

DATE: March 30, 2022

TO: Audrey Seymour Ramberg, Assistant City Manager/
Chief Operating Officer

FROM: Nena Bizjak, Chief Building Official
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SUBJECT: **Reach Code Adoption—Next Steps for 2023**

PURPOSE

The purpose of this memorandum is to provide an update to the Council Sustainability Committee regarding the process and focus for adopting 2023 Reach Codes.

BACKGROUND

The State adopts new California Building Standards Codes (CBSC) every three years. The City of Mountain View adopted its most recent code in 2019, which went into effect on January 1, 2020. In addition to adopting the CBSC with local amendments, the City also incorporated Reach Codes to implement requirements for building electrification and electric vehicle charging infrastructure for new construction, as discussed below.

In 2019, the City of Mountain View participated in a regional effort across Santa Clara and San Mateo counties, led by Silicon Valley Clean Energy (SVCE) and Peninsula Clean Energy (PCE), to develop model Reach Codes to reduce natural gas use in new buildings and support electric vehicle adoption. The model Reach Codes served as a framework for requirements in new construction, and each participating city determined the most appropriate level of implementation based on local input and conditions.

The regional Reach Code effort led by SVCE/PCE included significant stakeholder outreach. Additionally, City staff held two public meetings in 2019 to gather community feedback. The final recommendation for the City's Reach Codes balanced community concerns with the City's goals for sustainability and exceeded the incentive-based first-level recommendations in the SVCE and PCE model code and placed the City amongst a relatively small number of cities adopting codes for new construction to prohibit natural gas usage with limited exceptions.

Specific amendments to the Mountain View Green Building Code adopted in 2019 are included in Attachment A and outlined below:

The adopted 2019 Reach Codes include the following:

- I. EV charger spaces installed and ready in new construction;
- II. PV installation in new construction (except for single family/duplex) that covers 50% of roof area; and
- III. Requirements for all electric heating/cooling and appliances in new construction with the following exceptions and with rewiring for electrical appliances:
 - a. Natural gas allowed for fireplaces and fire pits.
 - b. Natural gas allowed in cooking appliances in for-profit kitchens (commercial restaurants).
 - c. Natural gas allowed in Factory Industrial (F), Hazardous Materials (H), and Laboratory (L) Occupancies.

The Reach Codes proposed as part of this update were consistent with the recommendations of the Environmental Sustainability Task Force-2, Sustainability Action Plan 4 (SAP-4), and Climate Protection Road Map goals of reducing greenhouse gas (GHG) emissions from new construction.

Implementation of 2020 Reach Codes

Implementing the 2020 Reach Codes has added pressure to staff workload in the Building Inspection Division due to the need for: (i) educating applicants about the new requirements and how to incorporate them into their plans; (ii) multiple meetings to review initial submittals and working with applicants to revise plans to meet the Reach Codes; and (iii) multiple resubmittals being required, thereby adding more time to the review process.

Equity

Reach Codes require a higher level of expertise, and applicants for smaller projects who may not have the resources to hire architects or experts find the permit application a challenge. This can result in multiple resubmittals and staff meetings to ensure that they can meet the code. To address this impact, the City implemented a public outreach and education effort, including developing educational materials in multiple languages, to provide information early in the process for applicants unaware of the Reach Codes. Additionally, the cost of construction due to the new requirements (such as installation of new heating, ventilation systems, or appliances) can be a deterrent to potential applicants. An incentive-based system combined with our current

requirements, including covering a portion of the cost of appliances or the services of an architect/expert, could potentially help people with fewer resources.

DISCUSSION

In preparation for the 2023 State Building Code updates and building on the stakeholder engagement from the 2019 building code cycle, SVCE, PCE, and other Bay Area agencies have joined together to develop model reach codes for building electrification and electrical vehicle infrastructure. In February and March 2022, City staff reviewed the recommendations for the 2023 Reach Code cycle with SVCE. The key points in the discussion are summarized below:

1. Mountain View has already adopted most of the code provisions being recommended by SVCE in the 2023 Reach Codes.
2. The upcoming cycle for 2023 will focus on readopting the 2020 Reach Codes with additional revisions recommended by SVCE. Table 1 below compares the 2020 Mountain View Reach Codes with the SVCE recommendations for 2023.
3. In addition to these revisions, staff will be recommending minor updates to streamline the language for electric vehicle infrastructure and building electrification as needed.
4. SVCE will support the City through a grant of \$10,000 for consultant costs to submit the necessary paperwork to the California Energy Commission and CBSC.

Table 1: Recommended Revisions to the 2020 Adopted Reach Codes

Mountain View Code Section No.	2020 Mountain View Reach Code	2023 Reach Code Recommendation by SVCE	Recommended Next Steps by SVCE
8.20.31	<3 DUs: - 1—L2 EV Ready - 1—L1 EV Ready	<3 DUs: - 1—L2 EV Ready - 1—L1 EV Ready	No change; meets intent of Reach Code.
8.20.31	>2 DUS: 15% L2 EV Ready + 85% EV Ready L1 + (1) DCFC for every 100 spaces	N/A	This Section is redundant with 8.20.32 and can be deleted.
8.20.32	>2 DUS: 15% L2 EV Ready + 85% EV Ready L1 + (1) DCFC for every 100 spaces	Affordable Housing: - 15% L2 EVCS - 25% LPL2 Ready - 60% L1 EV Ready Market Rate: - 40% L2 EVCS - 60% L1 EV Ready DCFC tradeoff for five (5) spaces allowed	Mountain View City Code (MVCC) has not yet met this reach; should align with 2022 Reach Code.

Mountain View Code Section No.	2020 Mountain View Reach Code	2023 Reach Code Recommendation by SVCE	Recommended Next Steps by SVCE
8.20.43	15% L2 EV Ready One (1) DCFC for every 100 spaces	Office: - 20% L2 EV Ready - 30% L2 EV Capable - Existing building trigger Other nonresidential: - 10% L2 EV Ready - 10% L2 EV Capable - Existing building trigger DCFC tradeoff for five (5) spaces allowed	MVCC has not yet met this reach; should align with 2022 Reach Code.

Staff also talked with SVCE about requirements for existing buildings and the end of natural gas flow as areas for consideration to be explored by the City separately from the adopted Reach Codes for 2023.

NEXT STEPS

Next steps include the following:

1. Public outreach related to recommended amendments to 2020 Reach Codes—June/July 2022.
2. Review of 2023 California Building Code and incorporation of recommended Reach Codes—July to September 2022.
3. Council Adoption—October 2022.
4. California Energy Commission Findings and paperwork submittal with SVCE assistance—October/November 2022.
5. New codes in effect—January 1, 2023.

WORKLOAD AND FISCAL IMPACT

The proposed revisions to the Reach Codes will be minor but will continue to require staff resources to review and provide outreach/education to the community and applicants, particularly to single-family homeowners who are not familiar with the process. Based on staff's experience with the current Reach Codes, the new Reach Codes will also continue to require staff resources in the form of preliminary plan review, code analysis for compliance with adopted Reach Codes, and multiple design meetings for resubmittals. Additionally, due to the COVID-19 crisis, staff workload has increased due to moving the paper plan review process online, creating an online interface for appointments, and meeting expectations of applicants, which have increased due to the online interface. Several recently adopted State law requirements for timely

processing of permits have also added to this demand. The SAP-4 proposed the addition of a Deputy Building Official, which is included in the Fiscal Year 2021-22 budget and funded by the Development Services Fund. The recruitment for the position was delayed due to the challenges of recruiting for staff during the COVID-19 crisis and ultimately resulted in an unsuccessful recruitment process. A second recruitment is expected to begin shortly.

The Community Development, Public Works, and Information Technology Departments are also working on a phased plan to reorganize and make Planning, Building Inspection, and Public Works processes more efficient per the recommendations of a 2021 development review study. The plan includes the implementation of an online permitting system, land management system, process improvements, and additional staffing. These additional changes will add to costs but will also help with the workload required to make the improvements. However, since this will be a phased approach, there will be workload impacts in the interim while technology and process improvements are being implemented.

CONCLUSION

The proposed Reach Code amendments are consistent with the goals outlined in the SAP-4 to reduce GHG emissions from energy use in new buildings and accelerate the electrification of vehicles and will help achieve the City's adopted GHG-emissions reduction targets. Staff, therefore, recommends moving forward with the Reach Code revisions recommended by the SVCE.

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Attachment: A. Summary of Reach Codes and Amendments to 2019 CBSC