

CITY OF SAN MATEO
RESOLUTION NO. ____ (2025)

A RESOLUTION OF THE CITY OF SAN MATEO ADOPTING EXPRESS FINDINGS FOR LOCAL SUSTAINABILITY-RELATED AMENDMENTS TO THE CALIFORNIA BUILDING STANDARDS CODE, 2022 EDITION, RELATIVE TO LOCAL CLIMATIC, GEOGRAPHICAL, OR TOPOGRAPHICAL CONDITIONS

WHEREAS, the City of San Mateo's (City) Climate Action Plan recommends the City review local amendments to the California Energy Code and the Green Building Standards Code to promote building electrification, energy efficiency, and electric vehicle infrastructure; and

WHEREAS, California Energy Code and Green Building Standards Code, 2022 Edition, were adopted by the City of San Mateo on November 7, 2022 with local amendments to require all-electric new construction and electric-readiness and electric appliances during residential building remodels; and

WHEREAS, due to a federal court decision, in early 2024, the City suspended enforcement of local amendments that prohibited the installation of gas infrastructure; and

WHEREAS, this presented an opportunity to replace the City's reach code to encourage sustainable new construction; and

WHEREAS, concurrent with this Resolution, the City Council will adopt local amendments to amend the California Energy Code to require energy compliance margins for newly constructed buildings and require electric-readiness when gas infrastructure is installed; and

WHEREAS, concurrent with this Resolution, the City Council will adopt a local amendment to amend the California Green Building Code to make a minor update to the electric-readiness requirement; and

WHEREAS, California Health and Safety Code Sections 17922, 17958, 17958.5, 17958.7, and 18941.5 authorizes the City to make local amendments to the California Energy Code and Green Building Standards Code upon express findings that the local amendments are reasonably necessary due to local climatic, geographical, or topographical conditions; and

WHEREAS, the City Council has determined and finds that local amendments are needed and reasonably necessary because of local climatic, geological, or topographical conditions of the City; and

WHEREAS, Public Resources Code Section 25402.1(h)2 and Section 10-106 of the Building Energy Efficiency Standards (Standards) establish a process which allows local adoption of energy standards that are more stringent than the statewide Standards, provided that such local standards are cost effective and the California Energy Commission finds that the standards will require building to be designed to consume no more energy than permitted by the California Energy Code; and

WHEREAS, staff has reviewed the cost effectiveness studies prepared by the California Statewide Codes and Standards Reach Code Program and associated study data and find them sufficient to illustrate compliance with the requirements set forth under California Administrative Code Chapter 10-106; and

WHEREAS, that such modifications will result in designs that consume less energy than they would under the 2022 State Energy Code through the California Statewide Codes and Standards Reach Code Program, has performed cost effectiveness analyses as required by the California Energy Commission for the local amendments to the California Energy Code contained in the ordinance adopted concurrent with this Resolution; and

WHEREAS, based upon these analyses, the San Mateo City Council finds that the local amendments to the California Energy Code contained in ordinance adopted concurrent with this Resolution have at least one cost effective pathway and will require buildings to be designed to consume no more energy than permitted by the California Energy Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, HEREBY FINDS that:

1. Adoption of this Resolution adopting express findings in support of local amendments to the California Energy Code and Green Building Code, 2022 Edition, is not subject to CEQA review because it is an action taken by a regulatory agency, as authorized by state ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for the protection of the environment. (CEQA Guidelines Section 15308.)
2. The City Council makes findings that local amendments to the California Energy Code and Green Building Standards Code, 2022 Edition, in Ordinance No. 2025-__ are reasonably necessary because of local climatic, geological and topographical conditions summarized in Exhibit A attached and incorporated to this Resolution.

Exhibit A

Findings Supporting Local Amendments to the California Energy Code, Title 24, Part 6 and the California Green Building Code, Title 24, Part 11

Section 17958 of the California Health and Safety Code provides that the City may make changes to the provisions in the uniform codes that are published in the California Building Standards Code.

Sections 17958.5 and 17958.7 of the Health and Safety Code require that for each proposed local change to those provisions in the uniform codes and published in the California Building Standards Code which regulate buildings used for human habitation, the City Council must make findings supporting its determination that each such local change is reasonably necessary because of local climatic, geological, or topographical conditions.

Regarding the Energy Code, local jurisdictions have the authority to adopt local energy efficiency ordinances—or reach codes—that exceed the minimum standards defined by Title 24 (as established by Public Resources Code Section 25402.1(h)2 and Section 10-106 of the Building Energy Efficiency Standards, provided the City Council finds that the requirements of the proposed ordinance are cost-effective and do not result in buildings consuming more energy than is permitted by Title 24.

Local building regulations having the effect of amending the uniform codes, which were adopted by the City prior to November 23, 1970, were unaffected by the regulations of Sections 17958, 17958.5 and 17958.7 of the Health and Safety Code. Therefore, amendments to the uniform codes which were adopted by the City Council prior to November 23, 1970, and have been carried through from year to year without significant change, need no required findings. Also, amendments to provisions not regulating buildings used for human habitation, including amendments made only for administrative consistency, do not require findings.

Code: California Energy Code, Title 24, Part 6					
Section(s)	Title	Add	Deleted	Amended	Justification (See below for Key)
100.1	Definitions and Rules of Construction			X	C & E
120.2	Required Controls for Space-Conditioning Systems			X	C & E
120.6	Mandatory Requirements for Covered Processes			X	C & E
130.6	Electric Readiness Requirements for Systems Using Gas or Propane	X			C & E
140.0	Performance and Prescriptive Compliance Approaches			X	C & E
140.1	Performance Approach: Energy Budgets			X	C & E
150.0	Mandatory Features and Devices			X	C & E
150.1	Performance and Prescriptive Compliance Approaches for Single-Family Residential Buildings			X	C & E
160.4	Mandatory Requirements for Water-Heating Systems			X	C & E
160.9	Mandatory Requirements for Electric Ready Buildings			X	C & E
170.1	Performance Approach			X	C & E

Code: California Green Building Code, Title 24, Part 11					
Section(s)	Title	Add	Deleted	Amended	Justification (See below for Key)
4.106	Site Development			X	C & E

Key:

A Administrative

This is an administrative amendment to clarify and establish civil and administrative procedures, regulations, or rules to enforce and administer the activities by the San Mateo Community Development Department. These administrative amendments do not need to meet HSC 18941.5/17958/13869 per HSC 18909(c).

C Climatic

The local amendments are justified on the basis of a local climatic conditions in San Mateo. Failure to address and significantly reduce greenhouse gas (GHG) emissions could result in rises in sea level, including in San Francisco Bay, that could put at risk City homes and businesses, public facilities, and Highway 101 (Bayshore Freeway), particularly the mapped Flood Hazard areas of the City. Buildings with lower energy and GHG emissions benefit the health, safety, and welfare of San Mateo residents. Requiring highly efficient construction will reduce the amount of GHG emissions produced in San Mateo.

G Geological

The local amendments are justified on the basis of local geological conditions in San Mateo. Major faults cross through all nine Bay Area counties. The closest active faults in San Mateo are the San Andreas Fault located two miles west and the Hayward Fault, 14 miles east of San Mateo. A powerfully damaging earthquake similar to the 1906 earthquake or 1989 Loma Prieta earthquake is rare but likely to occur in the next 30 years. Smaller magnitude earthquakes are also likely to occur, potentially producing significant local damage. The reduction of natural gas infrastructure in new buildings would reduce the hazards associated with gas leaks during seismic events.

E Environmental

The local amendments improve the public health and welfare by promoting the environmental and economic health of the City through the design, construction, maintenance, operation and deconstruction of buildings and sites by incorporating green practices into all development. The local amendments are consistent with the goals of the Green Building Code and help achieve the following goals:

- Increase energy efficiency in buildings;
- Increase resources conservation;
- Provide durable buildings that are efficient and economical to own and operate; and
- Promote the health and productivity of residents, workers, and visitors to the city.

T Topographic

The local amendments are justified on the basis of local topographic conditions in San Mateo. The City of San Mateo topography includes areas that are subject to wildland type fires due to existing vegetation, particularly chaparral, the steep slopes, and the temperate climate with dry summer months. These wildland areas pose substantial risk to nearby residences and the natural environment. The elimination of natural gas infrastructure in new buildings and the transition to electric appliances in existing residential buildings would reduce fire hazards in buildings near highly combustible wildland areas.