

## Memorandum

**To:** Drew Bohan  
Executive Director

**Date:** March 20, 2020

**Telephone:** (916) 654-4516

**From:** Michael J. Sokol, Deputy Director  
Efficiency Division  
California Energy Commission  
1516 Ninth Street  
Sacramento CA 95814-5512

**Subject:** POSSIBLE APPROVAL OF THE COUNTY OF LOS ANGELES LOCAL  
BUILDING ENERGY STANDARDS: ORDINANCE NO. 2019-0061

### **Background**

The California Energy Commission (CEC) adopts and regularly updates regulations that define a process for local governments to apply for a determination that a locally adopted energy standard meets the requirements of state law (CCR, Title 24, Part 1, § 10-106 and § 10-110; PRC § 25402.1(h)(2)). This process requires a local government to submit an application to the CEC, which the CEC must approve before the local energy standards may be enforced. The application must contain all of the following:

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

In reviewing the application, the CEC must find that the local standards contain all of the above and that the local governmental agency's governing body, at a public meeting, adopted its determination that the standards are cost effective.

### **Summary of the Local Ordinance**

In summary, the County of Los Angeles Ordinance No. 2019-0061 specifies:

- For nonresidential buildings, cool roofing materials with the following Solar Reflectance Index (SRI) ratings:
  - For low-sloped roofs ( $\leq$  2:12) SRI 82,

- For steep-sloped roofs (>2:12) SRI 27
- For all other buildings, cool roofing materials with the following SRI ratings:
  - SRI 78 for low-sloped roofs
  - SRI 20 for steep-sloped roofs.
- Exemptions are permitted for:
  - Roof repairs
  - Replacement of less than 50% of the roof area
  - Building integrated photovoltaics
  - Thermal mass and vegetated roofs
  - Building additions with new roof area less than 500 SF or 50% of the total roof area whichever is greater

### **Staff Analysis**

On March 10, 2020, staff posted the complete application, including the local ordinance and adopted cost effectiveness analysis, on the CEC's website under Docket 19-BSTD-06 for a mandatory public review period.

Staff reviewed the application to determine whether the standards will require the reduction of energy consumption levels permitted by the 2019 Energy Code, per the requirements in PRC § 25402.1(h)(2). Staff found that the standards will reduce the amount of energy consumed, and will not lead to increases in energy consumption inconsistent with state law. Staff further confirmed that the County of Los Angeles publicly adopted a finding of cost-effectiveness for the standard.

### **Project Manager**

Danuta Drozdowicz, Building Standards Office

### **Staff Position**

Staff has found that the application meets all requirements under PRC § 25402.1(h)(2), and § 10-106 of the Energy Code. Staff believes that the County of Los Angeles should be commended for seeking to achieve the energy savings that result from this local energy ordinance.

The County of Los Angeles has been informed that their ordinance, once approved by the CEC, will be enforceable during the time that the 2019 Energy Code is effective. If the statewide Energy Code is subsequently revised (as it is regularly on a three-year cycle), the ordinances will no longer be enforceable if the revisions create "a substantial change in the factual circumstances affecting the determination." In such a case, if the County of Los Angeles wishes to enforce either these local energy standards or other local energy standards revised in response to the updated statewide Energy Code, the County of Los Angeles must submit a new application.

**Oral Presentation Outline**

Staff will be available at the April 8, 2020 Business Meeting to provide a brief summary of the ordinance and to answer questions.

**Business Meeting Participants**

Peter Strait, Building Standards Office  
Danuta Drozdowicz, Building Standards Office

**Commission Action Requested**

Approval of the County of Los Angeles locally adopted energy standards.

STATE OF CALIFORNIA

STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION APPROVING THE COUNTY OF LOS ANGELES LOCALLY ADOPTED  
BUILDING ENERGY EFFICIENCY STANDARDS, ORDINANCE NO. 2019-0061

**RESOLUTION:** California Energy Commission (CEC) approval of the County of Los Angeles's locally adopted building energy efficiency standards, Ordinance No. 2019-0061, to require greater energy efficiency than the 2019 Building Energy Efficiency Standards (Energy Code), provided in California Code of Regulations, Title 24, Part 6, and associated administrative regulations in Part 1, Chapter 10.

**WHEREAS,** The County of Los Angeles adopted Ordinance No. 2019-0061 to establish locally adopted building energy efficiency standards; and

**WHEREAS,** California Code of Regulations, Title 24, Part 1, Sections 10-106 and 10-110, establish a process for local governments to apply to the CEC for a determination that a locally adopted building energy efficiency standard meets the requirements of Public Resources Code Section 25402.1(h)(2); and

**WHEREAS,** The County of Los Angeles submitted an application to the CEC for Ordinance No. 2019-0061 that met all of the documentation requirements pursuant to Public Resources Code Section 25402.1(h)(2), and California Code of Regulations, Title 24, Section 10-106(b), on February 20, 2020; and

**WHEREAS,** The County of Los Angeles, in its application to the CEC, indicated that it complied with the California Environmental Quality Act (CEQA), codified in California Public Resources Code Section 21000 et seq.; and

**WHEREAS,** CEC staff has analyzed whether the ordinance will require the diminution of energy consumption levels permitted by the 2019 Energy Code, as required by Public Resources Code Section 25402.1(h)(2), and determined that it will do so; and

**WHEREAS,** CEC has considered the County of Los Angeles's application, the Executive Director's recommendation, and all comments submitted on the application.

**THEREFORE BE IT RESOLVED,** CEC finds that the County of Los Angeles's ordinance will require the diminution of energy consumption levels permitted by the 2019 Energy Code; and

**THEREFORE BE IT FURTHER RESOLVED**, CEC applauds the County of Los Angeles for seeking to achieve additional energy demand reductions, energy savings, and other benefits exceeding those of the 2019 Energy Code; and

**THEREFORE BE IT FURTHER RESOLVED**, that on April 8, 2020, CEC approves the County of Los Angeles's application to enforce its locally adopted energy standards; and

**THEREFORE BE IT FURTHER RESOLVED**, that CEC directs the Executive Director to take all actions necessary to implement this Resolution.

### **CERTIFICATION**

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the CEC held on April 8, 2019.

AYE:

NAY:

ABSENT:

ABSTAIN:

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Cody Goldthrite  
Secretariat