
   b. Where the local utility is unable to supply adequate power.
   c. Where there is evidence suitable to the local enforcement agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may adversely impact the construction cost of the project.

2. Parking spaces accessible only by automated mechanical car parking systems are not required to comply with this code section.

3. Building projects that have approved entitlements before the code effective date.

4. One DCFC may be substituted for up to five (5) EVCS to meet the requirements of 5.106.5.3. Where ALMS serve DCFC stations, the power demand from the DCFC shall be prioritized above Level 1 and Level 2 spaces.

15.13.050 - Violation - Penalty.

(a) Any person who commits a violation of any of the provisions of this Chapter, including those that have been adopted by reference herein, is guilty of a misdemeanor and upon conviction is punishable by a fine of five hundred dollars, imprisonment for six months, or both.

(b) Any person violating any of the provisions or failing to comply with any of the requirements of this chapter, including those that have been adopted by reference herein, shall be subject to administrative citation and fines as set forth in Chapter 9.05 of Title 9 of this code.

15.13.060 – No Mandatory Duty.

By adoption of this chapter the Town Council does not intend to create, establish, or impose any mandatory duty or liability on the part of the town, its officers, employees or any other person acting on its behalf, notwithstanding the use of “shall”, “will”, “must”, or similar terms within this

Chapter 15.15 of the Corte Madera Municipal Code is hereby repealed and replaced to read as follows:

Chapter 15.15

REFERENCED STANDARDS CODE

Sections:

15.15.010 Adoption by Reference
15.15.020 Violation – Penalty
15.15.030 No Mandatory Duty

15.15.010 - Adoption by reference.

The 2022 California Referenced Standards Code, known as Part 12, Title 24 of the California Code of Regulations, is hereby adopted by reference as though fully set forth in this chapter.

15.15.020 - Violation - Penalty.

(a) Any person who commits a violation of any of the provisions of this Chapter, including those that have been adopted by reference herein, is guilty of a misdemeanor and upon conviction is punishable by a fine of five hundred dollars, imprisonment for six months, or both.

(b) Any person violating any of the provisions or failing to comply with any of the requirements of this chapter, including those that have been adopted by reference herein, shall be subject to administrative citation and fines as set forth in Chapter 9.05 of Title 9 of this code.

15.15.030 – No Mandatory Duty.

By adoption of this chapter the Town Council does not intend to create, establish, or impose any mandatory duty or liability on the part of the town, its officers, employees, or any other person acting on its behalf, notwithstanding the use of “shall”, “will”, “must”, or similar terms within this chapter.


Chapter 15.17 of the Corte Madera Municipal Code is hereby repealed and reenacted to Title 15 to read as follows:
Chapter 15.17

ELECTRICAL CODE ADMINISTRATIVE PROVISIONS

Sections:

15.17.010 Adoption by Reference.
15.17.020 Amendment – Section 102.6
15.17.030 Deletion – Section 201.3
15.17.040 Deletion – Section 301
15.17.050 Deletion – Section 303
15.17.060 Amendment – Section 404.2
15.17.070 Amendment – Section 901.5
15.17.080 Addition – Section 901.7
15.17.090 Addition – Section 901.8
15.17.100 Addition – Section 901.9
15.17.110 Amendment – Section 1101.1
15.17.120 Amendment – Section 1101.2
15.17.130 Addition – Section 1101.3
15.17.140 Deletion – Section 1102
15.17.150 Deletion – Section 1103
15.17.160 Deletion – Chapter 12
15.17.170 Deletion – Chapter 13
15.17.180 Violation – Penalty

15.17.010 - Adoption by reference.

The 2006 International Code Council Electrical Code Administrative Provisions is hereby adopted by reference as though fully set forth in this chapter except as modified by the following sections of this chapter.

15.17.020 - Amendment – Section 102.6.

Section 102.6, Referenced Codes and Standards, is repealed and replaced to read as follows:

102.6 Referenced codes and standards. Where differences occur between provisions of the California Electrical Code and referenced codes or standards, the provisions of the California Electrical Code shall apply. Where enforcement of a code provision would conflict with the conditions of the listing of approved equipment or appliances, the conditions of the listing and manufacturer’s instructions shall apply.

15.17.030 - Deletion – Section 201.3.

Section 201.3, Terms Defined in Other Codes, is repealed in its entirety.

15.17.040 - Deletion – Section 301.
Section 301, Department of Electrical Inspection, is repealed in its entirety.

15.17.050 - Deletion – Section 303.

Section 303, Certificate of Occupancy, is repealed in its entirety.

15.17.060 - Amendment – Section 404.2.

Section 404.2, Schedule of Permit Fees, is repealed and replaced to read as follows:

404.2 Fees. Permit, plan review, and administrative fees shall be assessed in accordance with the fee schedule adopted by the Town of Corte Madera.

15.17.070 - Amendment – Section 901.5.

Section 901.5, Notice, is repealed and replaced to read as follows:

901.5 Notice and Order. If an unsafe condition is found, the building official may serve on the owner, agent or person in control of the structure, a written notice and order that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be vacated or demolished within a stipulated time.

15.17.080 - Addition – Chapter 1, Section 901.7.

Section 901.7, Restoration, is added as follows:

901.7 Restoration. The structure or equipment determined to be unsafe by the building official may be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of the California Existing Building Code.

15.17.090 - Addition – Section 901.8.

Section 901.8, Nuisance Proceedings, is added as follows:

901.8 Nuisance Proceedings. When the building official has inspected, or caused to be inspected, any structure or equipment and has found and determined that such structure or equipment is unsafe, such structure or equipment shall be considered a nuisance and the building official may commence proceedings to cause the repair, vacation or demolition of the building or equipment pursuant to this code and/or the provisions of Chapter 9.04 of the Corte Madera Municipal Code. An order to abate a nuisance may not be appealed under Title 15 of the Corte Madera Municipal Code.
15.17.100 - Addition – Section 901.9.

Section 901.9, Staying of Order, is added as follows:

901.9 Staying of Order. Except as otherwise provided by this paragraph, if the owner fails to take those actions required by the building official in the notice and order, the building official shall not compel the owner to take such action until such time as the Town Council or a court with proper jurisdiction orders the nuisance to be abated. An order to vacate the building or structure in the notice and order shall be exempt from the provisions of this paragraph and is enforceable upon proper service being made under the provisions of Section 901.6.

15.17.110 - Amendment – Section 1101.1.

Section 1101.1, General, is repealed and replaced to read as follows:

1101.1 General. The building code appeals board as established in Chapter 2.2. of the Corte Madera Municipal Code shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of building standards published in the California Building Standards Code.

15.17.120 - Amendment – Section 1101.2.

Section 1101.2, Limitations on Authority, is repealed and replaced to read as follows:

1101.2 Definitions. Whenever used in any section of this Chapter, the terms “Housing Appeals Board” and “Local Appeals Board” shall each refer to the building code appeals board as established in Chapter 2.2. of the Corte Madera Municipal Code.

15.17.130 - Addition – Section 1101.3.

Section 1101.3, Appeals, is added as follows:

1101.3 Appeals. Except as otherwise provided by law, any person, firm or corporation adversely affected by a decision, order or determination by the building official relating to the application of building standards published in the California Building Standards Code, or any other applicable rule or regulation adopted by the Department of Housing and Community Development, or any ordinance enacted by the Town under Chapter 15.05 of the Corte Madera Municipal Code, may appeal the issue for resolution to the building code appeals board.

15.17.140 - Deletion – Section 1102.

Section 1102, Membership, is repealed in its entirety.

15.17.150 - Deletion – Section 1103.
Section 1103, Procedures, is repealed in its entirety.

15.17.160 - Deletion – Chapter 12.

Chapter 12, Electrical Provisions, is repealed in its entirety.

15.17.170 - Deletion – Chapter 13.

Chapter 13, Referenced Standards, is repealed in its entirety.

15.17.180 - Violation - Penalty.

(a) Any person who commits a violation of any of the provisions of this Chapter, including those that have been adopted by reference herein, is guilty of a misdemeanor and upon conviction is punishable by a fine of five hundred dollars, imprisonment for six months, or both.

(b) Any person violating any of the provisions or failing to comply with any of the requirements of this chapter, including those that have been adopted by reference herein, shall be subject to administrative citation and fines as set forth in Chapter 9.05 of Title 9 of this code.

15.17.190 – No Mandatory Duty.

By adoption of this chapter the Town Council does not intend to create, establish, or impose any mandatory duty or liability on the part of the town, its officers, employees, or any other person acting on its behalf, notwithstanding the use of “shall”, “will”, “must”, or similar terms within this section.


Chapter 15.19 of Title 15 of the Corte Madera Municipal Code is hereby repealed and reenacted to read as follows:

Chapter 15.19

SEVERABILITY

Sections:

15.19.010 Severability

15.19.010 - Severability.

If any section, subsection, phrase or clause of Chapters 15.01, 15.03, 15.05, 15.06, 15.07, 15.08, 15.09, 15.11, 15.13, 15.15, and 15.17 is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of Chapters 15.01, 15.03, 15.05, 15.06, 15.07, 15.08, 15.09, 15.11, 15.13, 15.15, and 15.17.
The Town Council declares that it would have passed the ordinance codified in Chapters 15.01, 15.03, 15.05, 15.06, 15.07, 15.08, 15.09, 15.11, 15.13, 15.15, and 15.17 and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases or clauses be declared unconstitutional.


Chapter 15.25 of the Corte Madera Municipal Code is hereby added to Title 15 to read as follows:

Chapter 15.25

ALL-ELECTRIC CONSTRUCTION IN NEWLY CONSTRUCTED BUILDINGS

Sections:

15.25.010  Purpose.
15.25.020  Applicability.
15.25.030  Definitions.
15.25.040  Requirements for All-Electric Construction in Newly Constructed Buildings.
15.25.050  Exemptions.
15.25.060  Appeals.
15.25.070  Objective Standard.
15.25.080  Periodic Review.

15.25.010 – Purpose.

(a) The purpose of this chapter is to reduce the use and distribution of natural gas in newly constructed buildings to reduce the emission of greenhouse gases which contribute to climate change and to improve safety in occupancy of buildings by eliminating natural gas combustion and leakage which creates indoor air pollutants shown to exacerbate asthma and other health conditions.

(b) The requirements of this chapter are reasonably necessary to address local climatic, geologic, environmental and/or topographic conditions that affect the health, safety, and welfare of residents, including flooding, sea level rise, wildfire risk, and seismic risk.

15.25.020 – Applicability.

(a) The provisions of this chapter shall apply to all building permit applications submitted on or after the effective date of this chapter for all Newly Constructed Buildings, unless exempt under the provisions of section 15.25.050. This chapter shall not apply to portable appliances used for outdoor cooking and heating.

(b) This chapter shall in no way be construed as amending the Energy Code requirements under Title 24 of the California Code of Regulations Part 6 or Part 1, nor as requiring the use or
installation of any specific appliance or system.

15.25.030 – Definitions.

For the purpose of this chapter, the following definitions shall apply:

(a) “All-electric building” means a building that uses a permanent supply of electricity as the source of energy for space heating (including but not limited to fireplaces), water heating (including but not limited to pools and spas), cooking appliances (including but not limited to barbeques), clothing drying appliances, that has no natural gas or propane plumbing installed in the building or within the property lines. An all-electric building may also include solar thermal collectors.

(b) “Commercial kitchen” means a non-retail food facility devoted to the commercial preparation, production, and cooking of food and beverages for on-site or off-site consumption.

(c) “Cooking equipment” means equipment intended for commercial use, including ovens, ranges, and cooking appliances for use in a commercial kitchen, restaurant, or other business establishment where food is dispensed.


(e) “Food service establishment” means any newly constructed building with construction plans for a commercial kitchen or cooking equipment.

(f) “Natural gas” means the same as “fuel gas” as defined in the California Plumbing Code and Mechanical Code.

(g) “Natural gas infrastructure” means fuel gas piping, other than service pipe, in or in connection with a building, structure or within the property lines of a premises, extending from the point of delivery at the meter, service meter assembly, outlet of the service regulator, service shutoff valve, or final pressure regulator, whichever is applicable, as specified in the California Mechanical Code and Plumbing Code.

(h) “Newly constructed building” means a building that has never been used or occupied for any purpose.

15.25.040 Requirements for All-Electric Construction in Newly Constructed Buildings.

All newly constructed buildings shall satisfy the definition of an all-electric building.

15.25.050 Exemptions.

(a) The following are exempt from the requirements of this chapter:

(1) Emergency electrical generation back-up power equipment for essential services and multifamily buildings;

(2) The use of portable propane appliances outside of the building envelope such as for outdoor cooking, refrigeration, and outdoor heating appliances;
(3) The use of natural gas infrastructure for equipment requiring industrial process heat;
(4) Food service establishments as defined herein;
(5) New accessory dwelling units or junior accessory dwelling units that are attached or wholly within an existing mixed-fuel residential building may utilize existing natural gas facilities or infrastructure; and
(6) Development projects that have obtained vested rights prior to the effective date of this chapter pursuant to a preliminary affordable housing project application in accordance with Government Code section 65589.5(o), a development agreement in accordance with Government Code section 65866, a vesting tentative map in accordance with Government Code section 66998.1, or pursuant to the ruling in *Avco Community Developers Inc. v. South Coast Regional Communication* (1976) 17 Cal.3d 785, or pursuant to other applicable statutory or case law.

(b) The building official may allow natural gas infrastructure in a newly constructed residential building where:

(1) The applicant establishes the building is not able to achieve the performance compliance standard under the Energy Code using commercially available technology or there is not an all-electric prescriptive compliance pathway under the Energy Code;
(2) The applicant establishes that there is an equivalent greenhouse gas reduction to that of all-electric construction; or
(3) The applicant for a residential project where all proposed units are deed-restricted affordable housing units for persons and/or families of low or moderate income, as defined in Section 50093 of the State Health and Safety Code establishes that the cost of achieving compliance is disproportionate to the overall cost of the project and renders the project or the level of proposed affordability infeasible.

(c) For all exemptions hereunder, natural gas appliance locations must also be electrically pre-wired for future electric appliance installation as approved by the building official.

15.25.060 Appeals.

Any decision made by the building official under this chapter may be appealed to the building code appeals board as established in Chapter 2.2. of the Corte Madera Municipal Code. Appeals shall be made, in writing, and shall state the basis of the appeal. Appeals shall be filed in the office of the Clerk not later than 5:00 p.m. on the tenth calendar day following the date of the action from which an appeal is taken. Appeals shall be accompanied by the applicable filing fee as specified by resolution adopted by the Town Council.

15.25.070 Objective Standard.

The requirements of this chapter shall be determined to constitute “objective standards” under current and future State housing law including but not limited to Government Code sections 65913.4, 65589.5 and 756852.21.

15.27.080 Periodic Review.
The building official shall review the requirements of this chapter every eighteen months for consistency with the California Energy Code and the Energy Commission’s mid-cycle amendments and triennial code adoption cycle as applicable.

**Section 14. Compliance with the California Environmental Quality Act (“CEQA”)**

The Town Council finds, pursuant to 14 C.C.R. section 15378(b)(5), adoption of this ordinance is not project subject to CEQA because it is an administrative governmental activity that will not cause a direct or indirect physical change in the environment. The Town Council also finds that, pursuant to 14 C.C.R. section 15061(b)(3) of the State CEQA Guidelines, this Ordinance is exempt from CEQA because it can be seen with certainty that the provisions contained in the Ordinance would have no significant on the environment. The Town Council further finds that the Ordinance is categorically exempt from CEQA under 14 C.C.R. sections 15307 an 15308 as action taken by a regulatory agency to protect the environment and natural resources.

**Section 15. Effective Date.**

This ordinance shall become effective on January 1, 2023.

**Section 16. Posting.**

The Town Clerk shall cause a summary of this ordinance to be published in the Marin Independent Journal within 5 days prior to passage and within 15 days after passage.

**Section 17. Findings of Fact in support of the code amendments detailed above.**

California Health and Safety Code Sections 17958.5, 17958.7, and 18941.5 require that findings be made in order to change or modify building standards found in the California Building Standards Code based on local climatic, geologic, or topographic conditions. Therefore, the Corte Madera Town Council hereby finds that these changes or modifications to the 2022 California Building Code as adopted in Chapter 15.01 of the Corte Madera Municipal Code; the 2022 California Residential Code as adopted in Chapter 15.03 are reasonably necessary because of the following local climatic, geological and topographical conditions:

1. **Climatic conditions:**
   a) Most of the annual rainfall in Corte Madera occurs during the winter months; and it typically receives little or no measurable precipitation between May and October. During this time, temperatures average between 70 and 90 degrees. These conditions eliminate most of the moisture in the natural vegetation and heavily wooded hillsides. The area also suffers periodic droughts that can extend the dry periods to other months of the year. These conditions can be further exacerbated by occasional offshore hot, dry, Santa Ana type winds; all of which contribute to an elevated fire hazard.
b) Most of the annual rainfall in Corte Madera occurs during the winter, and some portions of the Town are subject to tidal influences, there are times that flooding conditions occur in low-lying areas.

c) During the summer months, the southerly exposed slopes and open fields become dry with seasonal grasses, which present a fuel for the rapid spread of fire. The Northerly slopes are more heavily wooded and present a moderate to heavy fuel load with respect to fire danger. These local climatic conditions affect the acceleration, intensity, and size of fire in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions. Furthermore, winds experienced in this area can have a tremendous impact upon structure fires of buildings in close proximity to one another and wildland areas.

d) The desire of the community to preserve natural vegetation has resulted in the encroachment of brush and grass on fire roads, trails, breaks and streets within the Town, thus rendering such separations ineffective against the spread of fires and safe egress. Natural growth, which is highly flammable during the drier months of the year, encroaches upon many properties, thus posing a potential fire threat to many structures and creating a substantial hindrance to the control of such fires.

e) Climate change, due to emissions of greenhouse gases, has increased average annual air temperatures in California by 1.8°F since 1985, resulting in more intense and frequent heat waves, more intense and frequent drought, more severe storms and extreme weather events and more severe and frequent wildfires. Average maximum mean temperature in Corte Madera is expected to rise between 4°F and 8°F by 2100, significantly exacerbating these hazards.

II. Geologic conditions:

a) Corte Madera lies near several earthquake faults, including the very active San Andreas Fault and Hayward Fault. There are significant potential hazards such as road closures, fires, collapsed buildings, and isolation of residents requiring assistance. The Town of Corte Madera lies within the recognized seismic zone #4, which is the most dangerous zone.

b) Many areas of the Town are located on bay alluvial soils which are subject to liquefaction in the event of an earthquake.

III. Topographic conditions:

a) Portions of Corte Madera are located in hilly areas, and many of the residential areas are heavily landscaped, and many exist adjacent to hilly open space areas which are characterized by dry vegetation and have limited access. In addition, the steepness of grades located in the hills and canyons results in narrow and winding roads, and limited water supply, making timely access, rescue and firefighting activities by emergency providers difficult.
b) The major arterial route between San Francisco and Marin and Sonoma county areas, Highway 101, is the primary access into and out of Marin County. Should that highway become impassable, diversion of traffic onto alternative routes via surface streets in Corte Madera may cause heavy traffic congestion, further limiting emergency access.

Specifically, the above modified building standards are listed below with the corresponding climatic, geological or topographical condition which necessitates the modification.

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<tr>
<th>CBC Section Numbers</th>
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CRC Section Numbers

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<td>Ia, Ic, Id, IIa, IIIa</td>
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CalGreen Chapter Numbers

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<th>Climatic, geological and topographical condition</th>
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<td>Chapter 4</td>
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<td>Chapter 5</td>
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**IT IS HEREBY CERTIFIED** that the foregoing ordinance was introduced at a regular meeting of the Corte Madera Town Council held on the XX day of November, 2022; and adopted on the XX day of December, 2022, by the following vote:

AYES: Councilmembers:  
NOES: Councilmembers:  
ABSENT: Councilmembers:  

_____________________________________
Fred Casissa, Mayor

ATTEST:

________________________________
Rebecca Vaughn, Town Clerk
ATTACHMENT 2

June 2022 Marin County Civil Grand Jury Report and Town Responses to the Report
October 3, 2022

The Honorable Judge James Chou
Marin County Superior Court
P.O. Box 4988
San Rafael, CA 94913-4988

Deborah Haase, Foreperson
Marin County Civil Grand Jury
3501 Civic Center Drive, Room 275
San Rafael, CA 94903

Dear Judge Chou and Foreperson Haase:


The report requests that the Town respond to Findings F1-F6 and Recommendations R1-R3. The Town's response was approved by the Town Council at the August 16, 2022 Town Council meeting and was mailed for official submission to the Grand Jury on August 17, 2022.

On September 21, 2022, staff received notification that the response to Recommendations R2 and R3 were not accepted by the Grand Jury as they required timeframe information as specified by California Penal Code Section 933.05. Staff made the necessary corrections to Recommendations R2 and R3 and the Town Council approved these new responses on October 3, 2022.

Attached you will find a submission of the accepted responses for Findings F1-F6 and Recommendation R1 combined with the revised responses for Recommendation R2 and R3.

Please accept our appreciation for the service you provide to the residents of Marin County, and for addressing this important issue. Should you have any questions regarding this response, please contact the Town Clerk, Rebecca Vaughn, at (415)927-5085 or rvaughn@tcmmail.org.

Sincerely,

Fred Casissa
Mayor
AGENCY RESPONSE TO GRAND JURY REPORT

Report Title: Electrifying Marin's Buildings: A Countywide Approach
Report Date: June 6, 2022
Response Date: October 3, 2022
Agency Name: Town of Corte Madera
Response by: Fred Casissa
Title: Mayor
Agenda Date: 10/3/2022

FINDINGS
- I (we) agree with the findings numbered: F1 - F6
- I (we) disagree partially with the findings numbered: N/A
- I (we) disagree wholly with the findings numbered: N/A

(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS
- Recommendations numbered N/A have been implemented.
  (Attach a summary describing the implemented actions.)
- Recommendations numbered R1 and R3 have not yet been implemented, but will be implemented in the future.
  (Attach a timeframe for the implementation.)
- Recommendations numbered N/A require further analysis.
  (Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered R2 will not be implemented because they are not warranted or are not reasonable.
  (Attach an explanation.)

Date: 10/03/2022
Signed: ____________

Number of pages attached 3
FINDINGS AND RESPONSES

F1. With the building sector accounting for approximately 34 percent of greenhouse gas emissions in Marin County, it will be necessary to substantially reduce emissions from that sector if the county and its cities and towns are to meet their 2030 greenhouse gas reduction goals.

Response: Agree

F2. Reducing or eliminating natural gas as a fuel source in buildings will dramatically reduce greenhouse gas emissions from Marin County’s building sector.

Response: Agree

F3. The use of natural gas in buildings gives rise to health and safety risks, including adverse health effects attributed to exposure to natural gas, and safety risks posed by pipeline leaks, ruptures, and explosions. These health and safety risks serve as additional reasons to eliminate natural gas as a fuel source in new and existing buildings.

Response: Agree

F4. The timely reduction of greenhouse gas emissions from Marin County’s building sector will require in-depth, comprehensive, and coordinated planning. A countywide planning process, coordinated by Marin Climate and Energy Partnership or the County’s Sustainability Team, would be an effective and efficient means of sustaining focus and leveraging the resources needed for developing a Countywide Building Electrification Plan.

Response: Agree

F5. Underserved communities and lower income households have greater vulnerability to rising energy costs and will likely require extra financial support to mitigate those costs and reduce household greenhouse gas emissions through measures that require significant up-front investment.

Response: Agree
F6. The timely electrification of existing buildings will likely require one or more mandatory measures, supported where necessary by financial subsidies and rebates.

Response: Agree

RECOMMENDATIONS AND RESPONSES

R1. On or before January 1, 2023, Marin County and each of its cities and towns that have not already done so should adopt a reach code banning natural gas connections in newly constructed buildings.

Response: This recommendation has not been implemented yet and may be implemented in the future.

The Town of Corte Madera is undertaking an analysis of a potential all-electric reach code that will include public community engagement and input on the topic. This includes analysis of greenhouse gas emissions, economic/financial impacts, social equity, and resiliency. This analysis will be applied to a variety of building types, including single family and multi-family residential, accessory dwelling units, and various commercial building types. The Town is working with the newly formed Town of Corte Madera Climate Action Committee, Neighboring County jurisdictions through a Countywide Technical Working Group focused on electrification and MCE Clean Energy as part of the Green Building Reach Codes Steering Committee to develop model reach codes and try to provide consistency across jurisdictions. However, there are significant differences amongst jurisdictions in terms of building stock and development as well as affordable housing and economic development goals that require different considerations. The Town Council will consider a reach code ordinance later this fall and if adopted it would go into effect January 1, 2023.

R2. On or before January 1, 2023, Marin County and each of its cities and towns that have not already done so should adopt a reach code requiring energy efficiency measures in connection with renovations of existing residential buildings. The reach code should specify the size of the renovation that will trigger the requirement and provide flexibility by allowing the applicant to choose from a list of energy efficiency measures, including electrification of gas appliances.

Response: This recommendation will not be implemented.

This recommendation requires further analysis and the timeline of January 1, 2023 is not reasonable for the Town to complete its analysis and adopt the code. The Town is conducting an
analysis of reach codes for existing buildings among a variety of residential building types taking into account the same set of considerations for new construction: greenhouse gas reductions, economic impacts, equity, and resiliency. In order to provide successful implementation with new regulations in this area, the Town will continue to collaborate with neighboring jurisdictions within the county to develop a comprehensive and uniform approach. The analysis of the impacts in applying a reach code to existing residential buildings and collaboration with Marin jurisdictions will require additional time.

R3. Marin County and each of its cities and towns, collaborating through the Marin Climate and Energy Partnership or otherwise, should develop a comprehensive Countywide Building Electrification Plan to be completed on or before January 1, 2024. The Plan should identify those strategies, programs, and concrete actions necessary to bring about an equitable, prompt, and material acceleration of building electrification throughout the county.

Response: The recommendation has not yet been implemented, but will be implemented in the future. We are committed to participating in a countywide implementation plan, and if other jurisdictions participate, our intent is to complete a plan by January 1, 2024.

We agree that countywide collaboration is important in achieving significant timely reductions in greenhouse gas emissions from Marin County’s building sector and should address all these factors. Collaboration is already underway through the Marin Climate and Energy Partnership (MCEP), County Sustainability Team, and Bay Area Regional Energy Network (BayREN). In addition, The Town created a Climate Action Committee to consider and formulate strategic planning for such initiatives as well as a new in house position, a Climate Action Coordinator to assist the Town with analysis and implementation with efforts in this respect. Town of Corte Madera staff have been working with fellow jurisdictions in the County through a Technical Working Group and will continue to refine a uniform and consistent plan towards building electrification in collaboration with MCE Clean Energy to align Green Building Reach Codes this year and accelerate building decarbonization efforts.

A Countywide Building Electrification Plan may be effective and efficient, but care will need to be taken to not divert from existing programs and activities. All jurisdictions would need to agree and contribute to the plan, it would require additional resources, and our utility partners MCE and PG&E would need to participate and contribute to the effort as well. Though discussions are happening at this date no agreement has been made. More analysis will be required to determine the most effective and efficient route to take. Should all the jurisdictions agree to pursue a Countywide Building Electrification Plan in addition to the current collaborative efforts, the Town would participate provided there was commitment to implementation and there were adequate resources to do so.
SUMMARY

Marin County’s electricity supplies are becoming cleaner due to the expanding role played by solar and other renewable sources. As this trend continues, local governments have become increasingly engaged in reducing greenhouse gas emissions by electrifying the county’s transportation and building sectors. “Building electrification” refers to the elimination of natural gas-fueled appliances in households and businesses. It aims for adoption of four electric appliances: heat pump space heaters, heat pump water heaters, induction cooktops/ranges, and upgraded service panels. Because the life cycles of appliances are long—often 10 to 20 years or more—decisions made today can have long-term impacts. By one estimate, in order to fully electrify U.S. households before 2050, more than 80 million of these appliances in more than 50 million households would have to be replaced over the next decade.¹ While policy-makers in Washington and Sacramento have an important role to play, change on this scale will be very difficult without robust engagement at the local level. The timely pursuit of building electrification will depend in no small measure on local regulations and consumer decisions that are shaped and supported by local communities.

Initial steps are currently being taken by the county and its cities to pave the way toward building electrification. But as the stakes grow higher with each passing year, the time has come for Marin to pursue an integrated and comprehensive countywide building electrification planning process that will strengthen and accelerate decision-making by public officials throughout the county.

In the discussion that follows, the Grand Jury addresses:

- The critical role building electrification plays in advancing Marin County’s greenhouse gas reduction targets and in improving the health and safety of its residents
- Proposed “reach” codes for adoption by local jurisdictions that would bring an end to natural gas connections in newly constructed buildings and enhance energy efficiency in homes undergoing renovation

A comprehensive countywide building electrification planning process aimed at potential building electrification strategies that should be addressed as part of a countywide planning process.

- The importance of equity as a guiding principle in planning.

**APPROACH**

The Marin County Civil Grand Jury investigated the actions taken by Marin’s county, city, and town governments to reduce greenhouse gas emissions, including their identification of the sources of these emissions and their strategies to meet emission reduction goals established by state law and otherwise. The Grand Jury focused on the building sector as a primary contributor of greenhouse gas emissions and assessed existing and proposed programs and strategies to bring about the effective and equitable electrification of buildings in Marin.

In carrying out this investigation, the Grand Jury interviewed elected officials, department heads, and staff in the Marin County government and in Marin’s city and town governments; interviewed agency officials and non-profit advocacy groups engaged in climate change mitigation; and reviewed reports, studies, plans, and state and local laws dealing directly or indirectly with climate change mitigation.

In the course of its investigation, the Grand Jury repeatedly encountered individuals throughout county and local government who are passionate about their work and extremely well-informed about climate change impacts and mitigation measures. The findings and recommendations presented here are intended to offer a unique perspective afforded by the investigation and help promote an ongoing dialog among county staff, local jurisdictions, and the public on an important component of greenhouse gas reduction efforts.

**BACKGROUND: WHY BUILDING ELECTRIFICATION MATTERS**

**The Increasing Urgency of Marin’s Efforts to Mitigate Climate Change**

This past year our nation has seen a variety of extreme weather-related impacts including off-season tornados, dramatic flooding, and wildfires at times and locations previously thought immune from such disasters. The hottest annual temperatures ever recorded worldwide have all occurred between 2016 and 2021. More intense and frequent heat waves, droughts, wildfires, and severe weather events are all results of climate change which are now manifesting throughout the country and the world. Marin County has recently experienced severe drought, ongoing heightened wildfire risk, and the slow creep of sea level rise along our shorelines. Given these developments, scientists and government leaders across the globe agree there is an increasing urgency to reduce greenhouse gas emissions if the worst impacts of climate change are to be avoided.

California has helped lead the way in framing the urgent need for prompt action. Legislation passed in 2016 requires state agencies to enact regulations and implement programs that will result in a statewide reduction in greenhouse gas emissions to 40 percent below 1990 levels by

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2030. Unfortunately, a recent report has found that while the state’s greenhouse gas emissions dropped 1.6 percent between 2018 and 2019—the second largest percentage decrease since 2010—this is far short of what is needed to reach the mandated reduction by 2030.³ California must now sustain a 4.3 percent annual decrease through 2030—a reduction that is more than 2.5 times greater than was achieved in 2019.⁴

Marin County’s leaders and residents are well aware that climate change is poised to impact future life in the county. The county and its eleven municipalities have each developed climate action plans to address how local governments and residents can contribute to greenhouse gas emission reductions.⁵ These plans identify the major sources of emissions throughout the county, quantify those emissions, and recommend actions to be taken by individual jurisdictions to curb emissions and reach statewide emissions targets as well as targets enumerated in the individual plans. Although all jurisdictions reached their 2020 goals of reducing greenhouse gas emissions below 2005 levels by at least 15 percent, there is much more to be done if they are to reach the 2030 reduction targets mandated by state law.⁶

Figure 1 - California Greenhouse Gas Emissions by Sector (1990-2015) and Targets Through 2050 (million tons CO₂ equivalent)

Credit: California Air Resources Control Board

*Figure 1 shows the dramatic reduction in GHG emissions required for the state to reach its goal of reducing emissions to at least 40% below 1990 levels by 2030.*

⁴ California Green Innovation Index.
⁶ See Marin Climate and Energy Partnership (MCEP) website, Marin Sustainability Tracker, [http://www.marintracker.org/](http://www.marintracker.org/). This is an interactive mapping tool that provides statistics on the greenhouse gas emissions in various jurisdictions.
Buildings Are a Significant Source of Greenhouse Gas Emissions

Building electrification will be a critical component for the county to reach future emissions goals. Natural gas, a major source of greenhouse gas emissions, provides an estimated 70 percent of the energy used in the average California home. Buildings are generated in the production and use of electricity and natural gas for heating, cooling, lighting, and running appliances in residential, commercial, municipal, and industrial buildings. In Marin the largest source of greenhouse gas emissions is the transportation sector (51 percent). The county’s next largest greenhouse gas source is the building sector, which is responsible for 34 percent of total emissions. Of the 34 percent greenhouse gas emissions associated with Marin’s building sector, natural gas uses comprise 27 percent of the total, with the remaining 7 percent attributed to the use of electricity generated by coal or gas-fired power plants.

Marin County’s building sector primarily consists of residential buildings, with single-family homes comprising the majority of building types in the county. Among the housing stock, 69 percent are single-family homes, followed by multi-unit dwellings at 29.5 percent, and mobile homes at 1.5 percent. Most of the county’s natural gas usage results from the residential sector. Thus, removing natural gas usage from the building sector will have a major impact in reducing overall greenhouse gas emissions in the county.

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8 The different plans have slightly different categories names to identify this sector, i.e., some refer to it as Residential Energy, Built Environment – Electricity/Natural Gas, Energy Efficiency Buildings, etc. and may or may not include the source of the energy used (County Plan says 72% decrease in Build Env- Electricity from 2005 to 2018 due to cleaner sources of energy used).


10 MCEP website, Marin County Emissions by Sector.

11 Marin County Housing Element 2015 – 2023 Adopted by the Marin County Board of Supervisors December 9, 2014; See also CountyOffice.org, Building Departments in Marin County, California, https://www.countyoffice.org/ca-marin-county-building-departments/

12 In 2005, 72% of natural gas usage was in the residential sector, Marin Community Development Agency’s 2007 Marin Countywide Plan at 3.6-4.
Unfortunately, the consumption of natural gas in homes and buildings in California is on the rise—up 15.3 percent in the commercial sector and 17.8 percent in housing since 2014, and up 19.8 percent in the industrial sector since 2009.\(^\text{13}\) Statewide, natural gas usage by buildings is significant, with buildings using more gas overall than the state’s power plants.\(^\text{14}\)

These building-related uses of natural gas not only result in greenhouse gas emissions as the fuel is burned, but they are also responsible for additional emissions from the extraction and transportation of gas to end users. Emissions from the drilling of natural gas include methane, nitrogen oxides, and sulfur oxides.\(^\text{15}\) Methane is among the most worrisome greenhouse gasses as it traps heat more efficiently than carbon dioxide. It is estimated that 13 million tons of methane leak each year during gas extraction, processing, and transportation.\(^\text{16}\) About 90 percent of the gas consumed in California is drilled out of state, which creates significant opportunities for greenhouse gas emissions to occur through leaking and venting in pipeline transmission in addition to those created during combustion.\(^\text{17}\)

Converting from natural gas to electricity is an effective way to significantly reduce greenhouse gas emissions. It should be noted, however, that some emissions also occur in the generation of...
electricity, though at much reduced levels. Pacific Gas and Electric (PG&E) and the community choice aggregator, Marin Clean Energy (MCE), are Marin County’s two utility providers.\textsuperscript{18} PG&E’s electricity is generated from a blend of power sources that is presently 85 percent greenhouse gas emission free. That percentage should increase in the coming decade due to state mandates.\textsuperscript{19} MCE customers can currently opt for an arrangement furnishing electricity that is 100 percent generated by wind and solar.\textsuperscript{20}

**Reducing the Health and Safety Risks Posed by Gas Appliances**

In addition to adding greenhouse gas emissions to the atmosphere, natural gas appliances create a significant amount of indoor air pollution.\textsuperscript{21} Most residential gas appliances lack any pollution controls and can produce very high nitrogen oxide emissions.\textsuperscript{22} In particular, gas stoves emit nitrogen oxides, carbon monoxide, and formaldehyde as well as fine particulate matter in amounts greater than electric stoves.\textsuperscript{23} The peak levels of air pollution, particularly nitrogen dioxide, generated by natural gas cooktop usage can exceed outdoor air quality standards.\textsuperscript{24} Other natural gas appliances such as heating systems and water heaters also contribute to indoor air pollution and can present significant indoor air quality impacts. Like stoves, natural gas-powered furnaces and hot water tanks also emit nitrogen dioxide, nitric oxide, sulfur oxides, particulate matter, carbon monoxide, and formaldehyde.\textsuperscript{25}

The U.S. Environmental Protection Agency has determined that long-term exposure to nitrogen dioxide is linked to the development of asthma in children, and short term exposure can trigger or exacerbate asthma attacks.\textsuperscript{26} Children are particularly sensitive to the pollutants generated by gas appliances. Studies have indicated that children in homes with gas appliances are 42 percent more likely to develop asthma symptoms and 32 percent more likely to be diagnosed with asthma during their lifetime.\textsuperscript{27} Lower-income households bear greater health risks since many of the factors associated with poor indoor air quality – smaller square footage, older appliances, poorer ventilation, high density of household members – create conditions that contribute to poor indoor air quality.\textsuperscript{28} The use of natural gas as a fuel in buildings also brings safety risks posed by pipeline leaks and ruptures. The potential for earthquakes, aging gas lines, and the volatile nature of natural gas are

\textsuperscript{18} Community Choice Aggregation (CCA) is an alternative to the investor owned utility in which local entities aggregate the buying power of individual customers within a defined jurisdiction in order to secure alternative energy supply contracts.

\textsuperscript{19} See California Public Utilities Code §454.53, which mandates that by 2045 all retail electricity sold in the state be generated from renewable and zero-carbon resources. \url{https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB100}

\textsuperscript{20} Marin Clean Energy website, \url{https://www.mcecleanenergy.org/100-renewable/}.


\textsuperscript{23} Brady Seals and Andee Krasner, *Health Effects from Gas Stove Pollution*, Rocky Mountain Institute, Physicians for Social Responsibility, Mothers Out Front, and Sierra Club, 2020, p.8 \url{https://rmi.org/insight/gas-stoves-pollution-health}.

\textsuperscript{24} Seals and Krasner, *Health Effects from Gas Stove Pollution* at p. 9.


\textsuperscript{26} Seals and Krasner, *Health Effects from Gas Stove Pollution* at pp. 12-13; See also City of Berkeley, *Existing Buildings Electrification Strategy* at p. 7.

\textsuperscript{27} Seals and Krasner, *Health Effects from Gas Stove Pollution* at p. 13.

\textsuperscript{28} Seals and Krasner, *Health Effects from Gas Stove Pollution* at p. 13.

DISCUSSION

Near-term Measures to Accelerate Building Electrification

Banning Natural Gas Connections in New Construction

One of the most direct means of accomplishing electrification in the building sector is to ensure that newly constructed buildings are fully electric, with no natural gas connections. A shift to all-electric new construction helps accelerate greenhouse gas emission reductions in the building sector and avoids the health hazards posed by the ongoing use of natural gas in the indoor environment. All-electric buildings are also, with rare exception, cheaper to build than “dual fuel” buildings that incorporate both natural gas and electricity. Construction of new dual fuel buildings not only costs more, but it also creates potential inefficiencies as the use of natural gas infrastructure in these buildings is limited in coming years, leaving it underutilized or unused.

California has taken steps toward electrifying the building sector through the most recent update of its state-wide building code. Every three years, the California Energy Commission is charged with updating the state building code which, among other things, creates energy standards for new construction. The latest building code update went into effect in January 2022. It sets the stage for electrification by requiring newly constructed homes to be “electric-ready,” with dedicated 240-volt outlets and space (with plumbing for water heaters) so electric appliances can eventually replace installed gas appliances. It also requires new homes to have either electric heating or electric water heating, depending on which is the larger energy user. While these and other requirements will have a meaningful impact in paving the way for home electrification in the future, many observers had hoped for more decisive action from the state including, potentially, a statewide ban on natural gas connections in a range of newly constructed buildings.

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29 City of Berkeley, Existing Buildings Electrification Strategy at p. 14; See also Michael Cabanatuan, “PG&E software issue allowed massive 2019 S.F. gas fire to burn longer, feds say,” San Francisco Chronicle, Aug. 10, 2021, https://www.sfcchronicle.com/sf/article/PG-E-software-issue-allowed-massive-2019-S-F-gas-16378054.php which explains the initial blast was caused by a negligent contractor accidentally excavating the line, but the lack of PG&E’s proper software to isolate valve led to a long wait time for the gas line to be shut off.

The state’s next building code update will not occur until 2025. In the near term, it will be up to local jurisdictions to decide whether to adopt more restrictive “reach codes” or take other measures banning or limiting the use of natural gas in newly constructed buildings. A reach code is a local building energy code that “reaches” beyond the state minimum requirements for energy use in building design and construction. To date, more than 50 local jurisdictions throughout California have adopted reach codes banning or limiting new natural gas infrastructure in new construction.\(^{31}\) Within Santa Clara and San Mateo counties, 20 cities have adopted their own building electrification reach codes, a majority of which require new buildings to be all-electric unless limited exceptions are met.\(^{32}\)

Within Marin County, Fairfax is currently the only city to have adopted an all-electric requirement for new buildings.\(^{33}\) This may soon change, however, as a result of current efforts within the county to develop and disseminate a model reach code addressing electrification in

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new construction and in certain types of building renovations. It would then be up to the county and each of its municipalities to consider the proposed model code for adoption. Data collected by the county shows that only 16 percent of new building projects in unincorporated Marin voluntarily elected all-electric construction.\(^{34}\) The proposed reach code would require all new residential, multifamily, and commercial construction to be “all-electric.” If widely adopted, this reach code would have an immediate and pronounced impact in electrifying new building construction throughout Marin.

**Renovations of Existing Residential Buildings**

New building construction accounts for only a small fraction of Marin’s building stock. The bigger opportunities in electrifying Marin’s building sector lie in electrification of existing buildings. Marin’s proposed reach code would not require that existing dual fuel buildings be electrified, nor would it require replacement of natural gas appliances with electric appliances in existing homes. Rather, the code would be limited to certain residential building renovations. Under the “flexible path” approach that is contemplated, homeowners and contractors applying for building renovation permits would be required to select from a menu of electrification and energy efficiency measures to incorporate into the renovation plan.\(^{35}\) Applicants could select any combination of specified measures, including the addition of electric heat pump space or water heaters, that meet or exceed a target energy score.

To date, at least one California city has enacted a reach code adopting a version of this flexible path approach. In 2021, the City of Piedmont enacted an ordinance that uses a menu of energy efficiency and heating system electrification improvements, and requires renovations on residential buildings to incorporate one item from the menu for projects over $25,000, and two items for projects over $100,000.\(^{36}\) In Marin, planning staffs from the county and San Rafael are in the process of drafting and refining the proposed model reach code, including determining what kinds of renovations will trigger its requirements. There are plans to engage the public through community workshops, finalize the draft model reach code, and submit it for legislative review by the fall of 2022.

With respect to new construction, the proposed reach code presents a needed, near-term end to the perpetuation of natural gas infrastructure in Marin’s building sector. With regard to renovations, the proposed code is an effective and practical, if incremental, step towards accelerating building electrification in Marin.

While the proposed model reach code presents a promising start, there are numerous important issues that remain to be addressed. What is the best way to extend electrification initiatives to homes that are not undergoing renovations and to large multi-unit residential buildings? Can enough consumers be incentivized to voluntarily replace gas-fueled appliances with electric ones? Are additional mandates needed? How can electrification programs be structured so as to consider the needs of Marin’s underserved communities and low-income residents? Is there a

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35 A program funded by the state’s largest utilities and conducted under the auspices of the California Public Utilities Commission (CPUC) provides guidance and resources to local jurisdictions interested in adopting this kind of approach. See CPUC Codes and Standards, website, [https://explorer.localenergycodes.com/](https://explorer.localenergycodes.com/).
means for addressing these questions in a coordinated, comprehensive way that will reach all of Marin’s communities?

A Countywide Planning Process Focused on Equity

**The Need for Coordinated, Comprehensive, and Strategic Planning to Effectively Address Building Electrification**

As shown by the ongoing effort to develop Marin’s model reach code, coordination between and among the county and its cities and towns increases the potential for achieving widespread, meaningful results in the short term. All of Marin’s local jurisdictions are facing similar challenges in electrifying their building sectors and in reaching greenhouse gas reduction targets. Building departments will play an important role in implementing changes in building codes and permitting requirements. Uniformity will ease the burden on builders and contractors, and thus help to accelerate adoption.

Even more importantly, a countywide approach to planning will help to ensure the timely, sustained, and in depth focus that is required. Time is of the essence. As new gas infrastructure continues to be added to Marin’s buildings, and as new gas appliances are installed in Marin’s homes, electrification in these buildings is deferred for possibly a decade or more, making greenhouse gas reduction targets correspondingly more difficult to achieve.

There is also a human cost to delay. As low-income residents remain challenged by the up-front costs of electrification, the risk increases of a further divide between those who can afford to electrify and those who cannot. This results in greater exposure to potential displacement, adverse health effects, and other negative impacts to Marin’s underserved communities. A countywide planning process would help to ensure that all of Marin’s jurisdictions are actively engaged in solving these problems in the near term.

A countywide planning process will also help to ensure that adequate resources are devoted to the complex, multi-layered challenges posed by building electrification. A prior Grand Jury has described the county’s approach to climate change mitigation, which relies heavily on the respective climate action plans adopted in each individual jurisdiction. With few exceptions, these plans deal with broad recommendations that address a wide variety of areas. Given their breadth, and the limited resources available for developing them, climate action plans rarely take a “deep dive” into a specific issue or topic, and sometimes lack context or specificity, particularly in the area of building electrification.

A coordinated countywide planning process can provide a framework for collaboration that will maximize existing resources by leveraging research, data collection, and policy analysis. A timely example of this kind of collaboration is provided by the Marin Countywide Electric Vehicle Acceleration Plan (Countywide EV Plan). This plan was coordinated by the Marin Climate and Energy Partnership (MCEP). Through the coordinated efforts of staff from its


38 MCEP is composed of representatives from all eleven cities and towns in Marin, the county, the Transportation Authority of Marin (TAM), Marin Clean Energy, the Marin General Services Authority, and the Marin Municipal Water District. MCEP’s mission is to promote collaboration between its members, share resources, and obtain funding to analyze and implement the strategies contained in each jurisdiction’s climate action plan.
respective members and its own part-time sustainability coordinator, MCEP has produced a draft Countywide EV Plan that identifies guiding principles, describes relevant data and local conditions, enumerates barriers to EV adoption, and proposes specific strategies and recommended actions for overcoming those barriers. This plan can serve as a model for a similar effort aimed at producing a countywide plan for electrifying Marin’s building sector.

There are unique challenges posed by the building sector, to be sure. The scope and complexity of building electrification planning will likely require more time and greater resources than a plan focused on EV adoption. These challenges, however, have not prevented other jurisdictions from producing building electrification plans suited to their specific needs. Planners in San Jose, Berkeley, and elsewhere have recently released comprehensive building electrification plans that provide needed focus and depth, laying the groundwork for implementation of short and long-term electrification strategies within established timeframes. Marin County should do the same.

An in-depth planning process will require funding to ensure that sufficient staff is allocated for the project, and that any necessary outside consultants are retained. Development of the Countywide EV Plan was supported by a grant from the Transportation Authority of Marin. As an initial step, staff from the county and its municipalities should identify and pursue potential sources of grant funding from local, regional, and state entities.

At a minimum, a Marin Countywide Building Electrification Plan could identify current programs and policies, remaining challenges, and concrete actions the county and its cities and towns can take to accelerate the electrification of residential and commercial buildings throughout Marin. This plan could set a date for accomplishing the complete electrification of all buildings in Marin and establish a timeline for reaching that goal. And it could establish the necessary “guardrails” to avoid unintended adverse impacts on Marin’s underserved communities.

While local policies and programs are critical to the success of building electrification, they cannot succeed without broader efforts to increase the capacity and reliability of the electric grid. Power outages pose an ongoing challenge, especially for underserved communities that may lack the resources to buy generators and otherwise mitigate the cost and inconvenience of short-term power loss. With increasing electrification of homes and the growth of electric vehicles, the state’s utilities will need to expand clean power generation and distribution infrastructure. These utilities, in conjunction with state regulatory agencies, must ensure that electricity is available to meet increased demand, especially during peak usage periods.

The Importance of Equity

An initial challenge for planners will be to ensure that equity issues are considered from the outset and are adequately reflected in resulting policies and programs. Underserved communities, often largely composed of renters, have in many cases been left out of California’s

See also City of San José Department of Environmental Services, Healthy Homes, Healthy Air - A Framework for Existing Building Electrification Centered on Community Priorities, February 22, 2022, https://www.sanjoseca.gov/home/showpublisheddocument/82395/637811379809170000.
push toward electrification.40 Low-income households often have a high energy burden – meaning a disproportionate amount of household income goes toward energy expenses. In Marin County, about 50 percent of renters are housing cost burdened, meaning they spend more than 30 percent of their income on rent. Contributing to this burden is the fact that low-income housing tends to be older and less energy efficient. Research has shown that African-American, Latino, and low-income households tend to pay more for electricity and natural gas service per square foot of building space.41 These households have greater vulnerability to rising energy costs and are less able to mitigate the impact of rising costs through measures that require significant up-front investment, such as installing solar panels and batteries or replacing outdated gas appliances with cleaner, more efficient electric appliances. Beyond these financial burdens, underserved communities must also contend with the added health risks posed by poor indoor air quality.

If building electrification strategies are to succeed, they must not increase the burden on Marin’s underserved communities. Rather, they must ensure that these communities have full access to building electrification’s principal benefits: cleaner air, healthier homes, affordable clean energy, and energy efficiency resulting in reduced monthly energy bills. This can be accomplished in part by promoting and advocating for expansion of such programs as MCE’s pilot program for Low-Income Families and Tenants which offers subsidies of $1,200 per unit to fund acquisition of appliances and energy efficiency improvements for up to 1,400 affordable multifamily units.42

Countywide planners should identify and prioritize the critical needs of underserved communities and identify priority solutions that can be addressed through building electrification. They can design a broad community engagement strategy to ensure the countywide plan reflects a diverse set of community voices and concerns. Through such an approach, the countywide plan can more effectively address communities who in the past may have been excluded from the full benefits of clean energy.

**Electrification Strategies for Existing Buildings**

A ban on natural gas infrastructure in newly constructed buildings is important. But in order to reach its greenhouse gas emission reduction targets, Marin must develop effective strategies for the electrification of existing dual fuel buildings, which comprise the overwhelming majority of Marin’s building stock. Marin’s proposed reach code addressing certain residential renovations presents a meaningful step forward. But it is not enough. As a next step, Marin’s planners should evaluate a full range of potential electrification initiatives for existing buildings, a number of which are being considered and implemented by other local jurisdictions. In the sections below,

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40 We use the term “underserved communities” to refer to communities where residents are: predominantly people of color; living on low incomes; underrepresented in the policy setting or decision-making process; subject to disproportionate impact from one or more environmental hazards; and likely to experience disparate implementation of environmental regulations and socioeconomic investments.

41 Ariel Drehobl and Lauren Ross, *Lifting the High Energy Burden in America’s Largest Cities: How Energy Efficiency Can Improve Low Income and Underserved Communities*, April 2016, https://assets.ctfassets.net/ntcn17ss1ow9/1UEmqh5l59cFaHMqVWwHqMy/1ee1833cbf370839dbbdf6989ef8b8b4/Lifting_the_High_Energy_Burden_0.pdf.

the Grand Jury identifies some of the issues, initiatives, and programs that should be considered as part of a countywide planning process.

**Consumer Choice, Incentives, and Rebates**

Ideally, the transition needed to electrify Marin’s households can be accomplished in the near term, as consumers make the choice to replace old gas-fueled appliances that have reached the end of their useful lives with clean, efficient electric appliances. Local governments can play a critical role in supporting this shift through programs educating consumers about the advantages of electrification, and by providing financial incentives and subsidies as added inducements.

A countywide building electrification plan could be used to develop coordinated strategies aimed at public outreach and education. These strategies could go beyond past and current efforts by the county, and more fully engage each of Marin’s cities and towns in coordinated outreach and marketing campaigns. Among other things, these outreach efforts would seek to educate consumers about the importance of household electrification in reducing greenhouse gas emissions and reducing the health and safety risks of indoor natural gas use. They would acquaint consumers with the electric appliances needed to electrify their household and the advantages offered by each of them, and provide information about the upfront costs of acquiring and installing these electric appliances, as well as the potential ongoing cost savings resulting from more efficient electric appliances. They would also direct consumers to available incentives offered by local utilities and by local and state government agencies, including enhanced subsidies and rebates available to lower income households. Importantly, they would also inform consumers about additional financing assistance available to lower income households in the form of low interest loans and other financing options.

Through its “Electrify Marin” program, the county currently offers rebates to single family property owners for the replacement of natural gas appliances with electric ones, including water heaters, furnaces, cooktops, as well as upgrading electric service panels, where needed.43 This program, launched in January 2019 and funded by a grant from the Bay Area Air Quality Management District, achieved modest success in its initial two year phase, paying out $152,750 in rebates for 129 appliance upgrades.44 In recent months, there has been an uptick in activity, possibly associated with easing of pandemic restrictions, bringing the total to over 400 appliance upgrades. Earlier this year, the county’s board of supervisors approved the decision to infuse the program with $447,000 in additional funds received through the American Rescue Plan Act.45 While Electrify Marin remains a vital program, its scope is limited. It remains unclear that these incentives will suffice in prompting the participation required to advance widespread electrification throughout the county.

In addition to the county’s Electrify Marin rebate program, other subsidies are available to homeowners as well as owners of multi-unit residential buildings. These include:

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- Bay Area Regional Energy Network - rebates and incentives for heat pump water heaters and panel upgrades.\(^{46}\)
- TECH Clean California - incentives for heat pump systems, heat pump water heaters.\(^{47}\)
- Marin Clean Energy - rebates for heat pump water heaters, solar, and battery storage.\(^{48}\)
- PG&E - rebates for heat pump water heaters, battery storage.\(^{49}\)

In addition to rebates and incentives, acquisition and installation of electric appliances may also be supported by a variety of financing options that offer advantages over market-rate financing. Taken together, these incentive and financing programs furnish a critical boost to building electrification by raising consumer awareness and lowering financial barriers to adoption. They also advance equity to the extent that enhanced incentives and adequate financing options are available to low-income residents.

If sufficient resources are directed to rebate and financing programs, they could fulfill a role similar to the incentives and tax credits that have proven so effective in accelerating electric vehicle adoption in Marin and elsewhere. But unless and until those resources become available, the pace of electrification for existing buildings remains uncertain, and may fall well short of the level needed to reach emission reduction goals. Consequently, mandates may be needed as an additional means of ensuring these goals are met.

### Mandating The Switch to Electric Appliances at the Time of Replacement

Marin’s proposed model reach code would apply to a small subset of existing buildings – residences that are being renovated. In contrast, the county’s most recent Climate Action Plan refers to a much more sweeping mandate, potentially reaching all dual fuel single family residences in Marin. The Climate Action Plan states that the county will “[c]onsider adopting an ordinance in 2024, effective January 1, 2025, that requires homeowners to replace natural gas appliances, such as hot water heaters, stoves, cooktops, and clothes dryers, with high-efficiency electric appliances at time of replacement where feasible.”\(^{50}\) Larkspur has a similar statement in its Climate Action Plan. Fairfax’s Climate Action Plan also states that it will “[a]dopt an ordinance that phases in requirements to replace natural gas appliances and equipment with electric appliances and equipment at time of replacement.”

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\(^{46}\) Bay Area Regional Energy Network (BayREN) website, which allows users to navigate to appliance specific rebates, [https://www.bayren.org/rebates-financing](https://www.bayren.org/rebates-financing).

\(^{47}\) TECH Clean California Incentives website, [https://energy-solution.com/tech-incentives/](https://energy-solution.com/tech-incentives/).

\(^{48}\) MCE website, [https://www.mcecleanenergy.org/?s=rebates](https://www.mcecleanenergy.org/?s=rebates), which explains various categories of rebates available.


By mandating a transition to electric appliances, a time-of-replacement ordinance could be instrumental in advancing the county’s greenhouse gas reduction goals. The county’s proposed 2024 timetable leaves ample time for a thorough assessment of such an ordinance as part of a broader building electrification planning process.

One potential drawback of the proposed replacement ordinance lies in the financial burden that could result from the up-front costs required to purchase and install electric appliances. Because the ordinance applies only when the household has decided to replace an existing (presumably outdated or nonfunctioning) appliance, the burden would include any difference in cost between a new gas appliance and its (new) electric counterpart. This burden can be reduced through rebates and incentives, including enhanced rebates aimed at lower-income households. The County’s Climate Action Plan acknowledges this by noting the need to “[e]valuate the financial impact on households at different income levels and consider offering rebates or subsidies, in partnership with electricity providers if available, for disproportionately impacted households.”51 Existing rebate programs, including Electrify Marin, could provide greater focus on equity by directing additional dollars to needs-based rebates. If electrification of appliances is mandated by ordinance, rebates would be less important in incentivizing consumer choice, and more important in subsidizing the transition for those with greater financial need.52 Rebate programs could be expanded or restructured accordingly.

Other issues that should be addressed in developing a time-of-replacement ordinance include:

- Identification of a pool of qualified contractors who can help guide consumer choice and install electric appliances economically and effectively

- Identifying effective enforcement mechanisms, including ways to minimize permit avoidance

- Creative ways to minimize upfront costs, including bulk buying of electric appliances which could be resold to consumers at discounted prices.

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52 Incentivizing consumer choice would remain important for those households that are not subject to the proposed ordinance, for example, renters in multi-unit apartment buildings.
Electrifying Marin’s Buildings: A Countywide Approach

Electrifying Multi-Unit Residential Buildings

Approximately 38 percent of current housing in Marin is renter-occupied, mostly in multi-unit buildings. This segment of the housing market poses the difficult challenge of “split incentives,” which refers to the differing interests of landlords and tenants in addressing energy upgrades. Tenants, who typically pay utilities, benefit from lower energy costs. But landlords typically shoulder the capital costs of energy-related upgrades. Planners thus face the challenge of incentivizing building owners to make these improvements, even though they are not the primary beneficiaries of lower energy costs.

There are many strategies that would help to encourage landlords to undertake electrification related upgrades. For instance, expanding or increasing rebate programs that address multi-unit residential buildings could increase the number of appliances replaced. While Electrify Marin is available only to owners of single family properties, rebates for electrification of multi-unit buildings are available from other sources, including MCE and the Bay Area Regional Energy Network. Owners of multi-unit buildings can use these rebates to lower their upfront costs, install new electric appliances, and benefit from the enhanced market appeal of clean, all-electric units with lower health risks and the potential for lower monthly energy bills for tenants. Publicizing and/or increasing the rebates for larger properties would encourage more participation.

Another strategy to increase electrification for rental properties would be requiring time of use replacement for multi-unit buildings. The proposed reach code requiring electrification at time of replacement, as currently described in Marin County’s Climate Action Plan, would apply only to single-family homes. Expanding it to reach multi-unit residential buildings would significantly broaden its impact. Such an expansion would have to take into account the financial burden on building owners, and should be considered in the context of other measures to ease this burden (such as access to adequate rebates and other incentives).

Finally, as discussed in more detail below, planners should consider implementing benchmarking and performance standards (i.e., a minimum energy efficiency standard) for large residential complexes. This would be an opportunity to incentivize electrification and/or other efficiency measures, possibly using a “flexible path” approach similar to that contemplated by Marin’s proposed reach code for residential renovations.

Using Building Performance Standards to Electrify Existing Buildings

For buildings that consume large amounts of energy, such as large multi-unit residential or commercial buildings, the use of building performance standards can be a practical, measurable, and effective means of reducing greenhouse gas emissions. Using this approach, greenhouse gas emissions standards, based on the size and function of the building, are established, and then enforced through audits and fees.

The US Environmental Protection Agency uses the term “benchmarking” to describe the measurement of a building’s energy usage as compared with similar-sized buildings to track

energy consumption over time, and the agency has developed a widely used tool to track energy usage. \(^{55}\) The State, as well as several jurisdictions around the Bay Area, currently require benchmarking for large buildings. In particular, the California Energy Commission has promulgated a statewide regulation that requires owners of all buildings over 50,000 square feet to annually report energy usage, and several jurisdictions in the region have adopted benchmarking ordinances based on size or building classification, though they vary in their requirements. \(^{56}\) Elsewhere in the country, a handful of large cities, including New York, Washington, DC, and St. Louis, have developed and begun to implement building performance standards.

**Table 1 - Bay Area Jurisdictions Requiring Annual Benchmarking**

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Square Footage Threshold</th>
<th>Building Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>San Francisco</td>
<td>50,000 10,000</td>
<td>Residential Commercial or Industrial</td>
</tr>
<tr>
<td>Brisbane</td>
<td>10,000</td>
<td>Any class of privately owned building</td>
</tr>
<tr>
<td>Berkeley</td>
<td>25,000</td>
<td>Any class of privately owned building</td>
</tr>
<tr>
<td>San Jose</td>
<td>50,000 10,000</td>
<td>Residential Commercial or Industrial</td>
</tr>
</tbody>
</table>

_Credit: California Energy Commission_

Although no jurisdictions in the Bay Area have yet implemented ordinances requiring building owners to meet specific energy consumption targets, the jurisdictions in Table 1 all anticipate using benchmarking data to develop enforceable building performance standards in the future. In the meantime, San Jose and Berkeley have voluntary programs that challenge owners to decrease greenhouse gas emissions each year or complete other energy efficiency related activities. Many of the climate action plans in Marin state they will consider developing building performance standards for existing buildings, though no jurisdiction has set any benchmarking requirements beyond those set by the California Energy Commission. The development of performance standards will require assessment of complex issues such as appropriate building size or usage exemptions, financing support, how compliance will be demonstrated, as well as equity and gentrification concerns among other issues. The collection of energy use data could assist with developing performance standards in the future.

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\(^{55}\) ENERGY STAR Portfolio Manager Portfolio Manager website, [https://www.energystar.gov/buildings/benchmark](https://www.energystar.gov/buildings/benchmark).

FINDINGS

F1. With the building sector accounting for approximately 34 percent of greenhouse gas emissions in Marin County, it will be necessary to substantially reduce emissions from that sector if the county and its cities and towns are to meet their 2030 greenhouse gas reduction goals.

F2. Reducing or eliminating natural gas as a fuel source in buildings will dramatically reduce greenhouse gas emissions from Marin County’s building sector.

F3. The use of natural gas in buildings gives rise to health and safety risks, including adverse health effects attributed to exposure to natural gas, and safety risks posed by pipeline leaks, ruptures, and explosions. These health and safety risks serve as additional reasons to eliminate natural gas as a fuel source in new and existing buildings.

F4. The timely reduction of greenhouse gas emissions from Marin County’s building sector will require in-depth, comprehensive, and coordinated planning. A countywide planning process, coordinated by Marin Climate and Energy Partnership or the county’s Sustainability Team, would be an effective and efficient means of sustaining focus and leveraging the resources needed for developing a Countywide Building Electrification Plan.

F5. Underserved communities and lower income households have greater vulnerability to rising energy costs and will likely require extra financial support to mitigate those costs and reduce household greenhouse gas emissions through measures that require significant up-front investment.

F6. The timely electrification of existing buildings will likely require one or more mandatory measures, supported where necessary by financial subsidies and rebates.

RECOMMENDATIONS

R1. On or before January 1, 2023, Marin County and each of its cities and towns that have not already done so should adopt a reach code banning natural gas connections in newly constructed buildings.

R2. On or before January 1, 2023, Marin County and each of its cities and towns that have not already done so should adopt a reach code requiring energy efficiency measures in connection with renovations of existing residential buildings. The reach code should specify the size of the renovation that will trigger the requirement and provide flexibility by allowing the applicant to choose from a list of energy efficiency measures, including electrification of gas appliances.

R3. Marin County and each of its cities and towns, collaborating through the Marin Climate and Energy Partnership or otherwise, should develop a comprehensive Countywide Building Electrification Plan to be completed on or before January 1, 2024. The Plan should identify those strategies, programs, and concrete actions necessary to bring about an equitable, prompt, and material acceleration of building electrification throughout the county.
REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the grand jury requests responses as follows:

From the following governing bodies:

- City of Belvedere (F1–F6, R1- R3)
- City of Larkspur (F1–F6, R1- R3)
- City of Mill Valley (F1–F6, R1- R3)
- City of Novato (F1–F6, R1- R3)
- City of San Rafael (F1–F6, R1- R3)
- City of Sausalito (F1–F6, R1- R3)
- Marin County Board of Supervisors (F1–F6, R1-R3)
- Town of Corte Madera (F1–F6, R1- R3)
- Town of Fairfax (F1–F6, R2- R3)
- Town of Ross (F1–F6, R1- R3)
- Town of San Anselmo (F1–F6, R1- R3)
- Town of Tiburon (F1–F6, R1- R3)

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted in accordance with Penal Code section 933 (c) and subject to the notice, agenda, and open meeting requirements of the Brown Act.

Note: At the time this report was prepared information was available at the websites listed.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.
ATTACHMENT 3

Summary of All-Electric Reach Code
# Marin’s Model Reach Code Policy Summary

**v2** *(v1 Published 9/1/2022)*

New Construction All-Electric for All Residential and Nonresidential Buildings

<table>
<thead>
<tr>
<th>Proposed Policy Description</th>
<th>Proposed Qualified/Covered Project</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Key Policy Components</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| **Require all-electric for newly constructed buildings**  
As per “Newly Constructed Building” and “All-electric Building” definitions below | All building types (residential and commercial) whole or partly in jurisdictional boundaries | ● The County has another definition of New Construction (75% of linear wall modified) that it will include  
● Jurisdictions may want to consider their definition substantial remodel to get more coverage |
| **Definition: Newly Constructed Building**  
Building that has never before been used or occupied for any purpose | | |
| **Definition: All-electric Building or Design definition**  
A building or plans for a building that uses a permanent supply of electricity as the source of energy for all space heating (including but not limited to fireplaces), water heating (including but not limited to pools and spas), cooking appliances (including but not limited to barbecues), and clothes drying appliances, and has no natural gas or propane plumbing installed in the building or within the property lines. An all-electric building may also include solar thermal collectors | | |
| **Accessory Dwelling Units (ADU)**  
New ADUs and Junior ADUs (JADUs) built on existing property is considered newly constructed building | Detached: only new and existing ADUs and JADUs.  
Attached: New and existing ADUs/JADUs that are attached or wholly within existing mixed-fuel residential building are exempted and may utilize existing natural gas facilities | ● There is a real tension between housing production and climate goals across the county. One of the main ways to increase production is through encouraging development of ADUs.  
● To ensure housing production is |
| Prohibits Conversion from Electric to Gas | Applicants are ineligible to apply for and the building official may not grant permits that would convert an all-electric building to a mixed-fuel building |
| Electric Readiness/Future Proofing if Gas Permitted as per exceptions allowed | All - State minimum standards already make everything electric ready |
| Exception/Exemptions | ● Load determined by installation of planned heat pumps, induction stoves, and/or EV Infrastructure |
| Hardship/Infeasibility Exemption or Waiver | 1. Compliance disproportionate to overall project cost, OR 2. Installation of all-electric would create a life safety risk to occupants |
| Permits issued prior to effective date | Development projects for which all building and related permits have been issued and remain valid prior to January 1, 2023 can have gas |
| Vested Rights | Development projects that have obtained vested rights prior to the effective date of this chapter pursuant to a preliminary affordable housing project, development agreement, a vesting tentative map, or pursuant to applicable statutory or case law. |
| Emergency Back-up power and industrial process | Emergency electrical generation only for essential services, |
| **Portable propane Appliances**  
For use outside of the building envelope | Outdoor cooking, refrigeration, and outdoor heating appliances | • HVAC or water heating appliances not exempt |
|---|---|---|
| **Attached ADUs and JADUs**  
Creating a new unit of housing for independent living | All attached ADUs may use existing natural gas infrastructure | • New Detached ADUs and JADUs are not exempt |
| **Food Service Establishments** | Commercial Kitchens and Cooking equipment serving food on or off-site  
Can be revoked or natural gas infrastructure capped if use changes (e.g changes from restaurant to retail) | • HVAC or water heating appliances not exempt |
ATTACHMENT 4

Summary of EV Charging Infrastructure Reach Code
<table>
<thead>
<tr>
<th>Project Type</th>
<th>EV Requirements</th>
<th>Base Cal Green Code Comparison</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NEW CONSTRUCTION</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-family and duplex (townhouses with private garages??)</td>
<td>CALGreen Tier 1 for each dwelling unit: EV Ready space (installation of 208/240 circuit and 40 amp electric panel capacity/space)</td>
<td>EV Capable space (installation of conduit only and 40 amp electric panel capacity/space)</td>
</tr>
<tr>
<td>Multifamily</td>
<td>15% of spaces* with installed Level 2 chargers 85% of spaces EV Ready with Low Power Level 2 receptacles (20 amp)</td>
<td>25% of spaces installed Low Power Level 2 chargers (20 amp) 10% of spaces EV Ready with Low Power Level 2 receptacles (20 amp) If 20+ units: 5% of spaces with installed Level 2 chargers</td>
</tr>
<tr>
<td>Hotels and motels</td>
<td>10% of spaces with installed Level 2 chargers 35% of spaces EV Ready with Low Power Level 2 receptacles (20 amp) 10% of spaces EV Capable</td>
<td>25% of spaces installed Low Power Level 2 chargers (20 amp) 10% of spaces EV Ready with Low Power Level 2 receptacles (20 amp) If 20+ units: 10% of spaces with installed Level 2 chargers</td>
</tr>
<tr>
<td>Nonresidential</td>
<td>CALGreen Tier 1: 0-33% of spaces with installed Level 2 chargers, depending on # of spaces 0-50% EV Capable, depending on # of spaces</td>
<td>0-20% of spaces with installed Level 2 chargers, depending on # of spaces 0-25% EV Capable, depending on # of spaces</td>
</tr>
<tr>
<td>Nonresidential Grocery, Retail or Warehouse with off-street loading spaces</td>
<td>CALGreen base code: Requirement for medium- and heavy-duty charging for EV trucks based on building size</td>
<td>Same</td>
</tr>
<tr>
<td><strong>ADDITIONS AND ALTERATIONS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-family and duplex</td>
<td>CALGreen Tier 1 if project upgrades main electrical service panel: EV Ready space (installation of 208/240 circuit and 40 amp electric panel capacity/space)</td>
<td>CALGreen only applies when new conditioned space is added</td>
</tr>
<tr>
<td>Multifamily</td>
<td>If project upgrades main electrical service panel: 20% EV Ready spaces If parking lot surface is modified**: Add conduit to at least 50% of exposed parking spaces OR</td>
<td>CALGreen only applies when new conditioned space is added or when parking lot is modified. If parking lot surface is modified**: Add conduit to at least 10% of added or altered spaces</td>
</tr>
</tbody>
</table>
| Hotels and motels | If project upgrades main electrical service panel:  
|                  | 20% EV Ready spaces  
|                  | If parking lot surface is modified**:  
|                  | Add conduit to at least 50% of exposed parking spaces OR  
|                  | Add conduit to at least 20% of exposed spaces and install min. 5% Level 2 or Level 3 chargers | ?  
| Nonresidential   | If project upgrades main electrical service panel:  
|                  | 20% EV Ready spaces  
|                  | If parking lot surface is modified**:  
|                  | Add conduit to at least 50% of exposed parking spaces OR  
|                  | Add conduit to at least 20% of exposed spaces and install min. 5% Level 2 or Level 3 chargers | CALGreen only applies to additions of 1,000+ sf or alterations with valuation of $200,000+  

* Excludes guest parking  
** Paving materials and curbing is removed.

**Definitions:**  
EV Ready: A vehicle space which is provided with a branch circuit or wired outlet plus any necessary raceways, both underground and/or surface mounted, to support EV charging.  
EV Capable: A vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways, both underground and/or surface mounted, to support EV charging.  
Low Power Level 2 Receptacle: A 208/240 Volt 20-ampere minimum branch circuit and a receptacle for use by an EV driver to charge their electric vehicle or hybrid electric vehicle.
ATTACHMENT 5

Summary of Enhanced Energy Requirements for Single-Family Additions/Alterations Reach Code
Draft Energy Efficiency Requirements for Single-Family Additions/Alterations over 750 square feet

Table 2: Energy and Electrification Menu of Measures by Climate Zone

<table>
<thead>
<tr>
<th>Measure</th>
<th>Specification</th>
<th>Climate Zone</th>
<th>Target Score</th>
<th>Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>2</td>
<td>3</td>
<td>1) Choose your Climate Zone using CEC toolfinder¹</td>
</tr>
<tr>
<td></td>
<td>Spec. ID</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Refer to Table 3)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lighting</td>
<td>E1</td>
<td></td>
<td></td>
<td>2) Minimum Target Score needed to comply</td>
</tr>
<tr>
<td>Water Heating Package</td>
<td>E2</td>
<td>1</td>
<td>1</td>
<td>(1 point = 1MMBTU savings per yr.)</td>
</tr>
<tr>
<td>Air Sealing</td>
<td>E3</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>R-49 Attic Insulation</td>
<td>E4</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Duct Sealing</td>
<td>E5</td>
<td>1</td>
<td>--</td>
<td></td>
</tr>
<tr>
<td>New Ducts + Duct Sealing</td>
<td>E6</td>
<td>2</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>PV + Electric Ready Pre-Wire</td>
<td>ER1</td>
<td>12</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Electric Readiness Measures</td>
<td>ER2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HPWH</td>
<td>FS1</td>
<td>12</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>High Eff HPWH</td>
<td>FS2</td>
<td>13</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>HVAC Heat Pump</td>
<td>FS3</td>
<td>13</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>High Eff HVAC Heat Pump</td>
<td>FS4</td>
<td>14</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>Heat Pump Clothes Dryer</td>
<td>FS5</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Induction Cooktop</td>
<td>FS6</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ID</th>
<th>Measure Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>E1</strong></td>
<td>Lighting Measures – Replace all interior and exterior screw-in incandescent, halogen, and compact fluorescent lamps with LED lamps. Install photocell controls on all exterior lighting luminaires.</td>
</tr>
</tbody>
</table>
| **E2** | Water Heating Package: Add exterior insulation meeting a minimum of R-6 to existing storage water heaters. Insulate all accessible hot water pipes with pipe insulation a minimum of ¾ inch thick. This includes insulating the supply pipe leaving the water heater, piping to faucets underneath sinks, and accessible pipes in attic spaces or crawlspaces. Upgrade fittings in sinks and showers to meet current California Green Building Standards Code (Title 24, Part 11) Section 4.303 water efficiency requirements.  

Exception 1: Water heater blanket is not required on water heaters less than 20 gallons.  
Exception 2: Water heater blanket not required if application of a water heater blanket voids the warranty on the water heater.  
Exception 3: Upgraded fixtures are not required if existing fixtures have rated or measured flow rates of no more than ten percent greater than 2022 California Green Building Standards Code (Title 24, Part 11) Section 4.303 water efficiency requirements.  
Exception 4: Water heaters with factory installed insulation of R-24 or greater |
| **E3** | Air Sealing: Seal all accessible cracks, holes, and gaps in the building envelope at walls, floors, and ceilings. Pay special attention to penetrations including plumbing, electrical, and mechanical vents, recessed can light luminaires, and windows. Weather-stripping doors if not already present. Verification shall be conducted following a prescriptive checklist that outlines which building aspects need to be addressed by the permit applicant and verified by an inspector. Compliance can also be demonstrated with blower door testing conducted by a certified HERS Rater no more than three years prior to the permit application date that either: a) shows at least a 30 percent reduction from pre-retrofit conditions; or b) shows that the number of air changes per hour at 50 Pascals pressure difference (ACH50) does not exceed ten. If combustion appliances are located within the pressure boundary of the building, conduct a combustion safety test by a professional certified by the Building Performance Institute in accordance with the ANSI/BPI-1200-S-2017 Standard Practice for Basic Analysis of Buildings¹, the Whole House Combustion Appliance Safety Test Procedure for the Comfortable Home Rebates Program 2020 or the |
### California Community Services and Development Combustion Appliance Safety Testing Protocol.

**E4** R-49 Attic Insulation: Attic insulation shall be installed to achieve a weighted assembly U-factor of 0.020 or insulation installed at the ceiling level shall have a thermal resistance of R-49 or greater for the insulation alone. Recessed downlight luminaires in the ceiling shall be covered with insulation to the same depth as the rest of the ceiling. Luminaires not rated for insulation contact must be replaced or fitted with a fire-proof cover that allows for insulation to be installed directly over the cover.

Exception: In buildings where existing R-30 is present and existing recessed downlight luminaires are not rated for insulation contact, insulation is not required to be installed over the luminaires.

**E5** Duct Sealing: Air seal all space conditioning ductwork to meet the requirements of the 2022 Title 24 Section 150.2(b)1E. The duct system must be tested by a HERS Rater no more than three years prior to the Covered Single Family Project permit application date to verify the duct sealing and confirm that the requirements have been met. This measure may not be combined with the New Ducts and Duct Sealing measure in this Table.

**E6** New Ducts + Duct Sealing: Replace existing space conditioning ductwork with new R-8 ducts that meet the requirements of 2022 Title 24 Section 150.0(m)11. This measure may not be combined with the Duct Sealing measure in this Table. To qualify, a preexisting measure must have been installed no more than three years before the Covered Single Family Project permit application date.

**E7** Windows: Replace all existing windows with high performance windows with an area-weighted average U-factor no greater than 0.32.

**E8** R-13 Wall Insulation: Install wall insulation in all exterior walls to achieve a weighted U-factor of 0.102 or install wall insulation in all exterior wall cavities that shall result in an installed thermal resistance of R-13 or greater for the insulation alone.

### Fuel Substitution Measures

**FS1** Heat Pump Water Heater (HPWH): Replace all existing electric resistance and natural gas storage water heaters with heat pump water heaters.

**FS2** High Efficiency Heat Pump Water Heater (HPWH): Replace all existing electric resistance and natural gas storage water heaters with heat pump water heaters with a Northwest Energy Efficiency Alliance (NEEA) Tier 3 or higher rating.
<table>
<thead>
<tr>
<th>FS3</th>
<th>HVAC Heat Pump: Replace all existing gas space heating system and existing electric resistance heating systems with electric heat pump systems.</th>
</tr>
</thead>
<tbody>
<tr>
<td>FS4</td>
<td>High Efficiency HVAC Heat Pump: Replace all existing gas space heating system and existing electric resistance heating systems with electric heat pump systems with a SEER rating of 21 or greater and an HSPF rating of 11 or greater.</td>
</tr>
<tr>
<td>FS5</td>
<td>Heat Pump Clothes Dryer: Replace all existing electric resistance clothes dryers with heat pump dryers with no resistance element and cap the gas lines.</td>
</tr>
<tr>
<td>FS6</td>
<td>Induction Cooktop: Replace all existing gas and electric resistance stove tops with inductive stove tops and cap the gas lines.</td>
</tr>
</tbody>
</table>

**Solar PV and Electric-Readiness Measures**

<table>
<thead>
<tr>
<th>ER1</th>
<th>PV+ Electric Ready Pre-Wire:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>For New PV Systems: Install a new solar PV system that meets the requirements of 2022 Title 24 Section 150.1(c)14 and upgrade the service panel to meet the requirements of ER2.G. and install any two of the other measures from ER2.A – ER2.F.</td>
</tr>
<tr>
<td></td>
<td>For Existing PV Systems: If the home already has an existing PV system, to claim credit for this measure, ER1, upgrade the service panel to meet the requirements of ER2.G. and install any two of the other measures from ER2.A – ER2.F.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ER2</th>
<th>Electric Readiness Measures:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>To claim credit for Item ER1, in addition to the solar PV system installed, upgrade the panelboard to meet the requirements of Item ER2.G and install any two of the other measures ER2.A – ER2.F, below to allow for installation of electric appliances at a future date.</td>
</tr>
<tr>
<td></td>
<td>For any Covered Project, if the service panel is being upgraded, install any two of the other measures below.</td>
</tr>
<tr>
<td></td>
<td>If the laundry room is being remodeled, comply with Item ER2.D and upgrade the panelboard to meet the requirements of Item ER2.G.</td>
</tr>
<tr>
<td></td>
<td>If the kitchen is being remodeled, comply with Item ER2.C and upgrade the service panel to meet the requirements of Item ER2.G.</td>
</tr>
</tbody>
</table>

<p>| A. Heat Pump Water Heater Ready, as specified in Section 150.0(n)1. |
| B. Heat Pump Space Heater Ready, as specified in Section 150.0(t). |
| C. Electric Cooktop Ready, as specified in Section 150.0(u). |
| D. Electric Clothes Dryer Ready, as specified in Section 150.0(v). |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>E.</td>
<td>Energy Storage Systems (ESS) Ready, as specified in Section 150.0(s).</td>
<td></td>
</tr>
<tr>
<td>F.</td>
<td>EV Charger Ready. Install a listed raceway for an EV charger, that meets the requirements of the California Green Building Standards Code (Title 24, Part 11) Section A4.106.8.1, Tier 1 and 2, which otherwise applies to new construction.</td>
<td></td>
</tr>
<tr>
<td>G.</td>
<td>Upgrade the panelboard serving the individual dwelling to either:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) a minimum 200 amp panel with a minimum 225 amp busbar rating to accommodate future connection of electric appliances, including heat pump water heaters, heat pump space heaters, electric cooktops, electric clothes dryers as specified in California Energy Code Section 150.0 (n), (t), (u) and (v) and Level 2 electric vehicle supply equipment; or,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(ii) provide electrical load calculations and appliance specifications for serving all of these end-uses with a minimum 100-amp panel.</td>
<td></td>
</tr>
</tbody>
</table>

Exception: If an electrical permit is not otherwise required for the project other than compliance with this Item, ER2.
ATTACHMENT 6

October 26, 2022 recommendation of the Climate Action Committee
10/26/2022

To: Town Council

From: Climate Action Committee

Re: Model Reach Building Codes

1. **Recommendation:** The Climate Action Committee recommends that the Town of Corte Madera Town Council adopt the Model Reach Codes as described by the County of Marin and that these Reach Codes be integrated into the 2022 Building Code 2023 Update.

2. **Why?**
   a. The building code is one of the few tools that can be used to effect climate change in the community. Adoption of these model codes will accelerate our ability to make meaningful reductions in emissions.
   b. MCE has affirmed grid reliability with adoption of these reach codes.
   c. This adoption would create a more simplified and united approach across the entire County. The County wants the local municipalities to embrace the reach codes.

3. **The Rationale**
   a. Climate change is a global problem, but on a local level we can influence its top-two drivers: greenhouse gas (GHG) emissions from transportation and buildings. To that end, Marin County is proposing three model reach codes. All three are focused on helping Marin’s cities and towns meet their climate goals by supporting rapid adoption of EVs and by reducing buildings’ GHG emissions and energy use.
   b. Through model reach codes like these, Marin’s towns and cities can take rapid action on climate without waiting for state and regional actions. Over an eight-month period Marin County’s Sustainability Team developed these model reach codes in collaboration with Planning and Building officials of all eleven Marin towns and cities as well as participation and input by community stakeholders representing the developer, construction, environmental, affordable housing, and West Marin sectors. Each of the reach codes reflects lessons learned by scores of other California jurisdictions, including Fairfax and San Anselmo in developing their own similar reach codes.
   c. The model reach codes are written in ready-to-adopt language.
   d. Regarding New Buildings: Marin is in a building boom driven by the Regional Housing Needs Allocation. Buildings are a big contributor to GHG emissions, representing about one-quarter of all emissions, so if we want to avoid blasting past our GHG goals, we need to act quickly to make sure more buildings does not equal more emissions.

   Buildings’ GHG emissions come mostly from using natural gas as a fuel, especially for space and water heating. To avoid increasing these emissions as we increase Marin’s housing stock we can build all-electric buildings that use readily available high-efficiency electric heat pump water and space heaters, induction cooktops, and other electric equipment and appliances.
Good news: For new buildings, builders and homeowners save money because these electrical appliances cost less to install and operate than their gas-powered equivalents. Plus, electrical appliances avoid the indoor air quality health risks that come with using gas appliances.

The model reach code has a number of reasonable exceptions including hardship/infeasibility, permits issued prior to the effective date, emergency back-up power and industrial processes, attached ADUs, and food service establishments.

d. Regarding Renovations (major renovations of one- and two-family homes and townhomes with private garages):

As described above with new construction, buildings that use natural gas as a fuel are major sources of GHG emissions. Just like new buildings, major renovations (more than 750 square feet or as defined by the jurisdiction) also need to support our GHG reduction goals.

To reduce energy and gas use in a remodeled building, the new reach code offers owners a flexible, comprehensive menu of measures they can take to meet a point target. They can choose from energy efficiency measures, rooftop solar, battery storage, and/or electrification measures to achieve a minimum target score based on energy use savings.

Depending on the specific opportunities/challenges of the remodel, owners can choose the options that make the most financial sense for them, as long as they reach the point target. Many of these choices could well result in significant operational cost savings and rapid return on investment for owners/occupants.

The model reach code saves energy and GHG emissions and its provisions apply only if it is cost effective. Like the first reach code regarding new construction, this one also has a number of reasonable exceptions including hardship/infeasibility, attached ADUs, mobile homes and manufactured housing, and low income.

e. Regarding EV chargers.

As California moves rapidly towards widespread adoption of EVs, we need to commit to building a comprehensive infrastructure of chargers.

Compared to current codes, this reach code sets higher installation percentages for “EV Capable,” “EV Ready” and “EV Installed” for new single and multifamily residences and for new light-duty non-residential parking sites.

For renovations, the model reach code would require that one- and two-family homes and townhomes with private garages that are upgrading the main electrical service panel be EV Ready. For non-residential buildings, it would require that if the electrical service panel is modified, it needs to add designated electrical capacity for 20% of onsite parking spaces.

**EV Capable:** a vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways to support EV charging.

**EV Ready:** a vehicle space which is provided with a branch circuit or wired outlet plus any necessary raceways to support EV charging.

**EV Installed:** a ready-to-use EV Charging Station.
to be EV Capable. If a parking lot surface is modified, raceway/conduit for EV charging would need to be added to half of the spaces and a minimum number of EV Charging Stations installed.

**Background and supporting Information**

1. **What are Reach Codes – See links below and the PDF’s of the summaries**
   

   Executive Summary of County of Marin’s Draft Model Reach Code:
   
   1. [All-Electric for New Construction][PDF] *(updated October 7, 2022)*
   2. [Energy Efficiency and Electrification for Existing Single-Family Renovations][PDF] *(updated October 7, 2022)*
   3. [Electric Vehicle (EV) Infrastructure for New Construction and Renovations][PDF] *(updated October 7, 2022)*

2. **What actions has the Town Council taken that supports the adoption of the Reach Codes?**
   
   • On December 1, 2020, the Town Council approved Resolution No. 43/2020 declaring a Climate Emergency;
   • On December 15, 2020, the Town Council approved a Climate Action Plan for the Town of Corte Madera;
   • On May 18, 2021, the Town Council approved the Climate Adaptation Assessment;
   • The Town Council recognizes the need for ongoing technical assistance to address the policy priority of climate action.

3. **What is the Purpose of the CAC and how does this recommendation align with that Purpose?**

   **Purpose.** The Climate Action Committee shall be the advisory body to the Town Council on matters related to reducing greenhouse gas emissions and implementing the Climate Action Plan.

4. **What is the purpose of the Climate Action Plan (CAP)?**

   **PURPOSE OF THE CLIMATE ACTION PLAN**

   The Town of Corte Madera understands that climate change is now increasingly evident and has the potential to affect Corte Madera’s residents and businesses significantly, as well as other communities around the world.

   The Town also recognizes that preventive measures are available and that citizens, businesses, nonprofits and local governments all play a role in reducing greenhouse gas emissions and mitigating the potential impacts of climate change. Corte Madera, along with other coastal Bay Area cities and towns, will have additional challenges adapting to sea level rise, and enhanced wildfire risks, which are already underway.
The purpose of this Climate Action Plan (CAP) is to move us all toward increased action. To that end, this report compiles existing and potential strategies (i.e., actions, projects, and programs) that the Town’s government and each sector of the community can use to address climate change. It provides a brief background on what climate change is and its potential impacts, but focuses on the efforts we in Corte Madera can take to reduce our greenhouse gas (GHG) emissions and mitigate, to the extent feasible at the local level, the potential impacts of climate change.

Through the actions outlined in this plan, such as increasing energy efficiency in buildings, encouraging less dependence on internal combustion vehicles, and using clean, renewable energy sources, the Corte Madera community can experience lower energy bills, improved air quality, reduced emissions, and an enhanced quality of life. The Town’s preparation of annual greenhouse gas emissions inventories and this Climate Action Plan are part of an ongoing planning process that includes assessing, planning, mitigating and adapting to climate change.

5. **What is the Relationship of the CAP to the General Plan**

**RELATIONSHIP TO THE GENERAL PLAN**

The Town of Corte Madera’s General Plan, adopted by the Town Council in April 2009, contains policies and programs that promote community sustainability and effective management of renewable and non-renewable natural resources through energy conservation, and solid waste management and recycling in Chapter 3.0 Resource Conservation and Sustainability.

This Climate Action Plan supports the Town’s General Plan, including Implementation Program RCS-1.1.a which calls for the preparation of a Sustainability Plan for Town Government Operations. Specific General Plan implementation programs that support the emissions reduction measures identified in the Climate Action Plan are cross-referenced in the measure descriptions located in the appendix. Nonetheless, the Climate Action Plan is intended to be incorporated into the Town’s General Plan.

6. **Corte Madera Climate Action Committee: Proposed Purpose, Mission, and Responsibilities**

**Purpose:** Support Corte Madera’s path to reduce greenhouse gas emissions by 1) making recommendations to Corte Madera Town staff and council on policies, regulations and goals/targets; 2) promoting community (both residential and commercial) action to advance actions outlined in the Town’s Climate Action Plan (CAP); and 3) supporting Corte Madera Town staff’s connection across regulatory agencies and climate organizations in the Bay Area.

**Mission:** Inspire the Corte Madera community and the Town's leadership to achieve zero greenhouse gas emissions by delivering on effective climate solutions and policies across municipal, business, and community sectors.

**Responsibilities:** The Corte Madera CAC is an advisory committee to Town staff and elected leadership, made up of community volunteers dedicated to achieving zero greenhouse gas emissions in Corte Madera. The CAC makes recommendations and facilitates discussion with staff and Town leadership and elected decision-makers offering feedback on equitable policies, regulations, and actions, holding a high bar for the town to pursue.
The committee supports the Town CAP and helps activate actions outlined in the plan, through awareness and outreach with town residents and businesses, partnering with local climate organizations, and Town staff. The committee will assist with updates to the CAP at recommended intervals, track progress of climate actions with the Town and O’Rourke & Associates, and advise on policy priorities.

Assist the Town of Corte Madera Climate Action Program Manager, whose responsibilities include to develop, plan, organize, and implement the City’s Climate Action Program, including the Climate Action Plan, emissions reductions and renewable energy supply, climate adaptation planning, data collection and modeling efforts, and other environmental sustainability initiatives.