

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
ESTABLISHING AN EFFECTIVE DATE FOR ORDINANCE 2034
- BUILDING ELECTRIFICATION AND ELECTRIC VEHICLE
REACH CODE**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, Santa Clara's Climate Action Plan, adopted in 2013, includes strategies to reduce greenhouse gas (GHG) emissions and is in the process of being updated to further strengthen emissions reductions;

WHEREAS, every three years, the State of California adopts new building standards that are organized in Title 24 of the California Code of Regulations, referred to as the California Building Standards Code. The most recent code cycle was adopted in 2019 with an effective date of January 1, 2020;

WHEREAS, this code cycle is an opportunity for cities and counties to adopt optional local energy code amendments, known as reach codes, that exceed or enhance State code standards. Historically, jurisdictions have adopted reach codes to the California Energy Code (Title 24, Part 6) and the California Green Building Standards Code (CALGreen) (Title 24, Part 11), to meet local climate action goals;

WHEREAS, on November 19, 2019, the City Council adopted Ordinance No. 2008, which adopted the 2019 California Energy Code in Section 15.36.010 of the Santa Clara City Code and adopted the 2019 California Green Building Standards Code in Section 15.38.010 of the Santa Clara City Code;

WHEREAS, on March 2, 2021, the City Council provided direction to proceed with preparing an all-electric reach code with EV charging requirements for Council consideration;

WHEREAS, on July 13, 2021, during a City Council CAP study session, the City Council

confirmed the inclusion of an all-electric reach code with EV charging to be incorporated into the proposed CAP Update;

WHEREAS, on October 19, 2021 the City Council introduced Ordinance No. 2034 - an All-electric Building Electrification Reach Code Ordinance Including Electric Vehicle (EV) Charging that Amends Chapter 15.36 (Energy Code) and Chapter 15.38 (Green Building Code) of Title 15 (Buildings and Construction) of the Santa Clara City Code;

WHEREAS, after ordinance adoption, these local amendments to the Energy Code must be approved by the California Energy Commission (CEC) and filed with the California Building Standards Commission (CBSC) for the amendments to take effect;

WHEREAS, The All-electric and EV Charging Reach Code Ordinance No. 2034 takes effect January 1, 2022;

WHEREAS, it is understood projects which have already received Planning Permits prior to January 1, 2022 could be impacted without the inclusion of a “pipeline” provision in the approved effective date of the Ordinance;

WHEREAS, it is understood that single-family projects which are already in the City’s design review process, and which are potentially designed to include natural gas appliances could be impacted without the inclusion of a “pipeline” provision in the effective date of the Ordinance;
and

WHEREAS, on November 19, 2022, the City Council considered this resolution at a formally noticed public meeting, at which time all interested persons were able to provide testimony and present evidence, both in support of an in opposition to the proposed resolution.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That Ordinance No. 2034, All-electric building electrification reach codes including EV

charging, would apply to all new building permit applications filed with the City on or after January 1, 2022 pending California Energy Commission approval.

2. That the following project types will not be subject to the Ordinance requirements:

A. Projects which have received Planning Permits prior to the January 1, 2022 effective date.

B. Single-family projects that apply for building permits or receive planning permits prior to April 1, 2022.

3. Effective date. This resolution shall become effective concurrently with the effective date of Ordinance 2034.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ____ DAY OF _____, 2021, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Ordinance 2034

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