



TOWN OF FAIRFAX

STAFF REPORT

February 3, 2021

TO: Mayor and Town Council

FROM: Garrett Toy, Town Manager

SUBJECT: Consider request from the Climate Action Committee to prepare an ordinance to ban natural gas in new residential developments

RECOMMENDATION

Consider request from the Climate Action Committee (CAC) to prepare an ordinance to ban natural gas in new residential developments and direct staff as appropriate.

DISCUSSION

The CAC is requesting the Council to direct staff to prepare an ordinance to ban natural gas in new residential developments. Mayor Ackerman and Vice-Mayor Hellman are the Council representatives to the CAC.

The CAC reports that numerous California communities have adopted such ordinances to reduce greenhouse gases. According to the Sierra Club, as of 12/21/20, 41 California communities have adopted ordinances requiring all electric or electric-preferred ordinances for new and/or existing residential and/or commercial developments. Many of the ordinances provide exemptions under certain circumstances.

At the January CAC meeting, Marin County made a presentation regarding the County's approach to the issue. The County adopted electric-preferred energy reach codes instead of a ban on natural gas in new residential developments. Specifically, the table below shows the options available to county residents. In essence, additional energy efficiency requirements had to be met depending on the natural gas appliances allowed.

PATHWAY	NATURAL GAS APPLIANCES ALLOWED	ADDITIONAL EFFICIENCY REQUIRED
"All-electric"	None	None
"Limited Mixed Fuel"	Cooktops and fireplaces only	Some
"Mixed Fuel"	Any	Most

There are advantages and disadvantages to both approaches. Normally, the adoption of electric-preferred energy reach codes is quite labor intensive. However, the County has indicated they would assist the Town with the development of energy reach codes. Specifically, the County has created a model ordinance for the Town's use and prepared the energy study required by the California Energy Commission (CEC) for CEC approval of the energy reach

codes. Furthermore, California Building Codes are updated every three years. The next update is in 2022 which would mean the Town would need to go through the process of updating its energy reach codes that it would have just recently adopted.

Regarding the ban on natural gas, while many communities have adopted an ordinance banning natural gas, a few have been subjected to legal challenges. As stated above, the ordinances vary in terms of requiring or encouraging all-electrification for new residential construction and many allow for exemptions. However, presumably the process to adopt such an ordinance would be more streamlined than adopting building energy reach codes.

Depending on the Council's direction, staff would work with the Town Attorney to develop a list of policy criteria for the Council's consideration at a future meeting. These policy issues would address such issues as exemptions, new building definitions, and the placement of the ordinance in the Town Code.

FISCAL IMPACT

n/a