



Agenda Report

22-1346

Agenda Date: 11/1/2022

REPORT TO COUNCIL

SUBJECT

Public Hearing: Action to Waive Second Reading and Adopt Ordinance No. 2056 updating the 2021 Reach Code of Santa Clara to Conform to the 2022 California Building Standards Code

BACKGROUND

At the October 18, 2022 Council meeting, proposed Ordinance No. 2056 was passed for the purpose of publication. Pursuant to City Charter Sections 808 and 812 and Government Code Section 50022.3, a summary and notice of a public hearing for proposed Ordinance No. 2056 was published twice to the Santa Clara Weekly on October 19, 2022 and October 26, 2022, and copies were posted in three public places and made available for public inspection at the City Clerk's Office.

DISCUSSION

The City adopted its first reach code in November 2021, following a long public process. The reach code made local amendments to the 2019 version of the California Building Standards Code (CBSC); specifically, the California Energy Code and the California Green Building Standards Code. The reach code mandates the use of electricity as a power source in new construction, limits installation of natural gas plumbing and meters, and increases requirements on new construction to install electric vehicle infrastructure.

A new version of the CBSC (the "2022 CBSC") will go into effect on January 1, 2023. As a result, it is necessary to modify the 2021 reach code so that its requirements will still apply under the new 2022 CBSC standards. The proposed ordinance does not make substantive changes to the 2021 reach code; the modifications are limited to reorganization and renumbering so that it conforms to the new 2022 CBSC. The ordinance also makes the requisite climatic, geographical, and topographical findings for these local modifications to the CBSC.

Adoption of the proposed ordinance will ensure that the City's reach code provisions carry forward into 2023 with no gap in the City's enforcement ability. If, however, the Council wanted to make substantive amendments to the reach code, the City would be required to first seek the approval of the California Energy Commission (CEC), which would create a delay of several months, during which time the City would be unable to enforce the reach code. Accordingly, staff recommends that the Council adopt the proposed ordinance in its current form, so that it can become effective January 1, 2023. Staff can return a future date with any requested substantive edits, which could then be submitted to the CEC.

ENVIRONMENTAL REVIEW

The action being considered is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15305 in that it is a minor alteration in land use limitations that will not result in any changes in land use or density, and section 15308 in that it is an

action taken by a regulatory agency as authorized by California law to assure maintenance or protection of the environment.

FISCAL IMPACT

The proposed Resolution has no fiscal impact to the City.

COORDINATION

This report has been coordinated with the City Manager's Office and the Community Development Department.

PUBLIC CONTACT

A summary and notice of public hearing for proposed Ordinance No. 2056 was published to the Santa Clara Weekly on October 19, 2022 and October 26, 2022, and copies were posted in three public places and made available for public inspection at the City Clerk's Office.

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Waive Second Reading and Adopt Ordinance No. 2056 updating the 2021 Reach Code of Santa Clara to Conform to the 2022 California Building Standards Code

Reviewed by: Steve Ngo, Interim City Attorney

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Ordinance No. 2056 (Intro)