

Notice of Exemption

TO: Office of Planning and Research
1400 Tenth Street, Room 212
Sacramento, California 95814

FROM: California Energy Commission
715 P Street
Sacramento, California 95814

Project Title: Determination of Exemption for the Monte Vista Apartments Project from the 2019 Energy Code solar photovoltaic system requirements.

Project Location: 715 P Street Sacramento, California 95814

Description of Nature, Purpose, and Beneficiaries of Project:

On May 09, 2018, the California Energy Commission (CEC) adopted the 2019 Building Energy Efficiency Standards (California Code of Regulations, Title 24, Part 1, Chapter 10, and Part 6; also known as the California Energy Code), which went into effect January 1, 2020. Section 150.1(c)14 of the 2019 Energy Code requires the installation of solar photovoltaic (PV) systems for newly constructed low-rise residential buildings, including multifamily developments.

Title 24, part 1, section 10-109(k), Photovoltaic System Requirement Determination, states, “The Commission may, upon written application or its own motion, determine that the photovoltaic requirements in Section 150.1(c)14 shall not apply, if the Commission finds that the implementation of public agency rules regarding utility system costs and revenue requirements, compensation for customer-owned generation, or interconnection fees, causes the Commission’s cost-effectiveness conclusions, made pursuant to Public Resources Code 25402(b)(3), to not hold for particular buildings.”

At its December 8, 2025, business meeting, the CEC has adopted a finding, pursuant to the California Code of Regulations, Title 24, Part 1, Section 10-109(k), that the unique public agency rules adopted by Turlock Irrigation District (TID), the electrical requirements established by the City of Turlock Building and Safety Division/Fire Inspector (City of Turlock), and the solar PV system costs estimated in bids from electrical and solar contractors to install locally compliant system designs, provided in Pacific West Communities, INC.’s application, cause the Commission’s solar PV cost-effectiveness conclusions in the 2019 Energy Code to not hold for the newly constructed low-rise multifamily buildings in the Monte Vista Apartments Project within the City of Turlock and TID service area.

Accordingly, as a result of the finding above, the CEC has determined that the 2019 Energy Code solar PV requirements in section 150.1(c)14 do not apply to the newly constructed low-rise multifamily buildings in the Monte Vista Apartments Project as identified in Pacific West Communities, Inc.’s application to the CEC.

Name of Public Agency Approving Project: California Energy Commission

Name of Person or Agency Carrying Out Project: California Energy Commission

Exempt Status: (Check One)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

Categorical Exemption: State type and section number: _____

- ☐ Statutory Exemption: State code number: _____
- ☒ Other: Common Sense (Sec. 15061(b)(3)).

Reasons why the project is exempt:

The CEC has considered the application of CEQA to this proposed determination and finds that the approval of the Executive Director's recommendation does not meet CEQA's definition of a "project" as it is not an activity that may cause a direct or reasonably foreseeable indirect physical change to the environment. The only two possible outcomes of this action are either (1) denying the Executive Director's recommendation, which would require the Monte Vista Apartments Project's newly constructed low-rise multifamily buildings to comply with the 2019 Energy Code solar PV requirements, or (2) approving the recommendation, which would result in the solar PV systems not being required for the Monte Vista Apartments Project. Outcome (1) results in newly constructed buildings having solar PV, which provides renewable energy. Outcome (2) results in existing conditions in the environment to remain as they are. Neither potential outcome of this decision has the possibility of causing a direct or reasonably foreseeable indirect physical change to the environment. Therefore, no matter the outcome, the proposed determination is not a "project" within the meaning of Section 15378. (Cal. Code Regs., tit. 14, § 15378(a).)

Even if this determination is to be considered a "project" under CEQA, the common sense exemption would apply, as it can be seen with certainty that there is no possibility that this determination will have a significant effect on the environment. (Cal. Code Regs., tit. 14, § 15061(b)(3).) As discussed above, the denial or approval of this determination will either result in: 1) no action being taken by either party or 2) exempting the newly constructed 348-unit low-rise multifamily buildings within the Monte Vista Apartments Project from the 2019 Energy Code solar PV system requirements. . Outcome (1) results in newly constructed buildings within the Monte Vista Apartments Project having solar PV systems, which provides renewable energy. Outcome (2) results in existing conditions in the environment to remain as they are. For these reasons, the CEC's determination regarding the applicability of the 2019 Energy Code's solar PV requirements to newly constructed low-rise multifamily buildings within the Monte Vista Apartments Project would not be subject to CEQA under the common sense exemption of section 15061(b)(3).

Lead Agency Contact Person

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Date: 12/9/2025 _____

Title: Program Manager



Signed by the Lead Agency

Date received for filing: