



# CITY OF SAN MATEO

City Hall  
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## Agenda Report

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Agenda Number: 6

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**TO:** City Council  
**FROM:** Drew Corbett, City Manager  
**PREPARED BY:** City Manager's Office  
**MEETING DATE:** November 7, 2022

**SUBJECT:**

Sustainability-Related Amendments to the 2022 California Building Standards Code – Ordinance Adoption

**RECOMMENDATION:**

Adopt an Ordinance to amend the San Mateo Municipal Code Chapter 23.40 "Energy Code" to adopt the 2022 California Energy Code by reference and amend the San Mateo Municipal Code Chapter 23.70 "Green Building Code" to adopt the 2022 California Green Building Standards Code with local amendments to require enhanced electric vehicle charging infrastructure beyond state requirements, require all-electric new construction, and require electric-readiness and electric appliances during residential building remodels.

**BACKGROUND:**

On October 17, 2022, the City Council introduced the attached ordinance (Attachment 1) to amend the San Mateo Municipal Code Chapter 23.40 "Energy Code" to adopt the 2022 California Energy Code by reference and amend the San Mateo Municipal Code Chapter 23.70 "Green Building Code" to adopt the 2022 California Green Building Standards Code with local amendments to require enhanced electric vehicle charging infrastructure beyond state requirements, require all-electric new construction, and require electric-readiness and electric appliances during residential building remodels. Initially, the draft ordinance required air conditioner installations in conjunction with gas furnace replacements shall use heat pump air conditioner systems. At the October 17 City Council meeting, the City Council amended the ordinance to require all air conditioner installations shall use heat pump air conditioner systems; this revision was made on page 14 of the ordinance to reflect Council's direction.

At the October 17 City Council meeting, staff unintentionally misrepresented the Bay Area Reach Codes Model Code for electric vehicle (EV) reach code requirements for multifamily buildings with 100% affordable housing. Staff's presentation and agenda report stated new multifamily buildings would be required to install 15% Level 2 EVCS and 85% Low-Power Level 2 EV Ready and new multifamily buildings with 100% affordable housing would have slightly different requirements (15% Level 2 EVCS, 25% Low-Power Level 2 EV Ready, and 60% Level 1 EV Ready). Staff's presentation and report were based on an old version of the Bay Area Reach Codes Model Code. The Bay Area Reach Codes group no longer recommends a separate requirement for affordable housing projects. Instead, all new multifamily buildings would be required to install 15% Level 2 EVCS and 85% Low-Power Level 2 EV Ready. The ordinance includes an exception process to address cost concerns related to EV charging infrastructure. Projects can be granted an exception if EV infrastructure costs increase construction costs by \$400 per parking space for affordable housing projects and \$4,500 per parking space for market rate housing. The exception process uses a lower-cost threshold for affordable housing to ensure reach code requirements do not deter the construction of affordable housing. No changes were made to the ordinance since the error was in staff's presentation and agenda report and not in the draft ordinance.

Attachment 2 contains the amendments to the ordinance, reflected as tracked changes to the Green Building Code.

**BUDGET IMPACT:**

The proposed local amendments will not have a budgetary impact on the City since the City is required to enforce the California Green Building Code.

**ENVIRONMENTAL DETERMINATION:**

The adoption of the reach code amendments is categorically exempt from CEQA review because it consists of an action, as authorized by state or local ordinance, intended to reduce greenhouse gas emissions for the protection of the environment and the regulatory process involves procedures for protection of the environment. (CEQA Guidelines Section 15308.)

**NOTICE PROVIDED**

All meeting noticing requirements were met. The ordinance will be published in summary in a newspaper of general circulation, posted in the City Clerk's Office, and posted on the City's website, all in accordance with California Government Code section 6066.

**ATTACHMENTS**

Att 1 - Ordinance

Att 2 - Green Building Code - Track Changes

Att 3 – Public Comments

**STAFF CONTACT**

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