



TO: Mayor and Councilmembers

SUBMITTED BY: Peter Imhof, Planning and Environmental Review Director

PREPARED BY: Dana Murray, Sustainability Manager
Angeline Foshay, Management Analyst

SUBJECT: Second Reading of Ordinance Amending Chapter 15.12 of the Goleta Municipal Code to Adopt an Electric Vehicle Reach Code

RECOMMENDATION:

- A) Hold a public hearing and then conduct second reading by title only, waiving further reading of Ordinance No. 24-__ entitled, "An Ordinance of the City Council of the City of Goleta, California, Amending Chapter 15.12 Entitled 'Green Building Code' of the Goleta Municipal Code to Make Certain Local Amendments to the 2022 Edition of the California Green Building Standards Code ("Reach Code") and Determine the Ordinance to Be Exempt From the California Environmental Quality Act."
- B) Find the adoption of Ordinance No. 24-__ exempt from the California Environmental Quality Act and direct staff to file a Notice of Exemption within five (5) business days.

BACKGROUND:

Investing in the development and installation of Electric Vehicle (EV) charging infrastructure is identified in the City's budget priorities and Strategic Plan as a means of supporting environmental vitality and the City's transition to a clean energy future. Additionally, 'Developing an Electrical Vehicle Infrastructure Reach Code' was a top priority in the City's adopted Planning & Environmental Review Department's FY 2023-24 Annual Work Program. The City Council adopted an EV Charging Station Permit Streamlining Ordinance in April 2020.

The City's EV Reach Code was discussed at three public meetings of the Council's Standing Committee on Energy and Green issues, in October 2022, September 2023, and January 2024. The City also held a public webinar/workshop for the community on February 28, 2024. Following those public meetings, the EV Reach Code ordinance was originally introduced for first reading at the May 7, 2024 City Council meeting. Prior to the meeting, the City received several written public comments supporting the City's EV

Reach Code and requesting that the City Council adopt it. At the May 7th City Council meeting, verbal public comments received included those both for adoption of the EV Reach Code, and those against adoption, as well as requests for clarifying regulations in the California 2022 Edition of the California Building and Energy Code, the July 2024 intervening Code, and the City's EV Reach Code.

Deliberations by City Council centered on the State's requirements versus the proposed Reach Code, how the Reach Code may affect developing new housing, and the balance between multifamily tenant improvements and tenant protections as they relate to alterations and additions triggers. Requests were made to provide easily accessible funding resources for EV charging improvements. City Council unanimously approved the first reading of the ordinance without amendments, after hearing public comments and deliberating.

Since May 7, 2024, staff has continued communication with stakeholders, including meeting with developers in May and August, preparing an FAQ for the Reach Code, working with State Building Code experts to better understand the State's intervening Code requirements, and updating information on the EV incentive and rebate resources for the community.

Before the May 21, 2024 City Council meeting, where the Council was to hold a public hearing and consider 2nd reading and adoption of the ordinance, the City received a letter from a law office representing developer stakeholders. Following receipt of the letter, the City postponed bringing the ordinance back to Council pending further legal review of the ordinance. Since then, the ordinance has been updated with more thorough recitals and has simplified language, removing State Code language, which had been originally included in the Reach Code to improve readability and implementation, and adding more local findings evidencing local climatic, geographical, and topographical conditions justifying the local amendments. Although the content of the actual Reach Code is similar to the May 7th ordinance, since changes had been made, the ordinance needed to go through first reading again in its updated form, which happened on September 3, 2024. The ordinance is now being presented for public hearing and second reading per Government Code Sections 50022.3 and 6066. A public hearing is required for the second reading of an ordinance that adopts a primary code, such as the 2022 Edition of the California Green Building Standards Code, by reference.

In September 2020, Governor Newsom issued an Executive Order requiring sales of all new passenger vehicles to be zero-emission by 2035 and additional measures to eliminate harmful emissions from the transportation sector. The Executive Order directs the California Air Resources Board (CARB), California Energy Commission (CEC), California Public Utilities Commission, other State agencies, and local agencies to accelerate deployment of affordable fueling and charging options for zero-emission vehicles (ZEVs) in ways that serve all communities, and specifically low-income and disadvantaged communities.

Transportation accounts for just over half of the greenhouse gas (GHG) emissions in Santa Barbara County. One of the key strategies to reduce emissions and meet the

ambitious climate goals of the State is encouraging the use of EVs and expanding EV charging infrastructure. The most common barrier to switching to an EV, especially for residents of multifamily buildings, is the lack of access to reliable charging at the home or workplace. Requiring EV charging infrastructure in new buildings is a significant way to support the transition to EVs and is significantly less expensive than future retrofits to add EV charging.

To meet the growing need for access to EV chargers, local jurisdictions often adopt “Reach Codes” to increase the number of EV charging spaces required in new development, particularly related to multifamily buildings. A Reach Code is a local Building Energy Code that “reaches” beyond the state minimum requirements for energy use in building design and construction, creating opportunities for local governments to lead beyond state requirements. Reach Codes help encourage development of energy efficient and increasingly electrified, sustainable buildings as well as support EV adoption through EV charging standards. The 2022 California Building Standards Code (CBSC) included increased EV charging requirements compared to previous code cycles, but it does not go far enough to significantly improve access to EV charging, given the pace of transition needed to meet state goals and meaningfully address the climate crisis. Most of the buildings built in or after 2023 will continue to exist in 2035, and these EVs will need a place to charge. The State recently developed and adopted adjustments to its Building Codes and Standards in between the three-year adoption cycle, known as intervening cycle changes, which are described in the Discussion section below and took effect on July 1, 2024.

More than 46 local governments in California have adopted EV Reach Codes. These jurisdictions have increased EV infrastructure requirements in their Building Codes to help provide critical EV charging infrastructure for residences and workplaces. EV Reach Codes help jurisdictions meet the growing gap in EV charging demand and availability. Adopting a Reach Code component that addresses EV charging infrastructure will help Goleta further electrify our transportation sector, which accounts for over 55% of the City’s emissions. With bold EV adoption and infrastructure goals set by the state, Goleta can further support the transportation electrification transition by increasing the minimum requirements for EV infrastructure in new construction.

To help achieve GHG emission reductions and EV goals, and in acknowledgement of the existing gaps in local EV charging infrastructure, staff introduced research and background on this issue at the October 12, 2022 Green Committee meeting. The Committee recommended that staff research different avenues of incorporating EV charger requirements into a City Reach Code. An “EV Charger Reach Code” would involve the City passing an amendment to CALGreen to require new projects increase the number of EV charging spaces, helping to ensure that current and future EV drivers have a spot to plug in, particularly in new multifamily buildings. At the Green Committee meeting on September 28, 2023, Committee members directed staff to investigate developing a model code similar to those adopted by Bay Area jurisdictions and recommended by Central Coast Community Choice Energy (3CE), focusing on maximizing EV charging access for multifamily residential buildings, hotels, and offices. Staff partnered with technical consultants from 3CE and Southern California Edison

(SCE) to develop an ordinance that balances the Committee's policy requests, streamlines implementation for the Planning and Environmental Review's Building & Safety Division, advances the City's support for EV infrastructure, and reflects feedback from the community.

During the September 3, 2024, Discussion and First Reading of the EV Reach Code ordinance at City Council, the ordinance was updated to include an exception in the Reach Code for Alterations that solely add Level 1 or Level 2 EV charging receptacles or Level 1 or Level 2 EV chargers, and no other addition or alteration is performed. The ordinance was also updated to include clarifying language to Section 301.3 to add "parking lot surfaces." The requirements in the EV Reach Code for non-residential development were reduced from 45% of parking spaces to 30% of parking spaces. City Council voted unanimously to approve the ordinance at First Reading with those modifications. City Council also directed staff to reach out to Goleta Valley Cottage Hospital about the EV Reach Code.

DISCUSSION:

The State develops and adopts adjustments to Building Codes and Standards in between the regular three-year adoption cycle, known as intervening cycle changes. 2024 intervening cycle changes for the 2022 California Building Code and Standards include adjustments to CALGreen for multifamily, hotel, motel, and nonresidential EV charging requirements. All jurisdictions were required to automatically adhere to the Intervening Code Adoption Cycle versions of Title 24 on July 1, 2024.

The City typically adopts the State's "Green Building Standards Code" (also known as "CALGreen") by reference with local amendments. The proposed ordinance would amend Chapter 15.12, entitled "Green Building Code," of the Goleta Municipal Code to adopt the State's latest Green Building Code and make certain local amendments that will constitute Goleta's Reach Code. The current Chapter 15.12 Green Building Code contains the current 2022 Building Code provisions and language from the City's "Green Building Program," adopted in 2012 via Ordinance 12-13. The previous language from the Green Building Program, while at the time advanced, has been far surpassed in applicability and sustainable regulation by the base California Building Code. Staff has worked with technical consultants to develop an EV Reach Code ordinance that is up to date with information from the State on the 2022 intervening code. As the intervening code has taken effect as of July 1, 2024, any building applications are subject to the adjustments in the state code, including a new series of alterations and additions triggers. The new state code requirements and proposed ordinance amendments are detailed below.

Single-family Residential

The base requirements in the code are that new single-family homes be EV capable with service panel or subpanel capacity. Staff recommends adopting a simple Reach Code for single-family residential, requiring one Level 2 EV Charging Receptacle and one Level 1 EV Charging Receptacle. This expands upon the minimum 2022 CBSC requirement of one Level 2 EV Capable circuit for one parking space per dwelling unit.

Multifamily Residential

The mandatory requirements of the CALGreen intervening cycle require 40% of total parking spaces under this designation to have Low Power Level 2 EV Ready Receptacles and 10% of total parking spaces to have Level 2 EVCS installed. As prioritizing access to EV chargers in multifamily residential is essential to supporting the transition to EVs in the Goleta community, the proposed EV Reach Code includes additional requirements for multifamily residential developments.

For multifamily parking facilities with assigned parking, where dwelling units are provided with assigned parking spaces equal to or greater than the number of dwelling units, the proposed ordinance requires at least one low power Level 2 EV charging receptacle to be provided at an assigned parking space for each dwelling unit. Where the total number of dwelling units exceeds the number of assigned parking spaces, the proposed ordinance requires all assigned parking spaces to be provided with one low power Level 2 EV charging receptacle.

For multifamily parking facilities with unassigned or common use parking, where dwelling units are provided with unassigned parking spaces equal to or greater than the number of dwelling units, the proposed ordinance requires at least one low power Level 2 EV charging receptacle to be provided at an unassigned parking space for each dwelling unit. Where the total number of dwelling units exceeds the number of unassigned parking spaces, the proposed ordinance requires all unassigned parking spaces to be provided with one low power Level 2 EV charging receptacle.

Where dwelling units are provided with both assigned and unassigned parking spaces, the proposed ordinance requires at least one low power Level 2 EV charging receptacle to be provided for each dwelling unit at either the assigned or unassigned parking space, but not required for both.

Additionally, for multifamily parking facilities with unassigned or common use parking, the proposed ordinance requires 25% of unassigned or common use parking spaces to also be equipped with Level 2 EV chargers and to be made available for use by all residents or guests.

As with other land use categories, renovations to existing development must only meet EV Reach Code standards where already required by state law.

Hotels and Motels

Currently under the State code, hotels and motels are categorized under multifamily residential, and thus match the same requirements with 40% of total parking spaces with Low Power Level 2 EV Ready Receptacles and 10% of total parking spaces to have Level 2 EVCS installed. Green Committee members expressed an interest in expanding charging access at hotels in Goleta to accommodate travelers and visitors to the region. Under the proposed EV Reach Code ordinance for new hotels and motels, 40% of the

total number of parking spaces would be required to be equipped with low power Level 2 EV charging receptacles, with an additional 25% of the total number of parking spaces equipped with Level 2 EV chargers.

Nonresidential Development

The current CALGreen requirements from the State’s intervening code are detailed by the following charts:

Number of Parking Spaces Method:

TOTAL NUMBER OF ACTUAL PARKING SPACES	NUMBER OF REQUIRED EV CAPABLE SPACES	NUMBER OF EVCS (EV CAPABLE SPACES PROVIDED WITH EVSE) ^{2, 3}
0–9	0	0
10–25	4	0
26–50	8	2
51–75	13	3
76–100	17	4
101–150	25	6
151–200	35	9
201 and over	20 percent of actual parking spaces ¹	25 percent of EV capable spaces ¹

1. Calculation for spaces shall be rounded up to the nearest whole number.
2. The number of required EVCS (EV capable spaces provided with EVSE) in column 3 count toward the total number of required EV capable spaces shown in column 2.
3. At least one Level 2 EVSE shall be provided.

Power Allocation Method:

TOTAL NUMBER OF ACTUAL PARKING SPACES	MINIMUM TOTAL kVA @ 6.6 kVA	TOTAL kVA REQUIRED IN ANY COMBINATION OF EV CAPABLE, ^{3,4} LOW POWER LEVEL 2, LEVEL 2, ^{1, 2} OR DCFC
0–9	0	0
10–25	26.4	26.4
26–50	52.8	52.8
51–75	85.8	85.8
76–100	112.2	112.2
101–150	165	165
151–200	231	231
201 and over	20 percent of actual parking spaces × 6.6	Total required kVA = P × .20 × 6.6 Where P = Parking spaces in facility

1. Level 2 EVSE @ 6.6 kVA minimum.
2. At least one Level 2 EVSE shall be provided.
3. Maximum allowed kVA to be utilized for EV capable spaces is 75 percent.
4. If EV capable spaces are utilized, they shall meet the requirements of Section 5.106.5.3.1 EV capable spaces.

For nonresidential development, focusing on developing workplace charging can help support commuters who may be traveling long distances to work or who may not have

access to charging at home. Workplace charging also shifts electric usage towards maximum daylight hours, which aligns with solar power generation, meaning energy is being used when it is at its cleanest on the grid. This also enables less load being added at peak demand times later in the day when solar power generation is going offline.

As for other land use categories, renovations to existing development must only meet EV Reach Code standards where already required by state law. As a note, the financial implications for nonresidential development would be more significant than for new construction, due to the average footprint of existing developments, the rising cost of renovations, and the technical construction challenges surrounding installation on already developed land.

The proposed EV Reach Code ordinance, as amended per Council’s direction at first reading, would require the following of new nonresidential development by parking spaces:

<u>FACILITY TYPE</u>	<u>NUMBER OF REQUIRED EV CAPABLE OR EVCS SPACES</u>	<u>NUMBER OF REQUIRED EV CAPABLE SPACES¹</u>	<u>NUMBER OF REQUIRED EVCS^{1,2}</u>
Office & Retail	30% of actual parking spaces	7% of actual parking spaces	23% of actual parking spaces
All Other	30% of actual parking spaces	15% of actual parking spaces	15% of actual parking spaces

1. Calculation for spaces shall be rounded up to the nearest whole number.
2. At least one Level 2 EVSE shall be provided

The proposed EV Reach Code ordinance would require the following of new nonresidential development via the Code’s power allocation method:

<u>FACILITY TYPE</u>	<u>MINIMUM TOTAL kVA @ 6.6 kVA¹</u>	<u>MAXIMUM kVA ALLOWED FOR EV CAPABLE SPACES^{1, 2}</u>	<u>MINIMUM kVA REQUIRED IN ANY COMBINATION OF LOW POWER LEVEL 2, LEVEL 2, OR DCFC^{1, 3}</u>
Office & Retail	30% of actual parking spaces x 6.6	7% of actual parking spaces x 6.6	23% of actual parking spaces x 6.6
All Other	30% of actual parking spaces x 6.6	15% of actual parking spaces x 6.6	15% of actual parking spaces x 6.6

1. Calculation for spaces shall be rounded up to the nearest whole number.
2. If EV capable spaces are utilized, they shall meet the requirements of Section 5.106.5.3.1 EV capable spaces.
3. Level 2 EVSE @ 6.6 kVA minimum.

Existing Buildings

Where required by state law, these regulations can apply to renovations, alterations and additions to existing multifamily, hotels, motels and nonresidential buildings when meeting certain thresholds. On the applicability for nonresidential alterations and additions, Section 301.3 of the 2022 Building Code states the following:

[BSC-CG] The provisions of individual sections of Chapter 5 apply to newly constructed buildings, building additions of 1,000 square feet or greater, and/or building alterations with a permit valuation of \$200,000 or above (for occupancies within the authority of California Building Standards Commission). Code sections relevant to additions and alterations shall only apply to the portions of the building being added or altered within the scope of the permitted work.

There are additional triggers related to EV charging infrastructure built within the State's code that seek to improve access when it is most advantageous in the process of renovation. It is important to note that all of these thresholds are already required by the 2022 Building Code and Intervening Code, and include:

- When the scope of construction work includes an increase or alteration to power supply to an electric service panel as part of a parking facility addition or alteration.
- When a new photovoltaic system is installed covering existing parking spaces.
- When additions or alterations to existing buildings are triggered pursuant to code Section 301.1 and the scope of work includes an increase in power supply to an electric service panel.

Increasing the EV charging requirements for each building sector will have financial impacts on developers who are proposing major renovation projects for existing buildings that would trigger code provisions. The most cost-effective time for installing EV charging infrastructure is when a project is being built (i.e., new construction), whereas retrofitting existing buildings can pose financial impacts to developers when potentially triggering these provisions in the State code, particularly for nonresidential developments. Nonresidential developments are likely to be most impacted by the Reach Code percentage increases due to the average footprint of existing developments, the rising cost of renovations, and the technical construction challenges surrounding installation on already developed land. The associated electrical and construction infrastructure as well as the cost of labor have increased. Common installation cost drivers could include:

- Trenching or boring a long distance to lay electrical supply conduit from the transformer to the electrical panel or from the electrical panel to the charging location;
- Modifying or upgrading the electrical panel to create dedicated circuits for each EVSE unit, if none are already available;
- Upgrading the electrical service to provide sufficient electrical capacity for the site;
- Locating EVSE on parking levels above or below the level with electrical service; and/or

- Meeting ADA accessibility requirements, such as ensuring the parking spaces are level.

With these considerations in mind, there are exceptions related to utility infrastructure costs and feasibility built into the State-required and Reach Code.

Exceptions

The State's requirements lay out circumstances where exceptions may be granted, and the proposed EV Reach Code includes a single adjustment. Exceptions to the applicability of the Reach Code are on a case-by-case basis. An exception may be granted in the case of infeasibility due to the following conditions:

- Where there is no local utility power supply.
- Where the local utility is unable to supply adequate power.
- Where demonstrated as impracticable excluding local utility service or utility infrastructure issues.
- Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) without additional parking facilities and without electrical panel upgrade or new panel installation. Detached ADUs, attached ADUs, and JADUs without additional parking but with electrical panel upgrades or new panels must have reserved breakers and electrical capacity according to the requirements of 4.106.4.1.

Additional exceptions included in the state building code that may be granted in the case of remote parking facilities that do not have access to a building service panel, in the parking area lighting upgrades where no trenching is part of the scope of work, and during emergency repairs, including but not limited to water line break in parking facilities, or natural disaster repairs.

The proposed additions to exceptions provided in the Reach Code are the following:

- Alterations that solely add Level 1 or Level 2 EV charging receptacles or Level 1 or Level 2 EV chargers, and no other addition or alteration is performed.
- Where there is evidence suitable to the local enforcement agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 4.106.4.3, may increase construction cost by an average of \$4,500 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service. This is an adjustment to the 2022 Intervening Code that stipulates that an exception may be granted where there is "an adverse impact to the construction cost," which staff suggests the City Council define to mean construction costs to exceed \$4,500 per parking space. Providing an exact number for evaluation of cost impacts reduces ambiguity for building staff when evaluating projects and enforcing the applicability of EV provisions. Technical experts with TRC identified the \$4,500 threshold by evaluating utility cost-estimates borne by the developer per EV space. Estimated additional impacts to developers per space can be as follows:
 - a) \$0 due to SCE Rule 29 in a situation with a 'common load' EV meter, or

- b) \$100-\$500/space if the EV spaces are on dwelling unit electrical meters (based on some analysis from this 2019 Energy Solutions study and PG&E's Unit Cost Guide), or
- c) More than \$500/space if there are unique local requirements regarding electrical infrastructure (such as undergrounding transformers).

Outreach

The City received public comment on EV Reach Codes at three public meetings of the Council's standing Committee on Energy and Green issues, in October 2022, September 2023, and January 2024. Public comments received at these meetings supported the City's development of an EV Reach Code, with an emphasis on the City requiring more EV chargers at multifamily properties and workplaces, in particular. Support for workplace charging was emphasized as a solution to reduce emissions for long distance commuters and provide charging access to those who may not have it in their residence. Given policy options, members of the public urged the City to go with the options that required the most EV chargers installed at the time of construction, in addition to requiring electric work capable of supporting future EV chargers.

In addition to the public meetings of the Green Committee, the City held a public webinar/workshop for the community. Goleta's virtual EV Reach Code Lunch & Learn was hosted on February 28, 2024, featuring a panel of technical experts from 3CE, TRC, SCE, and the City. City staff and technical experts shared information about the City's potential EV Reach Code, including background information about Reach Codes, EV Charger technology and terminology, and existing mandatory state requirements, followed by a Q&A session with the panel. Over 40 people had registered for the event, with 19 community members in attendance from a variety of backgrounds, including residents, environmental nonprofits, developers, Chamber of Commerce staff, business owners, and representatives from other local jurisdictions. Feedback during the Q&A included comments and questions related to EV charger speed preferences, grid reliability and capacity for additional electricity requirements, interest in getting EV chargers at existing multifamily residential properties, and specifics for non-residential new construction and businesses.

To address comments received during the May 7, 2024 discussion and first reading of the original ordinance at City Council, staff held meetings in May and August 2024 with developers to address case specific questions, clarify interpretation, and to hear concerns and ideas. As a result of those meetings, staff provided EV Reach Code policy alternatives related to non-residential requirements and major alterations/additions for Council consideration at the September 3, 2024 First Reading of the EV Reach Code ordinance. In addition, staff compiled grant and rebate opportunities for EV chargers and EVs to share as a resource with the public.

To address direction from Council received during the September 3, 2024 discussion and first reading of the ordinance at City Council, staff reached out to Goleta Valley Cottage Hospital. We will update Council at the hearing as to any response we receive.

Notice of this public hearing was published twice in the Santa Barbara Independent on September 5, 2024, and September 12, 2024, in both English and Spanish. On September 4, 2024, notice of the public hearing was mailing to residents on the citywide interest list.

GOLETA STRATEGIC PLAN:

City-Wide Strategy: 1. Support Environmental Vitality

Strategic Goal:

- **1.1.3.** Encourage renewable energy generation and use through installation of solar panels, battery energy storage, electric vehicle charging stations and similar measures
- **1.1.4.** Adopt a "Reach" Building Code

FISCAL IMPACTS:

While there are no immediate fiscal impacts to the City, should the proposed Reach Code be adopted, there are anticipated increased costs to both private and public property owners and developers. Requiring additional electrical capacity and EV charging spaces above the minimum requirements of the state building code for all building types is an added cost for new construction and significant renovation projects locally. The fiscal impact to the City directly as a public property owner would be an increase in the cost of development of new buildings and significant renovations that would trigger the EV requirements embedded in the state code, such as with Fire Station 10 and the anticipated Goleta Train Depot. City projects must comply with Building Code in Title 15. Applicable Building Code standards are those in effect at the time of building permit approval. Building permit applications submitted to the City for approval need to show designs that are compliant with Building Code provisions, including CALGreen and any local amendments, in effect at the time permits are pulled.

NOTICE:

Notice of this public hearing was published twice in the Santa Barbara Independent on September 5, 2024 and September 12, 2024, in both English and Spanish. On September 4, 2024, notice of the public hearing was mailed to residents on the citywide interest list.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

Pursuant to California Health and Safety Code Sections 17958.5, 17958.7 and 18941.5, the local amendments to the 2022 Edition of the California Building and Energy Code are reasonably necessary due to local climactic, geological, or topographical conditions. The amendment is in the interests of public health and safety and general community welfare. The amended Chapter enhances long-term public health and welfare by contributing to the overall reduction of GHG emissions and the reduction of emissions associated with

personal vehicle transportation by improving access to electric vehicle charging. The burning of fossil fuels (gasoline, diesel) to power passenger vehicles is a significant contributor to greenhouse gas emissions and climate change, as well as air pollution. Emissions from transportation, mainly gas consumption by single-occupancy vehicles represented 55% of greenhouse gas emissions in the City of Goleta in 2020. The reduction of greenhouse gas emissions from the increased use of EVs, supported by critical charging infrastructure in new construction will reduce emissions from gas-powered passenger vehicles, and thus will help mitigate climate change and its negative effects such as extreme heat events, droughts, intense storms, and flooding in the region, thus making these amendments reasonably necessary because of local climactic, geological, and topographical reasons. The City Council hereby finds and determines that this ordinance has been assessed in accordance with the California Environmental Quality Act (Cal. Pub. Res. Code §§ 21000 et seq.) (“CEQA”) and the State CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.) and is categorically exempt from CEQA under CEQA Guidelines § 15061(b)(3), which exempts from CEQA any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Further, this ordinance is also exempt from CEQA under the categorical exemptions set forth in Sections 15307 and 15308 of the State CEQA Guidelines in that the proposed Ordinance would institute regulatory requirements intended to protect the environment and natural resources, as the Ordinance would reduce the amount of GHG emissions in the City that are produced from gas-powered vehicles by supporting the use of zero-emission and electric vehicles. Adoption of the proposed ordinance would not be an activity with potential to cause significant effect on the environment because the adoption and local amendments to the California Green Building Standards Code are enacted to provide more protection to the environment, and therefore is exempt from CEQA. Therefore, it can be seen with certainty that there is no possibility that the ordinance in question may have a significant effect on the environment; accordingly, the ordinance is categorically exempt from CEQA. A copy of the NOE is provided as an Attachment.

ALTERNATIVES:

In light of Council’s introduction of the ordinance on September 3, 2024, alternatives include:

- 1) Amend the ordinance and introduce it; or 2) direct staff to return with further information; or 3) take no action.

Each of these alternatives would prevent adoption at this time.

LEGAL REVIEW BY: Megan Garibaldi, City Attorney

APPROVED BY: Robert Nisbet, City Manager

ATTACHMENTS:

1. Ordinance No. 24-__ entitled, "An Ordinance of the City Council of the City of Goleta, California, Amending Chapter 15.12 Entitled 'Green Building Code' of the Goleta Municipal Code to Make Certain Local Amendments to the 2022 Edition of the California Green Building Standards Code ("Reach Code") and Determine the Ordinance to Be Exempt From the California Environmental Quality Act." (Clean Copy)
2. Ordinance No. 24-__ entitled, "An Ordinance of the City Council of the City of Goleta, California, Amending Chapter 15.12 Entitled 'Green Building Code' of the Goleta Municipal Code to Make Certain Local Amendments to the 2022 Edition of the California Green Building Standards Code ("Reach Code") and Determine the Ordinance to Be Exempt From the California Environmental Quality Act." (Showing Strike-through/Underline Amendments)
3. CEQA Notice of Exemption

Attachment 1
CLEAN Copy of

Ordinance No. 24-__ entitled, "An Ordinance of the City Council of the City of Goleta, California, Amending Chapter 15.12 Entitled 'Green Building Code' of the Goleta Municipal Code to Make Certain Local Amendments to the 2022 Edition of the California Green Building Standards Code ("Reach Code") and Determine the Ordinance to Be Exempt From the California Environmental Quality Act."

ORDINANCE NO 24-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, AMENDING CHAPTER 15.12 ENTITLED “GREEN BUILDING CODE” OF THE GOLETA MUNICIPAL CODE TO MAKE CERTAIN LOCAL AMENDMENTS TO THE 2022 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE (“REACH CODE”), AND DETERMINE THE ORDINANCE TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS the California State Building Standards Commission approved and published the 2022 Edition of the California Building Standards Code effective on January 1, 2023, and the California Building Standards Code intervening update on July 1, 2024; and

WHEREAS Section 15.12.010.A of the Goleta Municipal Code adopts the latest 2022 Edition of the California Building Standards Code except as amended by other sections of Chapter 15.12; and

WHEREAS California Health and Safety Code Sections 17958.5, 17958.7, and 18941.5 allow the City to make changes or modifications to the building standards contained in the California Building Standards based upon express findings that such changes or modifications are reasonably necessary because of local climactic, geological, or topographical conditions; and

WHEREAS Section 101.7.1 of the 2022 California Green Building Standards Code provides that for the purposes of local amendments to the 2022 California Green Building Standards Code, local climatic, topographical, or geological conditions include local environmental conditions as established by the City; and

WHEREAS the local amendments to the 2022 California Green Building Standards Code implemented by this ordinance will reduce greenhouse gas (“GHG”) emissions; and

WHEREAS the provisions of this chapter are necessary to reduce the emissions of GHGs within the City with the intent to reduce the City’s contributions to climate change and in turn reduce the impacts of climate change; and

WHEREAS the local amendments to the California Green Building Standards Code reflected in this chapter are also necessary to protect health and safety of members of the public, as City residents suffer from asthma and other health conditions associated with poor air quality exacerbated by internal combustion engines; and

WHEREAS this ordinance amends Chapter 15 of the Goleta Municipal Code to adopt the 2022 Goleta Building and Safety Code and local amendments in order to add “Reach” codes that require electric vehicle (“EV”) charging systems for new residential and nonresidential buildings; and

WHEREAS adoption of Reach Codes support the Goleta City Council's Strategic Plan and climate action goals, which aim to reduce communitywide GHG emissions; and

WHEREAS the Goleta City Council adopted the 2023-24 and 2024-25 Planning and Environmental Review Annual Work Programs, which included developing an EV Reach Code as a top priority; and

WHEREAS scientific evidence has established that GHG accumulation in the atmosphere as the result of human activity is the primary cause of the global climate crisis; and

WHEREAS, in California alone, the initial impacts of climate change have resulted in unprecedented disasters with consequential human, economic, and environmental costs; and

WHEREAS the climate change crisis is happening now, impacting Goleta in unprecedented ways, and affecting the health and safety of the Goleta community; and

WHEREAS the Intergovernmental Panel on Climate Change estimates that global emissions need to be reduced by 45% from 2010 levels by 2030, and 100% by 2050 to prevent global catastrophe; and

WHEREAS, in 2016, the State of California enacted Senate Bill (SB) 32 to require GHG emissions to be reduced to 40% below 1990 levels by 2030 and in 2018 Governor Brown issued Executive Order B-55-18 establishing a statewide target of carbon neutrality by 2045; and

WHEREAS transportation accounts for about 50% of California's GHG emissions, nearly 80% of nitrogen oxide pollution, and 90% of diesel particulate matter pollution; and

WHEREAS achieving climate goals will require action at all levels, including individual, community, local and state government, businesses and utilities, in order to protect the health and welfare of the community, while meeting state and federal efforts; and

WHEREAS the City must accelerate our actions to mitigate and adapt to climate change in Goleta, and more quickly move toward a low-carbon, sustainable, and resilient future; and

WHEREAS, in California alone, the initial impacts of climate change have resulted in unprecedented disasters with consequential human, economic, and environmental costs; and

WHEREAS, Goleta is already experiencing and is at risk of more frequently experiencing the devastating effects of extreme heat and weather events and flooding caused by climate change, including increased frequency and magnitude of wildfires and

associated air pollution, health impacts, utility and transportation service interruptions, economic disruption, property loss, dislocation, housing shortages, and increased demand on public sector resources and emergency response capacity; and

WHEREAS the City of Goleta is situated along a wildland-urban interface and as a result is extremely vulnerable to wildfires and firestorms according to the Federal Emergency Management Authority (FEMA) Wildfire Risk Index Map; and

WHEREAS Santa Barbara County is ranked in the 99.4th national percentile and 84.5th percentile in California for the natural hazard risk index; and

WHEREAS census tract 6083003001, located in Old Town Goleta, is in the 85th percentile for pollution burden in the state in part due to diesel particulate matter and traffic exposures, designating this tract as a state recognized Disadvantage Community per SB 535 and indicated in CalEnviroScreen 4.0; and

WHEREAS the City of Goleta's ("City") GHG emissions for transportation represent 55% of total city GHG emissions according to a GHG emissions inventory prepared by Central Coast Community Energy (3CE) based on 2020 data; and

WHEREAS various state orders and statutes are targeted to reduction of greenhouse gas emissions, including Executive Order N-79-20 and the Advanced Clean Cars II program, which prohibits the sale of internal combustion passenger vehicles beyond 2035; and

WHEREAS 25% of all vehicles sold in 2023 in California were Zero Emission Vehicles (ZEVs), totaling 1,872,429 cumulative sales through 2024 Q1, and the South Coast of Santa Barbara County sold a high concentration of ZEVs in 2023 according to the California Energy Commission; and

WHEREAS, according to Santa Barbara County Association of Governments, 65% of daily trips to work in Goleta originate outside of the city of Goleta, therefore greater distances are being driven by Goleta's workforce, resulting in GHG emissions and impaired local air quality, but by providing more workplace charging in Goleta, more drivers can be incentivized with infrastructure support to drive ZEVs; and

WHEREAS replacing fossil-fueled vehicle travel with EV-powered vehicle travel is a critical component of the City's carbon emissions reduction goals; and

WHEREAS increasing the availability of EV charging infrastructure at new buildings supports EV adoption; and

WHEREAS the City's EV Reach Code prepares Goleta for an EV future by increasing the number of required EV Ready parking spaces in multi-family and non-residential projects, and installing EV charging infrastructure during construction helps to avoid future retrofit costs; and

WHEREAS, following adoption of this ordinance, these local amendments to the latest version of the 2022 California Green Building Code, as revised by the California Building Standards Commission on or after July 2024, and as already adopted into the 2022 Goleta Building and Safety Code, will, in accordance with Public Resources Code Section 25402.1(h)(2) and Section 10-106 of the 2022 California Administrative Code (Title 24, Part 1), be submitted to the California Building Standards Commission for filing.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF GOLETA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. RECITALS.

The City Council hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct, and are incorporated herein as substantive findings of this Ordinance.

SECTION 2. PUBLIC HEALTH AND SAFETY FINDINGS.

Pursuant to California Health and Safety Code Sections 17958.5, 17958.7, and 18941.5, the City of Goleta City Council declares that the following amendments to the Goleta Green Building Code are reasonably necessary due to local climactic, geological, or topographical conditions listed below and as set forth in the Recitals incorporated herein.

Goleta is already experiencing and is at risk of more frequently experiencing the devastating effects of extreme heat and weather events and flooding caused by climate change, including increased frequency and magnitude of wildfires and associated air pollution, health impacts, utility and transportation service interruptions, economic disruption, property loss, dislocation, housing shortages, and increased demand on public sector resources and emergency response capacity.

The City of Goleta is situated along a wildland-urban interface and as a result is extremely vulnerable to wildfires and firestorms according to the Federal Emergency Management Authority (FEMA) Wildfire Risk Index Map.

Goleta is already experiencing and is at risk of more frequently experiencing the devastating effects of extreme heat and weather events and flooding caused by climate change, including increased frequency and magnitude of wildfires and associated air pollution, health impacts, utility and transportation service interruptions, economic disruption, property loss, dislocation, housing shortages, and increased demand on public sector resources and emergency response capacity.

According to the 100-year and 500-year flood maps provided by FEMA, the City of Goleta has a significant risk from flooding during extreme weather events and can impact access to utilities, emergency services, and transportation. Extreme weather events are expected to increase as the climate warms due to the greenhouse gas effect.

The amendment is in the interests of public health and safety and general community welfare, as City residents suffer from asthma and other health conditions associated with

poor air quality exacerbated by internal combustion engines. Transportation emissions account for about 50% of California’s GHG emissions, nearly 80% of nitrogen oxide pollution, and 90% of diesel particulate matter pollution. Additionally, census tract 6083003001, located in Old Town Goleta, is in the 85th percentile for pollution burden in the state in part due to diesel particulate matter and traffic exposures, designating this tract as a state recognized Disadvantage Community per SB 535 and indicated in CalEnviroScreen 4.0. This state designation indicates that a particular portion of Goleta is disproportionately impacted by the air pollution created by vehicles.

The amended Chapter enhances long-term public health and welfare by contributing to the overall reduction of GHG emissions and the reduction of emissions associated with vehicle transportation by improving access to EV charging. The burning of fossil fuels (gasoline, diesel) to power passenger vehicles is a significant contributor to GHG emissions and climate change, as well as air pollution. Emissions from transportation, mainly gas consumption by single-occupancy vehicles represented 55% of greenhouse gas emissions in the City of Goleta in 2020.

The reduction of GHG emissions from the increased use of EVs, supported by critical charging infrastructure in new construction will reduce emissions from gas-powered passenger vehicles, and thus will help mitigate climate change and its negative effects such as extreme heat events, droughts, intense storms, and flooding in the region, thus making these amendments reasonably necessary because of local climactic, geological, and topographical reasons.

The use of EVs benefits the health, welfare, and resiliency of Goleta and its residents. EV adoption depends on convenient access to charging, and the lowest cost-time to prepare building electrical infrastructure for EV charging is when electric service is installed in new construction. The next most cost-effective opportunity is when electric service is being upgraded during construction, as utility service upgrades and permitting and administrative costs are lower, and it is lower cost to include such systems in existing construction financing.

The local amendments to the 2022 California Green Building Standards Code implemented by this ordinance will reduce GHG emissions within the City with the intent to reduce the City’s contributions to climate change and in turn reduce the impacts of climate change.

An index setting forth the precise topographic, climatic, and geological findings supporting each of the amendments to the California Green Building Standards Code reflected in this ordinance is attached hereto, and incorporated herein, as Exhibit “A.”

SECTION 3. ENVIRONMENTAL FINDINGS. The City Council hereby finds and determines that this ordinance has been assessed in accordance with the California Environmental Quality Act (Cal. Pub. Res. Code, § 21000 et seq.) (“CEQA”) and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) and is categorically exempt from CEQA under CEQA Guidelines, § 15061(b)(3), which exempts from CEQA any project

where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Adoption of the proposed ordinance would not be an activity with potential to cause significant effect on the environment because the adoption and local amendments to the California Green Building Standards Code are enacted to provide more protection to the environment, and therefore is exempt from CEQA. Therefore, it can be seen with certainty that there is no possibility that the ordinance in question may have a significant effect on the environment; accordingly, the ordinance is categorically exempt from CEQA.

SECTION 4. CODE AMENDMENT.

Section 15.12.020 through Section 15.12.090 of Chapter 15.12 of Title 15 of the Goleta Municipal Code is hereby replaced and amended to read in its entirety as follows:

Chapter 15.12 Green Building Code

- 15.12.020 Local Amendments to Definitions**
- 15.12.030 Local Amendment Regarding Green Building Nonresidential Additions and Alterations**
- 15.12.040 Local Amendment Regarding Residential Mandatory Measures**
- 15.12.050 Local Amendment Regarding Nonresidential Mandatory Measure**

15.12.020 Local Amendments to Definitions.

A. Chapter 2 "Definitions," Section 202, "Definitions," of Chapter 2 of the Green Building Standards Code is amended to add and/or amend the following definitions. All other definitions set forth in Section 202 not listed below are unmodified.

“ASSIGNED PARKING. Parking spaces in a residential parking facility that are assigned or designated for use by a specific living unit within the building or residence.

LEVEL 2 ELECTRIC VEHICLE (EV) CHARGING RECEPTACLE. A 208/240-volt 40-ampere minimum branch circuit and a receptacle.

UNASSIGNED OR COMMON USE PARKING. Parking spaces in a residential parking facility that are not reserved for or assigned to a specific living unit within the building or residence, including guest, staff, or other non-resident parking.”

Section 15.12.040 Local Amendment Regarding Green Building Nonresidential Additions and Alterations

Section 301.3, "Nonresidential additions and alterations," of Chapter 3 of the Green Building Standards Code is amended to read in its entirety as follows:

“301.3 Nonresidential additions and alterations. The provisions of individual sections of Chapter 5 apply to newly constructed buildings, building additions of 1,000 square feet or greater, and/or building alterations with a permit valuation of \$200,000 or above (for occupancies within the authority of California Building Standards Commission). Code sections relevant to additions and alterations shall only apply to the portions of the building being added or altered within the scope of the permitted work.

A code section will be designated by a banner to indicate where the code section only applies to newly constructed buildings **[N]** or to additions and/or alterations **[A]**. When the code section applies to both, no banner will be used.

The mandatory provisions of Section 5.106.5.3 may apply to additions or alterations of existing parking facilities or the addition of new parking facilities serving existing nonresidential buildings. See Section 5.106.5.4 for application.

NOTE: Repairs including, but not limited to, resurfacing, restriping, and repairing parking lot surfaces, or maintaining or repairing existing lighting fixtures are not considered alterations for the purpose of this section.”

15.12.050 Local Amendment Regarding Residential Mandatory Measures

Section 4.106.4, "Electric vehicle (EV) charging for new construction," of Chapter 4 of the Green Building Standards Code is amended to read as follows:

“New construction shall comply with Section 4.106.4.1 or 4.106.4.2. Electric vehicle supply equipment (EVSE) shall comply with the California Electrical Code.

Exceptions:

1. On a case-by-case basis, where the local enforcing agency has determined EV charging and infrastructure are not feasible based upon one or more of the following conditions:
 - 1.1 Where there is no local utility power supply, or the local utility is unable to supply adequate power.
 - 1.2 Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 4.106.4, may increase construction cost associated with utility-owned infrastructure by an average of \$4,500 per parking space for market rate housing or \$400 per parking space for affordable housing. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.

2. Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) without additional parking facilities and without electrical panel upgrade or new panel installation. Detached ADUs, attached ADUs, and JADUs without additional parking but with electrical panel upgrades or new panels must have reserved breakers and electrical capacity according to the requirements of 4.106.4.1.”

Section 4.106.4.1, “New one- and two-family dwellings and townhouses with attached private garages,” of Chapter 4 of the Green Building Standards Code is amended to read as follows:

4.106.4.1. New Construction. Install one Level 2 EV Charging Receptacle in one parking space. If a second parking space is provided, it shall be provided with a Level 1 EV Charging Receptacle and a listed raceway to accommodate a dedicated 208/240-volt branch circuit. The raceway shall not be less than trade size 1 (nominal 1-inch inside diameter).

4.106.4.1.1. Existing Building. Parking additions or electrical panel upgrades must have reserved breaker spaces and electrical capacity according to the requirements of 4.106.4.1.”

Section 4.106.4.2.2, “Multifamily dwellings, hotels and motels,” of Chapter 4 of the Green Building Standards Code, is amended to read as follows:

“4.106.4.2.2 Multifamily dwellings

1. EV ready parking spaces with receptacles.

- a. **Multifamily parking facilities with assigned parking.** Where dwelling units are provided with assigned parking spaces equal to or greater than the number of dwelling units, at least one low power Level 2 EV charging receptacle shall be provided at an assigned parking space for each dwelling unit.
 1. Where the total number of dwelling units exceeds the number of assigned parking spaces, all assigned parking spaces shall be provided with one low power Level 2 EV charging receptacle.
- b. **Multifamily Parking Facilities with Unassigned or Common use Parking.** Where dwelling units are provided with unassigned parking spaces equal to or greater than the number of dwelling units, at least one low power Level 2 EV charging receptacle shall be provided at an unassigned parking space for each dwelling unit.

1. Where the total number of dwelling units exceeds the number of unassigned parking spaces, all unassigned parking spaces shall be provided with one low power Level 2 EV charging receptacle.

c. Multifamily Parking Facilities with Assigned and Unassigned Parking. Where dwelling units are provided with both assigned and unassigned parking spaces, at least one low power Level 2 EV charging receptacle shall be provided for each assigned space, but not required for both.

d. Receptacle power source. EV charging receptacles in multifamily parking facilities at assigned parking spaces shall be provided with a dedicated branch circuit connected to the dwelling unit's electrical panel or directly connected to the dwelling unit's electric meter, unless determined as infeasible by the project builder or designer and subject to concurrence of the local enforcing agency.

2. EV ready parking spaces with EV chargers.

- a. **Multifamily parking facilities with unassigned or common use parking.** In addition to the low power Level 2 EV charging receptacle requirements of section 4.106.4.2.2 (1), twenty-five (25) percent of unassigned or common use parking spaces shall be equipped with Level 2 EV chargers and shall be made available for use by all residents or guests.
- b. **EV Charger Connectors.** EV chargers shall be equipped with J1772 or J3400 connectors.
- c. An automatic load management system (ALMS) may be used to reduce the maximum required electrical capacity to each space served by the ALMS. The electrical system and any on-site distribution transformers shall have sufficient capacity to deliver at least 3.3 kW simultaneously to each EV charging station (EVCS) served by the ALMS. The branch circuit shall have a minimum capacity of 40 amperes, and installed EV chargers shall have a capacity of not less than 30 amperes.

Section 4.106.4.2.6, "Hotels and motels," is hereby added to Chapter 4 of the Green Building Standards Code, to read as follows:

"4.106.4.2.6 Hotels and motels.

1. EV Ready Parking Spaces with Receptacles.

- a. **Hotels and Motels.** Forty (40) percent of the total number of parking spaces shall be equipped with low power Level 2 EV charging receptacles.
- b. **Receptacle Configurations.** 208/240V EV charging receptacles shall comply with one of the following configurations:
 - 1. For 20- ampere receptacles, NEMA 6-20R
 - 2. For 30- ampere receptacles, NEMA 14-30R
 - 3. For 50- ampere receptacles, NEMA 14-50R

2. EV Ready Parking Spaces with EV Chargers.

- a. **Hotels and Motels.** Twenty-five (25) percent of the total number of parking spaces shall be equipped with Level 2 EV chargers.
- b. **EV Charger Connectors.** EV chargers shall be equipped with J1772 or J3400 connectors.

An automatic load management system (ALMS) may be used to reduce the maximum required electrical capacity to each space served by the ALMS. The electrical system and any on-site distribution transformers shall have sufficient capacity to deliver at least 3.3 kW simultaneously to each EV charging station (EVCS) served by the ALMS. The branch circuit shall have a minimum capacity of 40 amperes, and installed EV chargers shall have a capacity of not less than 30 amperes.”

Section 4.106.4.3, “Electric vehicle charging for additions and alterations of parking facilities serving existing multi-family buildings,” of Chapter 4 of the Green Building Standards Code, is amended to read as follows:

“4.106.4.3 Electric vehicle charging for additions and alterations of parking facilities serving existing multi-family buildings, hotels, and motels.

Existing buildings or parking facilities being modified by one of the following shall comply with Section 4.106.4.3. When EVSE is installed, accessible EVCS shall be provided in accordance with the California Building Code, Chapter 11B, Section 11B-228.3.

- 1. When the scope of construction work includes an increase or alteration to power supply to an electric service panel as part of a parking facility addition or alteration.

2. When a new photovoltaic system is installed covering existing parking spaces.
3. When additions or alterations to existing buildings are triggered pursuant to code Section 301.1 and the scope of work includes an increase in power supply to an electric service panel.

Exceptions:

1. On a case-by-case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:
 - a. Where there is no local utility power supply.
 - b. Where the local utility is unable to supply adequate power.
 - c. Where there is evidence suitable to the local enforcement agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 4.106.4.3, may increase construction cost associated with utility-owned infrastructure by an average of \$4,500 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.
 - d. Where demonstrated as impracticable excluding local utility service or utility infrastructure issues.
2. Remote parking facilities that do not have access to the building service panel.
3. Parking area lighting upgrades where no trenching is part of the scope of work.
4. Emergency repairs, including but not limited to water line break in parking facilities, natural disaster repairs, etc.
5. Alterations that solely add Level 1 EV charging receptacles or Level 1 EV chargers, and no other addition or alteration is performed within the parking facility.”

Section 4.106.4.3.1, “Existing multifamily and hotel/motel buildings or parking areas without previously installed EV capable infrastructure,” is hereby added to Chapter 4 of the Green Building Standards Code, to read as follows:

4.106.4.3.1 Existing multifamily and hotel/motel buildings or parking areas without previously installed EV capable infrastructure.

When EV capable infrastructure does not exist at an existing parking facility or building, and the parking facility or building undergoes an addition or alteration listed in Section 4.106.4.3, each parking space added or altered shall have access to either a low power Level 2 EV charging receptacle or Level 2 EV charger, unless determined as infeasible by the project builder or designer and subject to concurrence of the local enforcing agency.

4.106.4.3.2 Existing buildings or parking areas with previously installed EV capable infrastructure.

When EV capable infrastructure is available at an existing parking facility or building, and the parking facility or building is undergoing an addition or alteration listed in Section 4.106.4.3, each parking space added or altered shall have access to either a low power Level 2 EV charging receptacle or Level 2 EV charger, unless determined as infeasible by the project builder or designer and subject to concurrence of the local enforcing agency. Construction shall utilize the existing EV capable allocated power and infrastructure for the total number of actual parking spaces being added or altered. If the area being added or altered exceeds the existing EV capable capacity, allocated power and infrastructure, provide additional EV charging as needed to comply with this section.

Exception:

When new parking facilities are added and ALMS is installed, the electrical system and any on-site distribution transformers shall have sufficient capacity to deliver at least 3.3 kW simultaneously to each EV charging station (EVCS) served by the ALMS. The branch circuit shall have a minimum capacity of 40 amperes, and installed EV chargers shall have a capacity of not less than 30 amperes.”

Section 4.106.4.4, “Direct current fast charging stations,” is hereby added to Chapter 4 of the Green Building Standards Code, to read as follows:

4.106.4.4. Direct current fast charging stations. One DCFC may be substituted for up to five (5) EVCS or ten (10) low power level 2 EV Ready spaces to meet the requirements of 4.106.4.2 and 4.106.4.3. Where ALMS serve DCFC stations, the power demand from the DCFC shall be prioritized above Level 1 and Level 2 spaces.”

15.12.060 Local Amendment Regarding Nonresidential Mandatory Measures

Section 5.106.5.3, "Electric vehicle (EV) charging," of Chapter 5 of the Green Building Standards Code, is amended to read as follows:

5.106.5.3 Electric vehicle (EV) charging.

Construction to provide electric vehicle infrastructure and facilitate electric vehicle charging shall comply with Section 5.106.5.3.1 EV capable spaces and, Section 5.106.5.3.2 Electric vehicle charging stations and associated Table 5.106.5.3.1, or Section 5.106.5.3.6 Electric vehicle charging stations (EVCS)—Power allocation method and associated Table 5.106.5.3.6 and shall be provided in accordance with regulations in the *California Building Code* and the *California Electrical Code*.

Exceptions:

1. On a case-by-case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:
 - a. Where there is no local utility power supply.
 - b. Where the local utility is unable to supply adequate power.
 - c. Where there is evidence suitable to the local enforcement agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may increase construction cost associated with utility-owned infrastructure by an average of \$4,500 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.
 - d. Alterations that solely add Level 1 or Level 2 EV charging receptacles or Level 1 or Level 2 EV chargers, and no other addition or alteration is performed. When this exception is triggered, only Goleta Municipal Code Section 15.12.060 shall not apply but Chapter 5 of the Green Building Code shall still apply.

Table 5.106.5.3.1, of Chapter 5 of the Green Building Standards Code, is amended to read as follows:

“TABLE 5.106.5.3.1

FACILITY TYPE	NUMBER OF REQUIRED EV CAPABLE OR EVCS SPACES	NUMBER OF REQUIRED EV CAPABLE SPACES ¹	NUMBER OF REQUIRED EVCS ^{1,2}
Office & Retail	30% of actual parking spaces	7% of actual parking spaces	23% of actual parking spaces

All Other	30% of actual parking spaces	15% of actual parking spaces	15% of actual parking spaces
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1. Calculation for spaces shall be rounded up to the nearest whole number.
2. At least one Level 2 EVSE shall be provided.”

Section 5.106.5.3.2, “Electric vehicle charging stations (EVCS),” and its subsections 5.106.5.3.2.1 and 5.106.5.3.2.2, of Chapter 5 of the Green Building Standards Code, are amended to read as follows. Subsections 5.106.5.3.2.3, 5.106.5.3.2.4, and 5.106.5.3.2.4.1 are added:

5.106.5.3.2 Electric vehicle charging stations (EVCS).

EV capable spaces shall be provided with electric vehicle supply equipment (EVSE) to create EVCS in the number indicated in Table 5.106.5.3.1. The EVCS required by Table 5.106.5.3.1 shall be provided with Level 2 EVSE or DCFC as permitted in Section 5.106.5.3.2.1. At least one Level 2 EVSE shall be provided.

One EV charger with multiple connectors capable of charging multiple EVs simultaneously shall be permitted if the electrical load capacity required by Section 5.106.5.3.1 for each EV capable space is accumulatively supplied to the EV charger.

5.106.5.3.2.1 Receptacle Configurations. 208/240V EV charging receptacles shall comply with one of the following configurations:

1. For 20-ampere receptacles, NEMA 6-20R.
2. For 30-ampere receptacles, NEMA 14-30R.
3. For 50-ampere receptacles, NEMA 14-50R.

5.106.5.3.2.2 EV Charger Connectors. EV chargers shall be equipped with SAE J1772 with a maximum output 240 Volts AC or SAE J3400 connectors. When using level 2 SAE J3400 SAE connectors, supplied by a 480 V 3-phase service, then at least 20 percent of the EV charger connectors shall be SAE J1772 with a maximum output 240 Volts AC.

5.106.5.3.2.3 The installation of each DCFC EVSE shall be permitted to reduce the minimum number of required EV capable spaces without EVSE or EVCS with Level 2 EVSE by five and reduce proportionally the required electrical load capacity to the service panel or subpanel.

5.106.5.3.2.4 The installation of two low power Level 2 EV charging receptacles shall be permitted to reduce the minimum number of required EV capable spaces without EVSE in Table 5.106.5.3.1 by one.

5.106.5.3.2.4.1 Raceway Capacity Requirements. To allow for future upgrades to the electrical conductors serving low power Level 2 charging receptacles, the listed raceway serving such receptacles shall be sized to allow the installation of a dedicated 208/240-volt 40-ampere branch circuit. Where no raceway is used, the conductors shall be sized to accommodate a 208/240-volt 40-ampere receptacle.”

Table 5.106.5.3.6, of Chapter 5 of the Green Building Standards Code, is amended to read as follows:

“TABLE 5.106.5.3.6

FACILITY TYPE	MINIMUM TOTAL kVA @ 6.6 kVA¹	MAXIMUM kVA ALLOWED FOR EV CAPABLE SPACES^{1, 2}	MINIMUM kVA REQUIRED IN ANY COMBINATION OF LOW POWER LEVEL 2, LEVEL 2, OR DCFC^{1, 3,}
Office & Retail	30% of actual parking spaces x 6.6	7% of actual parking spaces x 6.6	23% of actual parking spaces x 6.6
All Other	30% of actual parking spaces x 6.6	15% of actual parking spaces x 6.6	15% of actual parking spaces x 6.6

1. Calculation for spaces shall be rounded up to the nearest whole number.
2. If EV capable spaces are utilized, they shall meet the requirements of Section 5.106.5.3.1 EV capable spaces.
3. Level 2 EVSE @ 6.6 kVA minimum.

Section 5.106.5.3.6.1, "Receptacle Configurations," is hereby added to Chapter 5 of the Green Building Standards Code to read as follows:

“5.106.5.3.6.1 Receptacle Configurations. 208/240V EV charging receptacles shall comply with one of the following configurations:

1. For 20-ampere receptacles, NEMA 6-20R.

2. For 30-ampere receptacles, NEMA 14-30R.
3. For 50-ampere receptacles, NEMA 14-50R.”

Section 5.106.5.3.6.2, "EV Charger Connectors," is hereby added to Chapter 5 of the Green Building Standards Code to read as follows:

“5.106.5.3.6.2 EV Charger Connectors. EV chargers shall be equipped with SAE J1772 with a maximum output of 240 Volts AC or SAE J3400 connectors. When using level 2 SAE J3400 SAE connectors, supplied by a 480 V 3-phase service, then at least 20 percent of the EV charger connectors shall be SAE J1772 with a maximum output 240 Volts AC.”

Section 5.106.5.3.6.3, "Raceway Capacity Requirements," is hereby added to Chapter 5 of the Green Building Standards Code to read as follows:

“5.106.5.3.6.3 Raceway Capacity Requirements. To allow for future upgrades to the electrical conductors serving low power Level 2 charging receptacles, the listed raceway serving such receptacles shall be sized to allow the installation of a dedicated 208/240-volt 40-ampere branch circuit. Where no raceway is used, the conductors shall be sized to accommodate a 208/240-volt 40-ampere receptacle.”

Section 5.106.5.4, "Additions or alterations to existing buildings or parking facilities [A]," is amended to read as follows:

“Existing buildings or parking facilities being modified by one of the following shall comply with Section 5.106.5.4.1 or 5.106.5.4.2. When EVSE is installed, accessible EVCS shall be provided in accordance with the California Building Code, Chapter 11B, Section 11B-228.3.

1. When the scope of construction work includes an increase in power supply to an electric service panel as part of a parking facility addition or alteration.
2. When a new photovoltaic system is installed covering existing parking spaces.
3. When additions or alterations to existing buildings are triggered pursuant to code Section 301.3 and the scope of work includes an increase in power supply to an electric service panel.

Exceptions:

1. On a case-by-case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:

- a. Where there is no local utility power supply.
 - b. Where the local utility is unable to supply adequate power.
 - c. Where there is evidence suitable to the local enforcement agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may increase construction cost associated with utility-owned infrastructure by an average of \$4,500 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.
 - d. Where demonstrated as impracticable excluding local utility service or utility infrastructure issues.
2. Remote parking facilities that do not have access to the building service panel.
 3. Parking area lighting upgrades where no trenching is part of the scope of work.
 4. Emergency repairs, including but not limited to water line break in parking facilities, natural disaster repairs, etc.”
 5. Alterations that solely add Level 1 or Level 2 EV charging receptacles or Level 1 or Level 2 EV chargers, and no other addition or alteration is performed. When this exception is triggered, only Goleta Municipal Code Section 15.12.060 shall not apply but Chapter 5 of the Green Building Code shall still apply.

Exception (1)(c) of Section 5.106.5.5, "Electric vehicle (EV) charging: medium-duty and heavy-duty," of Chapter 5 of the Green Building Code, is amended to read as follows. Use of ellipses (...) indicates that those provisions of Section 5.106.5.5 that would otherwise appear remain unchanged.

“5.106.5.5 Electric vehicle (EV) charging: medium-duty and heavy-duty.

...

Exceptions:

1. On a case-by-case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:

...

- c. Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design

requirements, directly related to the implementation of Section 5.106.5.3, may increase construction cost by an average of \$10,000 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.

...”

SECTION 5. SEVERABILITY.

If any word, phrase, sentence, part, section, subsection, or other portion of this Chapter, or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Chapter, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The City Council hereby declares that it would have passed this title, and each section, subsection, sentence, clause, and phrase of this Chapter, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases is declared invalid or unconstitutional.

SECTION 6. CERTIFICATION

The City Clerk shall certify to the adoption of this ordinance and, within 15 days after its adoption, shall cause it to be published in accord with California Law.

SECTION 7. EFFECTIVE DATE.

This ordinance shall take effect 30 days following adoption by the City Council.

INTRODUCED ON the ___ day of _____, 2024.

PASSED, APPROVED, AND ADOPTED this _____day of _____, 2024.

PAULA PEROTTE, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH S. LOPEZ

MEGAN GARIBALDI

CITY CLERK

CITY ATTORNEY

STATE OF CALIFORNIA)

COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, Deborah S. Lopez, City Clerk of the City of Goleta, California, do hereby certify that the foregoing Ordinance No. 24-__ was introduced on _____, and adopted at a regular meeting of the City Council of the City of Goleta, California, held on the _____, by the following roll-call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK

Exhibit A

Findings to Support Local Amendments to the
2022 Edition of the California Building Standards Code

Pursuant to California Health & Safety Code sections 17958.5, 17958.7, and 18941.5, this Exhibit A to Ordinance No. [redacted] of the City of Goleta sets forth the City Council’s express findings and determinations justifying the City’s local amendments to the 2022 Edition of the California Building Standards Code and its Intervening supplement (effective July 1, 2024) as reasonably necessary because of local climatic, geologic, and/or topographic conditions.

Amendments to California Green Building Standards Code (“CGBSC”)

Municipal Code Section	CGBSC Section Added or Amended	Substance of Amendment (full text in Ordinance No. [redacted])	Justification (see key below)
Sec. 15.12.015	202	Added definitions for “Assigned Parking,” “Level 2 Electric Vehicle (EV) Charging Receptacle,” and “Unassigned or Common Use Parking.”	A, B1, B2, B3, B4, B5
	301.3	Extended mandatory provisions applying to newly constructed buildings to instead apply also to existing parking facilities or the addition of new parking facilities serving existing nonresidential buildings.	B1, B2, B3, B4, B5
	4.106.4	Removed feasibility exception to requirement that new construction comply with electrification requirements based merely on showing that compliance would “adversely impact the construction cost of the project,” Instead requiring a showing of increased costs of \$4,500 per parking space for market rate housing or \$400 per parking space for affordable housing. Withdrew exception for ADU and JADU that have had electrical panel upgrades or new panel installations.	B1, B2, B3, B4, B5

	4.106.4.1	Added requirement to install one Level 2 EV charging receptacle for the first parking space, and a Level 1 receptacle for a second parking space, if provided.	B1, B2, B3, B4, B5
	4.106.4.2.2	Amended section to make it applicable only to Multifamily dwellings, excluding hotels and motels. New section for hotels and motels added.	B1, B2, B3, B4, B5
	4.106.4.2.6	Added section detailing the EV parking space requirements specific to hotels and motels.	B1, B2, B3, B4, B5
	4.106.4.3	Extended EV charging space requirements for alterations serving existing multi-family buildings to also extend to hotels and motels. Removed general “increased cost” exception, instead requiring specific showing of a minimum dollar threshold increase.	B1, B2, B3, B4, B5
	4.106.4.3.1	Added section requiring alterations to existing parking facilities without EV infrastructure to add requirement to install Level 2 EV charging receptacles, unless infeasibility is determined.	B1, B2, B3, B4, B5
	4.106.4.3.2	Added section requiring alterations to existing parking facilities with existing EV infrastructure to add requirement to install Level 2 EV charging receptacles, unless infeasibility is determined.	B1, B2, B3, B4, B5
	4.106.4.4	Added section allowing direct current fast charging stations to be substituted for certain number of other charging stations.	B1, B2, B3, B4, B5

	5.106.5.3	Removed general “increased cost” exception, instead requiring specific showing of a minimum dollar threshold increase.	B1, B2, B3, B4, B5
	T5.106.5.3.1	Deleted and replaced table setting forth the total number of actual parking spaces and corresponding ratio of required EV capable spaces and EVCS, replaced with table setting forth updated percentage requirements.	A, B1, B2, B3, B4, B5
	5.106.5.3.2	Deleted language duplicative of new section 4.106.4.4, instead adding receptacle configuration requirements for EV charging receptacles of varying ampere level.	A, B1, B2, B3, B4, B5
	T5.106.5.3.6	Deleted and replaced table setting forth the total number of parking spaces and corresponding ratio of required kVA, replaced with updated values and percentages describing same.	A, B1, B2, B3, B4, B5
	5.106.5.3.6.1	Adding receptacle configuration requirements for EV charging receptacles of varying ampere level.	A, B1, B2, B3, B4, B5

	5.106.5.3.6.2	Added requirement for EV Chargers to be equipped with certain maximum output connectors.	B1, B2, B3, B4, B5
	5.106.5.3.6.3	Added raceway capacity requirements and conductor sizing requirements where raceways are not used.	A, B1, B2, B3, B4, B5
	5.106.5.4	Removed general “increased cost” exception, instead requiring specific showing of a minimum dollar threshold increase.	B1, B2, B3, B4, B5
	5.106.5.5, Exception (1)(c)	Removed general “increased cost” exception, instead requiring specific showing of a minimum dollar threshold increase.	B1, B2, B3, B4, B5

Justifications KEY:

A – This is an administrative amendment, which does not modify a building standard as defined in California Health & Safety Code section 18909. The amendment establishes administrative procedures for the effective enforcement of the building standards in the City of Goleta.

B – This amendment is reasonably necessary because of the following local climatic, geological, or topographical conditions:

1. The City of Goleta is already experiencing and is at risk of more frequently experiencing the devastating effects of extreme heat and weather events and flooding caused by climate change, including increased frequency and magnitude of wildfires and associated air pollution, health impacts, utility and transportation service interruptions, economic disruption, property loss,

- dislocation, housing shortages, and increased demand on public sector resources and emergency response capacity.
2. The City of Goleta is situated along a wildland-urban interface and as a result is extremely vulnerable to wildfires and firestorms according to the Federal Emergency Management Authority (FEMA) Wildfire Risk Index Map.
 3. The City of Goleta is already experiencing and is at risk of more frequently experiencing the devastating effects of extreme heat and weather events and flooding caused by climate change, including increased frequency and magnitude of wildfires and associated air pollution, health impacts, utility and transportation service interruptions, economic disruption, property loss, dislocation, housing shortages, and increased demand on public sector resources and emergency response capacity.
 4. According to the 100 year and 500 year flood maps provided by FEMA, the City of Goleta has a significant risk from flooding during to the extreme weather events and can impact access to utilities, emergency services, and transportation. Extreme weather events are expected to increase as the climate warms due to the greenhouse gas effect.
 5. City residents suffer from asthma and other health conditions associated with poor air quality exacerbated by internal combustion engines. Transportation emissions account for about 50% of California's GHG emissions, nearly 80% of nitrogen oxide pollution, and 90% of diesel particulate matter pollution. Additionally, census tract 6083003001, located in Old Town Goleta, is in the 85th percentile for pollution burden in the state in part due to diesel particulate matter and traffic exposures, designating this tract as a state recognized Disadvantage Community per SB 535 and indicated in CalEnviroScreen 4.0. This state designation indicates that a particular portion of Goleta is disproportionately impacted by the air pollution created by vehicles.

Attachment 2

AMENDMENTS SHOWN Copy of
Ordinance No. 24-__ entitled, "An Ordinance of the City Council of the City of Goleta, California, Amending Chapter 15.12 Entitled 'Green Building Code' of the Goleta Municipal Code to Make Certain Local Amendments to the 2022 Edition of the California Green Building Standards Code ("Reach Code") and Determine the Ordinance to Be Exempt From the California Environmental Quality Act."

ORDINANCE NO 24-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, AMENDING CHAPTER 15.12 ENTITLED “GREEN BUILDING CODE” OF THE GOLETA MUNICIPAL CODE TO MAKE CERTAIN LOCAL AMENDMENTS TO THE 2022 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE (“REACH CODE”), AND DETERMINE THE ORDINANCE TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS the California State Building Standards Commission approved and published the 2022 Edition of the California Building Standards Code effective on January 1, 2023, and the California Building Standards Code intervening update on July 1, 2024; and

WHEREAS Section 15.12.010.A of the Goleta Municipal Code adopts the latest 2022 Edition of the California Building Standards Code except as amended by other sections of Chapter 15.12; and

WHEREAS California Health and Safety Code Sections 17958.5, 17958.7, and 18941.5 allow the City to make changes or modifications to the building standards contained in the California Building Standards based upon express findings that such changes or modifications are reasonably necessary because of local climactic, geological, or topographical conditions; and

WHEREAS Section 101.7.1 of the 2022 California Green Building Standards Code provides that for the purposes of local amendments to the 2022 California Green Building Standards Code, local climatic, topographical, or geological conditions include local environmental conditions as established by the City; and

WHEREAS the local amendments to the 2022 California Green Building Standards Code implemented by this ordinance will reduce greenhouse gas (“GHG”) emissions; and

WHEREAS the provisions of this chapter are necessary to reduce the emissions of GHGs within the City with the intent to reduce the City’s contributions to climate change and in turn reduce the impacts of climate change; and

WHEREAS the local amendments to the California Green Building Standards Code reflected in this chapter are also necessary to protect health and safety of members of the public, as City residents suffer from asthma and other health conditions associated with poor air quality exacerbated by internal combustion engines; and

WHEREAS this ordinance amends Chapter 15 of the Goleta Municipal Code to adopt the 2022 Goleta Building and Safety Code and local amendments in order to add “Reach” codes that require electric vehicle (“EV”) charging systems for new residential and nonresidential buildings; and

WHEREAS adoption of Reach Codes support the Goleta City Council's Strategic Plan and climate action goals, which aim to reduce communitywide GHG emissions; and

WHEREAS the Goleta City Council adopted the 2023-24 and 2024-25 Planning and Environmental Review Annual Work Programs, which included developing an EV Reach Code as a top priority; and

WHEREAS scientific evidence has established that GHG accumulation in the atmosphere as the result of human activity is the primary cause of the global climate crisis; and

WHEREAS, in California alone, the initial impacts of climate change have resulted in unprecedented disasters with consequential human, economic, and environmental costs; and

WHEREAS the climate change crisis is happening now, impacting Goleta in unprecedented ways, and affecting the health and safety of the Goleta community; and

WHEREAS the Intergovernmental Panel on Climate Change estimates that global emissions need to be reduced by 45% from 2010 levels by 2030, and 100% by 2050 to prevent global catastrophe; and

WHEREAS, in 2016, the State of California enacted Senate Bill (SB) 32 to require GHG emissions to be reduced to 40% below 1990 levels by 2030 and in 2018 Governor Brown issued Executive Order B-55-18 establishing a statewide target of carbon neutrality by 2045; and

WHEREAS transportation accounts for about 50% of California's GHG emissions, nearly 80% of nitrogen oxide pollution, and 90% of diesel particulate matter pollution; and

WHEREAS achieving climate goals will require action at all levels, including individual, community, local and state government, businesses and utilities, in order to protect the health and welfare of the community, while meeting state and federal efforts; and

WHEREAS the City must accelerate our actions to mitigate and adapt to climate change in Goleta, and more quickly move toward a low-carbon, sustainable, and resilient future; and

WHEREAS, in California alone, the initial impacts of climate change have resulted in unprecedented disasters with consequential human, economic, and environmental costs; and

WHEREAS, Goleta is already experiencing and is at risk of more frequently experiencing the devastating effects of extreme heat and weather events and flooding caused by climate change, including increased frequency and magnitude of wildfires and

associated air pollution, health impacts, utility and transportation service interruptions, economic disruption, property loss, dislocation, housing shortages, and increased demand on public sector resources and emergency response capacity; and

WHEREAS the City of Goleta is situated along a wildland-urban interface and as a result is extremely vulnerable to wildfires and firestorms according to the Federal Emergency Management Authority (FEMA) Wildfire Risk Index Map; and

WHEREAS Santa Barbara County is ranked in the 99.4th national percentile and 84.5th percentile in California for the natural hazard risk index; and

WHEREAS census tract 6083003001, located in Old Town Goleta, is in the 85th percentile for pollution burden in the state in part due to diesel particulate matter and traffic exposures, designating this tract as a state recognized Disadvantage Community per SB 535 and indicated in CalEnviroScreen 4.0; and

WHEREAS the City of Goleta's ("City") GHG emissions for transportation represent 55% of total city GHG emissions according to a GHG emissions inventory prepared by Central Coast Community Energy (3CE) based on 2020 data; and

WHEREAS various state orders and statutes are targeted to reduction of greenhouse gas emissions, including Executive Order N-79-20 and the Advanced Clean Cars II program, which prohibits the sale of internal combustion passenger vehicles beyond 2035; and

WHEREAS 25% of all vehicles sold in 2023 in California were Zero Emission Vehicles (ZEVs), totaling 1,872,429 cumulative sales through 2024 Q1, and the South Coast of Santa Barbara County sold a high concentration of ZEVs in 2023 according to the California Energy Commission; and

WHEREAS, according to Santa Barbara County Association of Governments, 65% of daily trips to work in Goleta originate outside of the city of Goleta, therefore greater distances are being driven by Goleta's workforce, resulting in GHG emissions and impaired local air quality, but by providing more workplace charging in Goleta, more drivers can be incentivized with infrastructure support to drive ZEVs; and

WHEREAS replacing fossil-fueled vehicle travel with EV-powered vehicle travel is a critical component of the City's carbon emissions reduction goals; and

WHEREAS increasing the availability of EV charging infrastructure at new buildings supports EV adoption; and

WHEREAS the City's EV Reach Code prepares Goleta for an EV future by increasing the number of required EV Ready parking spaces in multi-family and non-residential projects, and installing EV charging infrastructure during construction helps to avoid future retrofit costs; and

WHEREAS, following adoption of this ordinance, these local amendments to the latest version of the 2022 California Green Building Code, as revised by the California Building Standards Commission on or after July 2024, and as already adopted into the 2022 Goleta Building and Safety Code, will, in accordance with Public Resources Code Section 25402.1(h)(2) and Section 10-106 of the 2022 California Administrative Code (Title 24, Part 1), be submitted to the California Building Standards Commission for filing.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF GOLETA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. RECITALS.

The City Council hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct, and are incorporated herein as substantive findings of this Ordinance.

SECTION 2. PUBLIC HEALTH AND SAFETY FINDINGS.

Pursuant to California Health and Safety Code Sections 17958.5, 17958.7, and 18941.5, the City of Goleta City Council declares that the following amendments to the Goleta Green Building Code are reasonably necessary due to local climactic, geological, or topographical conditions listed below and as set forth in the Recitals incorporated herein.

Goleta is already experiencing and is at risk of more frequently experiencing the devastating effects of extreme heat and weather events and flooding caused by climate change, including increased frequency and magnitude of wildfires and associated air pollution, health impacts, utility and transportation service interruptions, economic disruption, property loss, dislocation, housing shortages, and increased demand on public sector resources and emergency response capacity.

The City of Goleta is situated along a wildland-urban interface and as a result is extremely vulnerable to wildfires and firestorms according to the Federal Emergency Management Authority (FEMA) Wildfire Risk Index Map.

Goleta is already experiencing and is at risk of more frequently experiencing the devastating effects of extreme heat and weather events and flooding caused by climate change, including increased frequency and magnitude of wildfires and associated air pollution, health impacts, utility and transportation service interruptions, economic disruption, property loss, dislocation, housing shortages, and increased demand on public sector resources and emergency response capacity.

According to the 100-year and 500-year flood maps provided by FEMA, the City of Goleta has a significant risk from flooding during extreme weather events and can impact access to utilities, emergency services, and transportation. Extreme weather events are expected to increase as the climate warms due to the greenhouse gas effect.

The amendment is in the interests of public health and safety and general community welfare, as City residents suffer from asthma and other health conditions associated with

poor air quality exacerbated by internal combustion engines. Transportation emissions account for about 50% of California’s GHG emissions, nearly 80% of nitrogen oxide pollution, and 90% of diesel particulate matter pollution. Additionally, census tract 6083003001, located in Old Town Goleta, is in the 85th percentile for pollution burden in the state in part due to diesel particulate matter and traffic exposures, designating this tract as a state recognized Disadvantage Community per SB 535 and indicated in CalEnviroScreen 4.0. This state designation indicates that a particular portion of Goleta is disproportionately impacted by the air pollution created by vehicles.

The amended Chapter enhances long-term public health and welfare by contributing to the overall reduction of GHG emissions and the reduction of emissions associated with vehicle transportation by improving access to EV charging. The burning of fossil fuels (gasoline, diesel) to power passenger vehicles is a significant contributor to GHG emissions and climate change, as well as air pollution. Emissions from transportation, mainly gas consumption by single-occupancy vehicles represented 55% of greenhouse gas emissions in the City of Goleta in 2020.

The reduction of GHG emissions from the increased use of EVs, supported by critical charging infrastructure in new construction will reduce emissions from gas-powered passenger vehicles, and thus will help mitigate climate change and its negative effects such as extreme heat events, droughts, intense storms, and flooding in the region, thus making these amendments reasonably necessary because of local climactic, geological, and topographical reasons.

The use of EVs benefits the health, welfare, and resiliency of Goleta and its residents. EV adoption depends on convenient access to charging, and the lowest cost-time to prepare building electrical infrastructure for EV charging is when electric service is installed in new construction. The next most cost-effective opportunity is when electric service is being upgraded during construction, as utility service upgrades and permitting and administrative costs are lower, and it is lower cost to include such systems in existing construction financing.

The local amendments to the 2022 California Green Building Standards Code implemented by this ordinance will reduce GHG emissions within the City with the intent to reduce the City’s contributions to climate change and in turn reduce the impacts of climate change.

An index setting forth the precise topographic, climatic, and geological findings supporting each of the amendments to the California Green Building Standards Code reflected in this ordinance is attached hereto, and incorporated herein, as Exhibit “A.”

SECTION 3. ENVIRONMENTAL FINDINGS. The City Council hereby finds and determines that this ordinance has been assessed in accordance with the California Environmental Quality Act (Cal. Pub. Res. Code, § 21000 et seq.) (“CEQA”) and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) and is categorically exempt from CEQA under CEQA Guidelines, § 15061(b)(3), which exempts from CEQA any project

where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Adoption of the proposed ordinance would not be an activity with potential to cause significant effect on the environment because the adoption and local amendments to the California Green Building Standards Code are enacted to provide more protection to the environment, and therefore is exempt from CEQA. Therefore, it can be seen with certainty that there is no possibility that the ordinance in question may have a significant effect on the environment; accordingly, the ordinance is categorically exempt from CEQA.

SECTION 4. CODE AMENDMENT.

Section 15.12.020 through Section 15.12.090 of Chapter 15.12 of Title 15 of the Goleta Municipal Code is hereby replaced and amended to read in its entirety as follows:

Local amendments to the 2022 Intervening supplement (effective July 1, 2024) of the 2022 Edition of the California Green Building Standards Code are denoted as underlined text and removals denoted as strikethroughs, both of which are as compared to the 2022 Intervening Supplement (effective July 1, 2024) of the 2022 California Green Building Standards Code.

Chapter 15.12 Green Building Code

- 15.12.020 Local Amendments to Definitions**
- 15.12.030 Local Amendment Regarding Green Building Nonresidential Additions and Alterations**
- 15.12.040 Local Amendment Regarding Residential Mandatory Measures**
- 15.12.050 Local Amendment Regarding Nonresidential Mandatory Measure**

15.12.020 Local Amendments to Definitions.

A. Chapter 2 "Definitions," Section 202, "Definitions," of Chapter 2 of the Green Building Standards Code is amended to add and/or amend the following definitions. All other definitions set forth in Section 202 not listed below are unmodified.

"ASSIGNED PARKING. Parking spaces in a residential parking facility that are assigned or designated for use by a specific living unit within the building or residence.

LEVEL 2 ELECTRIC VEHICLE (EV) CHARGING RECEPTACLE. A 208/240-volt 40-ampere minimum branch circuit and a receptacle.

UNASSIGNED OR COMMON USE PARKING. Parking spaces in a residential parking facility that are not reserved for or assigned to a specific living unit within the building or residence, including guest, staff, or other non-resident parking."

Section 15.12.040 Local Amendment Regarding Green Building Nonresidential Additions and Alterations

Section 301.3, "Nonresidential additions and alterations," of Chapter 3 of the Green Building Standards Code is amended to read in its entirety as follows:

“301.3 Nonresidential additions and alterations. The provisions of individual sections of Chapter 5 apply to newly constructed buildings, building additions of 1,000 square feet or greater, and/or building alterations with a permit valuation of \$200,000 or above (for occupancies within the authority of California Building Standards Commission). Code sections relevant to additions and alterations shall only apply to the portions of the building being added or altered within the scope of the permitted work.

A code section will be designated by a banner to indicate where the code section only applies to newly constructed buildings **[N]** or to additions and/or alterations **[A]**. When the code section applies to both, no banner will be used.

The mandatory provisions of Section 5.106.5.3 may apply to additions or alterations of existing parking facilities or the addition of new parking facilities serving existing nonresidential buildings. See Section 5.106.5.4 for application.

NOTE: Repairs including, but not limited to, resurfacing, restriping, and repairing parking lot surfaces, or maintaining or repairing existing lighting fixtures are not considered alterations for the purpose of this section.

15.12.050 Local Amendment Regarding Residential Mandatory Measures

Section 4.106.4, "Electric vehicle (EV) charging for new construction," of Chapter 4 of the Green Building Standards Code is amended to read as follows:

“New construction shall comply with Section 4.106.4.1 or 4.106.4.2. Electric vehicle supply equipment (EVSE) shall comply with the California Electrical Code.

Exceptions:

1. On a case-by-case basis, where the local enforcing agency has determined EV charging and infrastructure are not feasible based upon one or more of the following conditions:
 - 1.1 Where there is no local utility power supply, or the local utility is unable to supply adequate power.
 - 1.2 Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 4.106.4, may increase construction cost associated with utility-owned

infrastructure by an average of \$4,500 per parking space for market rate housing or \$400 per parking space for affordable housing. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service. adversely impact the construction cost of the project.

2. Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) without additional parking facilities and without electrical panel upgrade or new panel installation. Detached ADUs, attached ADUs, and JADUs without additional parking but with electrical panel upgrades or new panels must have reserved breakers and electrical capacity according to the requirements of 4.106.4.1.”

Section 4.106.4.1, “New one- and two-family dwellings and townhouses with attached private garages,” of Chapter 4 of the Green Building Standards Code is amended to read as follows:

4.106.4.1. ~~New one- and two-family dwellings and townhouses with attached private garages~~ Construction. Install one Level 2 EV Charging Receptacle in one parking space. If a second parking space is provided, it shall be provided with a Level 1 EV Charging Receptacle and For each dwelling unit, install a listed raceway to accommodate a dedicated 208/240-volt branch circuit. The raceway shall not be less than trade size 1 (nominal 1-inch inside diameter). The raceway shall originate at the main service or subpanel and shall terminate into a listed cabinet, box or other enclosure in close proximity to the proposed location of an EV charger. Raceways are required to be continuous at enclosed, inaccessible or concealed areas and spaces. The service panel and/or subpanel shall provide capacity to install a 40-ampere 208/240-volt minimum dedicated branch circuit and space(s) reserved to permit installation of a branch circuit overcurrent protective device.

Exception: A raceway is not required if a minimum 40-ampere 208/240-volt dedicated EV branch circuit is installed in close proximity to the proposed location of an EV charger at the time of original construction in accordance with the California Electrical Code.

4.106.4.1.1 Identification.

The service panel or subpanel circuit directory shall identify the overcurrent protective device space(s) reserved for future EV charging as “EV CAPABLE”. The raceway termination location shall be permanently and visibly marked as “EV CAPABLE”.

4.106.4.1.1. Existing Building. Parking additions or electrical panel upgrades must have reserved breaker spaces and electrical capacity according to the requirements of 4.106.4.1..”

Section 4.106.4.2.2, "Multifamily dwellings, hotels and motels," of Chapter 4 of the Green Building Standards Code, is amended to read as follows:

~~4.106.4.2.2 Multifamily dwellings, hotels and motels.~~

1. EV ready parking spaces with receptacles.

~~a. **Hotels and motels.** Forty (40) percent of the total number of parking spaces shall be equipped with low power Level 2 EV charging receptacles.~~

a. **Multifamily parking facilities with assigned parking.** Where dwelling units are provided with assigned parking spaces equal to or greater than the number of dwelling units, at least one low power Level 2 EV charging receptacle shall be provided at an assigned parking space for each dwelling unit. ~~Forty (40) percent of the total number of parking spaces shall be equipped with low power Level 2 EV charging receptacles. EV charging receptacles required by this section shall be located in at least one assigned parking space per dwelling unit where assigned parking is provided but need not exceed forty (40) percent of the total number of assigned parking spaces provided on the site.~~

1. Where the total number of dwelling units exceeds the number of assigned parking spaces, all assigned parking spaces shall be provided with one low power Level 2 EV charging receptacle.

~~**Exception:** Areas of parking facilities served by parking lifts, including but not limited to automated mechanical access open parking garages as defined in the *California Building Code*; or parking facilities otherwise incapable of supporting electric vehicle charging.~~

b. **Multifamily Parking Facilities with Unassigned or Common use Parking.** Where dwelling units are provided with unassigned parking spaces equal to or greater than the number of dwelling units, at least one low power Level 2 EV charging receptacle shall be provided at an unassigned parking space for each dwelling unit.

1. Where the total number of dwelling units exceeds the number of unassigned parking spaces, all unassigned parking spaces shall be provided with one low power Level 2 EV charging receptacle.

c. **Multifamily Parking Facilities with Assigned and Unassigned Parking.** Where dwelling units are provided with both assigned and unassigned parking spaces, at least one low power Level 2 EV charging receptacle shall be provided for each assigned space, but not required for both.

d. **Receptacle power source.** EV charging receptacles in multifamily parking facilities at assigned parking spaces shall be provided with a dedicated branch circuit connected to the dwelling unit's electrical panel or directly connected to the dwelling unit's electric meter, unless determined as infeasible by the project builder or designer and subject to concurrence of the local enforcing agency.

Exception: ~~Areas of parking facilities served by parking lifts, including but not limited to automated mechanical-access open parking garages as defined in the *California Building Code*; or parking facilities otherwise incapable of supporting electric vehicle charging.~~

2. EV ready parking spaces with EV chargers.

- a. ~~a. **Hotels and motels.** Ten (10) percent of the total number of parking spaces shall be equipped with Level 2 EV chargers. At least fifty (50) percent of the required EV chargers shall be equipped with J1772 connectors.~~
- b. **Multifamily parking facilities with unassigned or common use parking.** In addition to the low power Level 2 EV charging receptacle requirements of section 4.106.4.2.2 (1), twenty-five (25) percent of unassigned or common use parking spaces shall be equipped with Level 2 EV chargers and shall be made available for use by all residents or guests. ~~Ten (10) percent of the total number of parking spaces shall be equipped with Level 2 EV chargers. At least fifty (50) percent of the required EV chargers shall be equipped with J1772 connectors. Where common use parking or unassigned parking is provided, EV chargers shall be located in common use or unassigned parking areas and shall be available for use by all residents or guests~~
- c. **EV Charger Connectors.** EV chargers shall be equipped with J1772 or J3400 connectors.
- d. **An automatic load management system (ALMS) may be used to reduce the maximum required electrical capacity to each space served by the ALMS. The electrical system and any on-site distribution transformers shall have sufficient capacity to deliver at least 3.3 kW simultaneously to each EV charging station (EVCS) served by the ALMS. The branch circuit shall have a minimum capacity of 40 amperes, and installed EV chargers shall have a capacity of not less than 30 amperes.**

~~Where low power Level 2 EV charging receptacles or Level 2 EV chargers are installed beyond the minimum required, an automatic load management system (ALMS) may be used to reduce the maximum required electrical capacity to each space served by the ALMS. The electrical system and any on-site distribution transformers shall have sufficient capacity to deliver at least 3.3 kW simultaneously to each EV charging station (EVCS) served by the ALMS. The branch circuit shall have a minimum capacity of 40 amperes, and installed EV chargers shall have a capacity of not less than 30 amperes.”~~

Section 4.106.4.2.6, “Hotels and motels,” is hereby added to Chapter 4 of the Green Building Standards Code, to read as follows:

4.106.4.2.6 Hotels and motels.

1. EV Ready Parking Spaces with Receptacles.

- a. **Hotels and Motels.** Forty (40) percent of the total number of parking spaces shall be equipped with low power Level 2 EV charging receptacles.

~~Exception: Areas of parking facilities served by parking lifts, including but not limited to automated mechanical-access open parking garages as defined in the California Building Code; or parking facilities otherwise incapable of supporting electric vehicle charging.~~

- b. **Receptacle Configurations.** 208/240V EV charging receptacles shall comply with one of the following configurations:
1. For 20- ampere receptacles, NEMA 6-20R
 2. For 30- ampere receptacles, NEMA 14-30R
 3. For 50- ampere receptacles, NEMA 14-50R

2. EV Ready Parking Spaces with EV Chargers.

- a. **Hotels and Motels.** Twenty-five (25) percent of the total number of parking spaces shall be equipped with Level 2 EV chargers.
- b. **EV Charger Connectors.** EV chargers shall be equipped with J1772 or J3400 connectors.

An automatic load management system (ALMS) may be used to reduce the maximum required electrical capacity to each space served by the ALMS. The electrical system and any on-site distribution transformers shall have

sufficient capacity to deliver at least 3.3 kW simultaneously to each EV charging station (EVCS) served by the ALMS. The branch circuit shall have a minimum capacity of 40 amperes, and installed EV chargers shall have a capacity of not less than 30 amperes.

Section 4.106.4.3, "Electric vehicle charging for additions and alterations of parking facilities serving existing multi-family buildings," of Chapter 4 of the Green Building Standards Code, is amended to read as follows:

4.106.4.3 Electric vehicle charging for additions and alterations of parking facilities serving existing multi-family buildings, hotels, and motels.

~~Where new parking facilities are added, or electrical systems or lighting of existing parking facilities are added or altered and the work requires a building permit, ten (10) percent of the total number of parking spaces added or altered shall be electric vehicle charging spaces (EV capable spaces) capable of supporting to support future Level 2 EVSE electric vehicle supply equipment. The service panel or subpanel circuit directory shall identify the overcurrent protective device space(s) reserved for future EV charging purposes as "EV CAPABLE."~~

Existing buildings or parking facilities being modified by one of the following shall comply with Section 4.106.4.3. When EVSE is installed, accessible EVCS shall be provided in accordance with the California Building Code, Chapter 11B, Section 11B-228.3.

~~Notes:~~

- ~~1. Construction documents are intended to demonstrate the project's capability and capacity for facilitating future EV charging. When the scope of construction work includes an increase or alteration to power supply to an electric service panel as part of a parking facility addition or alteration.~~
- ~~2. There is no requirement for EV spaces to be constructed or available until EV chargers are installed for use. When a new photovoltaic system is installed covering existing parking spaces.~~
- ~~3. When additions or alterations to existing buildings are triggered pursuant to code Section 301.1 and the scope of work includes an increase in power supply to an electric service panel.~~

Exceptions:

- ~~1. On a case-by-case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:~~

- a. Where there is no local utility power supply.
 - b. Where the local utility is unable to supply adequate power.
 - c. Where there is evidence suitable to the local enforcement agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 4.106.4.3, may increase construction cost associated with utility-owned infrastructure by an average of \$4,500 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.
 - d. Where demonstrated as impracticable excluding local utility service or utility infrastructure issues.
2. Remote parking facilities that do not have access to the building service panel.
 3. Parking area lighting upgrades where no trenching is part of the scope of work.
 4. Emergency repairs, including but not limited to water line break in parking facilities, natural disaster repairs, etc.
 5. Alterations that solely add Level 1 EV charging receptacles or Level 1 EV chargers, and no other addition or alteration is performed within the parking facility.”

Section 4.106.4.3.1, “Existing multifamily and hotel/motel buildings or parking areas without previously installed EV capable infrastructure,” is hereby added to Chapter 4 of the Green Building Standards Code, to read as follows:

4.106.4.3.1 Existing multifamily and hotel/motel buildings or parking areas without previously installed EV capable infrastructure.

When EV capable infrastructure does not exist at an existing parking facility or building, and the parking facility or building undergoes an addition or alteration listed in Section 4.106.4.3, each parking space added or altered shall have access to either a low power Level 2 EV charging receptacle or Level 2 EV charger, unless determined as infeasible by the project builder or designer and subject to concurrence of the local enforcing agency.

“4.106.4.3.2 Existing buildings or parking areas with previously installed EV capable infrastructure.

When EV capable infrastructure is available at an existing parking facility or building, and the parking facility or building is undergoing an addition or alteration listed in Section 4.106.4.3, each parking space added or altered shall have access to either a low power Level 2 EV charging receptacle or Level 2 EV charger, unless determined as infeasible by the project builder or designer and subject to concurrence of the local enforcing agency. Construction shall utilize the existing EV capable allocated power and infrastructure for the total number of actual parking spaces being added or altered. If the area being added or altered exceeds the existing EV capable capacity, allocated power and infrastructure, provide additional EV charging as needed to comply with this section.

Exception:

When new parking facilities are added and ALMS is installed, the electrical system and any on-site distribution transformers shall have sufficient capacity to deliver at least 3.3 kW simultaneously to each EV charging station (EVCS) served by the ALMS. The branch circuit shall have a minimum capacity of 40 amperes, and installed EV chargers shall have a capacity of not less than 30 amperes.”

Section 4.106.4.4, “Direct current fast charging stations,” is hereby added to Chapter 4 of the Green Building Standards Code, to read as follows:

4.106.4.4. Direct current fast charging stations. One DCFC may be substituted for up to five (5) EVCS or ten (10) low power level 2 EV Ready spaces to meet the requirements of 4.106.4.2 and 4.106.4.3. Where ALMS serve DCFC stations, the power demand from the DCFC shall be prioritized above Level 1 and Level 2 spaces.”

15.12.060 Local Amendment Regarding Nonresidential Mandatory Measures

Section 5.106.5.3, "Electric vehicle (EV) charging," of Chapter 5 of the Green Building Standards Code, is amended to read as follows:

5.106.5.3 Electric vehicle (EV) charging.

Construction to provide electric vehicle infrastructure and facilitate electric vehicle charging shall comply with Section 5.106.5.3.1 EV capable spaces and, Section 5.106.5.3.2 Electric vehicle charging stations and associated Table 5.106.5.3.1, or Section 5.106.5.3.6 Electric vehicle charging stations (EVCS)—Power allocation method and associated Table 5.106.5.3.6 and shall be provided in accordance with regulations in the *California Building Code* and the *California Electrical Code*.

Exceptions:

1. On a case-by-case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:

- a. Where there is no local utility power supply.
- b. Where the local utility is unable to supply adequate power.
- e. Where there is evidence suitable to the local enforcement agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may increase construction cost associated with utility-owned infrastructure by an average of \$4,500 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service ~~adversely impact the construction cost of the project.~~
- 1. Alterations that solely add Level 1 or Level 2 EV charging receptacles or Level 1 or Level 2 EV chargers, and no other addition or alteration is performed. When this exception is triggered, only Goleta Municipal Code Section 15.12.060 shall not apply but Chapter 5 of the Green Building Code shall still apply.

~~“Parking spaces accessible only by automated mechanical car parking systems are not required to comply with this code section.”~~

Table 5.106.5.3.1, of Chapter 5 of the Green Building Standards Code, is amended to read as follows:

“TABLE 5.106.5.3.1

TOTAL NUMBER OF ACTUAL PARKING SPACES	NUMBER OF REQUIRED EV CAPABLE SPACES	NUMBER OF EVCS (EV CAPABLE SPACES PROVIDED WITH EVSE)^{2,3}
0-9	0	0
10-25	4	0
26-50	8	2
51-75	13	3
76-100	17	4
101-150	25	6
151-200	35	9
201 and over	20 percent of actual parking spaces ¹	25 percent of EV capable spaces ¹

<u>FACILITY TYPE</u>	<u>NUMBER OF REQUIRED EV</u>	<u>NUMBER OF REQUIRED EV</u>	<u>NUMBER OF</u>
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	<u>CAPABLE OR EVCS SPACES</u>	<u>CAPABLE SPACES¹</u>	<u>REQUIRED EVCS^{1,2}</u>
<u>Office & Retail</u>	<u>30% of actual parking spaces</u>	<u>7% of actual parking spaces</u>	<u>23% of actual parking spaces</u>
<u>All Other</u>	<u>30% of actual parking spaces</u>	<u>15% of actual parking spaces</u>	<u>15% of actual parking spaces</u>

1. Calculation for spaces shall be rounded up to the nearest whole number.
2. ~~The number of required EVCS (EV capable spaces provided with EVSE) in column 3 count toward the total number of required EV capable spaces shown in column 2.~~
2. At least one Level 2 EVSE shall be provided.”

Section 5.106.5.3.2, “Electric vehicle charging stations (EVCS),” and its subsections 5.106.5.3.2.1 and 5.106.5.3.2.2, of Chapter 5 of the Green Building Standards Code, are amended to read as follows. Subsections 5.106.5.3.2.3, 5.106.5.3.2.4, and 5.106.5.3.2.4.1 are added:

5.106.5.3.2 Electric vehicle charging stations (EVCS).

EV capable spaces shall be provided with electric vehicle supply equipment (EVSE) to create EVCS in the number indicated in Table 5.106.5.3.1. The EVCS required by Table 5.106.5.3.1 shall be provided with Level 2 EVSE or DCFC as permitted in Section 5.106.5.3.2.1. At least one Level 2 EVSE shall be provided.

One EV charger with multiple connectors capable of charging multiple EVs simultaneously shall be permitted if the electrical load capacity required by Section 5.106.5.3.1 for each EV capable space is accumulatively supplied to the EV charger.

~~**5.106.5.3.2.1** The installation of each DCFC EVSE shall be permitted to reduce the minimum number of required EV capable spaces without EVSE or EVCS with Level 2 EVSE by five and reduce proportionally the required electrical load capacity to the service panel or subpanel.~~ **Receptacle Configurations.** 208/240V EV charging receptacles shall comply with one of the following configurations:

1. For 20-ampere receptacles, NEMA 6-20R.

2. For 30-ampere receptacles, NEMA 14-30R.
3. For 50-ampere receptacles, NEMA 14-50R.

5.106.5.3.2.2 The installation of two low power Level 2 EV charging receptacles shall be permitted to reduce the minimum number of required EV capable spaces without EVSE in Table 5.106.5.3.1 by one. **EV Charger Connectors.** EV chargers shall be equipped with SAE J1772 with a maximum output 240 Volts AC or SAE J3400 connectors. When using level 2 SAE J3400 SAE connectors, supplied by a 480 V 3-phase service, then at least 20 percent of the EV charger connectors shall be SAE J1772 with a maximum output 240 Volts AC.

5.106.5.3.2.3 The installation of each DCFC EVSE shall be permitted to reduce the minimum number of required EV capable spaces without EVSE or EVCS with Level 2 EVSE by five and reduce proportionally the required electrical load capacity to the service panel or subpanel.

5.106.5.3.2.4 The installation of two low power Level 2 EV charging receptacles shall be permitted to reduce the minimum number of required EV capable spaces without EVSE in Table 5.106.5.3.1 by one.

5.106.5.3.2.4.1 Raceway Capacity Requirements. To allow for future upgrades to the electrical conductors serving low power Level 2 charging receptacles, the listed raceway serving such receptacles shall be sized to allow the installation of a dedicated 208/240-volt 40-ampere branch circuit. Where no raceway is used, the conductors shall be sized to accommodate a 208/240-volt 40-ampere receptacle.”

Table 5.106.5.3.6, of Chapter 5 of the Green Building Standards Code, is amended to read as follows:

“TABLE 5.106.5.3.6

<u>FACILITY TYPE</u>	<u>MINIMUM TOTAL kVA @ 6.6 kVA¹</u>	<u>MAXIMUM kVA ALLOWED FOR EV CAPABLE SPACES^{1, 2}</u>	<u>MINIMUM kVA REQUIRED IN ANY COMBINATION OF LOW POWER LEVEL 2, LEVEL 2, OR DCFC^{1, 3,}</u>
<u>Office & Retail</u>	<u>30% of actual parking spaces x 6.6</u>	<u>7% of actual parking spaces x 6.6</u>	<u>23% of actual parking spaces x 6.6</u>

All Other	<u>30% of actual parking spaces x 6.6</u>	<u>15% of actual parking spaces x 6.6</u>	<u>15% of actual parking spaces x 6.6</u>
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1. Calculation for spaces shall be rounded up to the nearest whole number.
2. If EV capable spaces are utilized, they shall meet the requirements of Section 5.106.5.3.1 EV capable spaces.
3. Level 2 EVSE @ 6.6 kVA minimum.

TOTAL NUMBER OF ACTUAL PARKING SPACES	MINIMUM TOTAL kVA @ 6.6 kVA	TOTAL kVA REQUIRED IN ANY COMBINATION OF EV CAPABLE,^{3,4} LOW POWER LEVEL 2, LEVEL 2,^{1,2} OR DCFC
0-9	0	0
10-25	26.4	26.4
26-50	52.8	52.8
51-75	85.8	85.8
76-100	112.2	112.2
101-150	165	165
151-200	231	231
201 and over	20 percent of actual parking spaces x 6.6	Total required kVA = P x .20 x 6.6 Where P = Parking spaces in facility

- ~~1. Level 2 EVSE @ 6.6 kVA minimum.~~
- ~~2. At least one Level 2 EVSE shall be provided.~~
- ~~3. Maximum allowed kVA to be utilized for EV capable spaces is 5075 percent.~~
- ~~4. If EV capable spaces are utilized, they shall meet the requirements of Section 5.106.5.3.1 EV capable spaces."~~

Section 5.106.5.3.6.1, "Receptacle Configurations," is hereby added to Chapter 5 of the Green Building Standards Code to read as follows:

"5.106.5.3.6.1 Receptacle Configurations. 208/240V EV charging receptacles shall comply with one of the following configurations:

1. For 20-ampere receptacles, NEMA 6-20R.
2. For 30-ampere receptacles, NEMA 14-30R.

3. For 50-ampere receptacles, NEMA 14-50R."

Section 5.106.5.3.6.2, "EV Charger Connectors," is hereby added to Chapter 5 of the Green Building Standards Code to read as follows:

"5.106.5.3.6.2 EV Charger Connectors. EV chargers shall be equipped with SAE J1772 with a maximum output of 240 Volts AC or SAE J3400 connectors. When using level 2 SAE J3400 SAE connectors, supplied by a 480 V 3-phase service, then at least 20 percent of the EV charger connectors shall be SAE J1772 with a maximum output 240 Volts AC."

Section 5.106.5.3.6.3, "Raceway Capacity Requirements," is hereby added to Chapter 5 of the Green Building Standards Code to read as follows:

"5.106.5.3.6.3 Raceway Capacity Requirements. To allow for future upgrades to the electrical conductors serving low power Level 2 charging receptacles, the listed raceway serving such receptacles shall be sized to allow the installation of a dedicated 208/240-volt 40-ampere branch circuit. Where no raceway is used, the conductors shall be sized to accommodate a 208/240-volt 40-ampere receptacle."

Section 5.106.5.4, "Additions or alterations to existing buildings or parking facilities [A]," is amended to read as follows:

"Existing buildings or parking facilities being modified by one of the following shall comply with Section 5.106.5.4.1 or 5.106.5.4.2. When EVSE is installed, accessible EVCS shall be provided in accordance with the California Building Code, Chapter 11B, Section 11B-228.3.

1. When the scope of construction work includes an increase in power supply to an electric service panel as part of a parking facility addition or alteration.
2. When a new photovoltaic system is installed covering existing parking spaces.
3. When additions or alterations to existing buildings are triggered pursuant to code Section 301.3 and the scope of work includes an increase in power supply to an electric service panel.

Exceptions:

1. On a case-by-case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:
 - a. Where there is no local utility power supply.

- b. Where the local utility is unable to supply adequate power.
 - c. Where there is evidence suitable to the local enforcement agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may increase construction cost associated with utility-owned infrastructure by an average of \$4,500 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service adversely impact the cost of the project.
 - d. Where demonstrated as impracticable excluding local utility service or utility infrastructure issues.
2. Remote parking facilities that do not have access to the building service panel.
 3. Parking area lighting upgrades where no trenching is part of the scope of work.
 4. Emergency repairs, including but not limited to water line break in parking facilities, natural disaster repairs, etc.”
 5. Alterations that solely add Level 1 or Level 2 EV charging receptacles or Level 1 or Level 2 EV chargers, and no other addition or alteration is performed. When this exception is triggered, only Goleta Municipal Code Section 15.12.060 shall not apply but Chapter 5 of the Green Building Code shall still apply.

Exception (1)(c) of Section 5.106.5.5, "Electric vehicle (EV) charging: medium-duty and heavy-duty," of Chapter 5 of the Green Building Code, is amended to read as follows. Use of ellipses (...) indicates that those provisions of Section 5.106.5.5 that would otherwise appear remain unchanged.

“5.106.5.5 Electric vehicle (EV) charging: medium-duty and heavy-duty.

...

Exceptions:

1. On a case-by-case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:

...

- c. Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section

5.106.5.3, may increase construction cost by an average of \$10,000 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service. ~~adversely impact the construction cost of the project.~~

...”

SECTION 5. SEVERABILITY.

If any word, phrase, sentence, part, section, subsection, or other portion of this Chapter, or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Chapter, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The City Council hereby declares that it would have passed this title, and each section, subsection, sentence, clause, and phrase of this Chapter, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases is declared invalid or unconstitutional.

SECTION 6. CERTIFICATION

The City Clerk shall certify to the adoption of this ordinance and, within 15 days after its adoption, shall cause it to be published in accord with California Law.

SECTION 7. EFFECTIVE DATE.

This ordinance shall take effect 30 days following adoption by the City Council.

INTRODUCED ON the ___ day of _____, 2024.

PASSED, APPROVED, AND ADOPTED this _____day of _____, 2024.

PAULA PEROTTE, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH S. LOPEZ

MEGAN GARIBALDI

CITY CLERK

CITY ATTORNEY

STATE OF CALIFORNIA)

COUNTY OF SANTA BARBARA) ss.

CITY OF GOLETA)

I, Deborah S. Lopez, City Clerk of the City of Goleta, California, do hereby certify that the foregoing Ordinance No. 24-__ was introduced on _____, and adopted at a regular meeting of the City Council of the City of Goleta, California, held on the _____, by the following roll-call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK

Exhibit A

Findings to Support Local Amendments to the
2022 Edition of the California Building Standards Code

Pursuant to California Health & Safety Code sections 17958.5, 17958.7, and 18941.5, this Exhibit A to Ordinance No. [redacted] of the City of Goleta sets forth the City Council’s express findings and determinations justifying the City’s local amendments to the 2022 Edition of the California Building Standards Code and its Intervening supplement (effective July 1, 2024) as reasonably necessary because of local climatic, geologic, and/or topographic conditions.

Amendments to California Green Building Standards Code (“CGBSC”)

Municipal Code Section	CGBSC Section Added or Amended	Substance of Amendment (full text in Ordinance No. [redacted])	Justification (see key below)
Sec. 15.12.015	202	Added definitions for “Assigned Parking,” “Level 2 Electric Vehicle (EV) Charging Receptacle,” and “Unassigned or Common Use Parking.”	A, B1, B2, B3, B4, B5
	301.3	Extended mandatory provisions applying to newly constructed buildings to instead apply also to existing parking facilities or the addition of new parking facilities serving existing nonresidential buildings.	B1, B2, B3, B4, B5
	4.106.4	Removed feasibility exception to requirement that new construction comply with electrification requirements based merely on showing that compliance would “adversely impact the construction cost of the project,” Instead requiring a showing of increased costs of \$4,500 per parking space for market rate housing or \$400 per parking space for affordable housing. Withdrew exception for ADU and JADU that have had electrical panel upgrades or new panel installations.	B1, B2, B3, B4, B5

	4.106.4.1	Added requirement to install one Level 2 EV charging receptacle for the first parking space, and a Level 1 receptacle for a second parking space, if provided.	B1, B2, B3, B4, B5
	4.106.4.2.2	Amended section to make it applicable only to Multifamily dwellings, excluding hotels and motels. New section for hotels and motels added.	B1, B2, B3, B4, B5
	4.106.4.2.6	Added section detailing the EV parking space requirements specific to hotels and motels.	B1, B2, B3, B4, B5
	4.106.4.3	Extended EV charging space requirements for alterations serving existing multi-family buildings to also extend to hotels and motels. Removed general “increased cost” exception, instead requiring specific showing of a minimum dollar threshold increase.	B1, B2, B3, B4, B5
	4.106.4.3.1	Added section requiring alterations to existing parking facilities without EV infrastructure to add requirement to install Level 2 EV charging receptacles, unless infeasibility is determined.	B1, B2, B3, B4, B5
	4.106.4.3.2	Added section requiring alterations to existing parking facilities with existing EV infrastructure to add requirement to install Level 2 EV charging receptacles, unless infeasibility is determined.	B1, B2, B3, B4, B5
	4.106.4.4	Added section allowing direct current fast charging stations to be substituted for certain number of other charging stations.	B1, B2, B3, B4, B5

	5.106.5.3	Removed general “increased cost” exception, instead requiring specific showing of a minimum dollar threshold increase.	B1, B2, B3, B4, B5
	T5.106.5.3.1	Deleted and replaced table setting forth the total number of actual parking spaces and corresponding ratio of required EV capable spaces and EVCS, replaced with table setting forth updated percentage requirements.	A, B1, B2, B3, B4, B5
	5.106.5.3.2	Deleted language duplicative of new section 4.106.4.4, instead adding receptacle configuration requirements for EV charging receptacles of varying ampere level.	A, B1, B2, B3, B4, B5
	T5.106.5.3.6	Deleted and replaced table setting forth the total number of parking spaces and corresponding ratio of required kVA, replaced with updated values and percentages describing same.	A, B1, B2, B3, B4, B5
	5.106.5.3.6.1	Adding receptacle configuration requirements for EV charging receptacles of varying ampere level.	A, B1, B2, B3, B4, B5

	5.106.5.3.6.2	Added requirement for EV Chargers to be equipped with certain maximum output connectors.	B1, B2, B3, B4, B5
	5.106.5.3.6.3	Added raceway capacity requirements and conductor sizing requirements where raceways are not used.	A, B1, B2, B3, B4, B5
	5.106.5.4	Removed general “increased cost” exception, instead requiring specific showing of a minimum dollar threshold increase.	B1, B2, B3, B4, B5
	5.106.5.5, Exception (1)(c)	Removed general “increased cost” exception, instead requiring specific showing of a minimum dollar threshold increase.	B1, B2, B3, B4, B5

Justifications KEY:

A – This is an administrative amendment, which does not modify a building standard as defined in California Health & Safety Code section 18909. The amendment establishes administrative procedures for the effective enforcement of the building standards in the City of Goleta.

B – This amendment is reasonably necessary because of the following local climatic, geological, or topographical conditions:

1. The City of Goleta is already experiencing and is at risk of more frequently experiencing the devastating effects of extreme heat and weather events and flooding caused by climate change, including increased frequency and magnitude of wildfires and associated air pollution, health impacts, utility and transportation service interruptions, economic disruption, property loss,

dislocation, housing shortages, and increased demand on public sector resources and emergency response capacity.

2. The City of Goleta is situated along a wildland-urban interface and as a result is extremely vulnerable to wildfires and firestorms according to the Federal Emergency Management Authority (FEMA) Wildfire Risk Index Map.
3. The City of Goleta is already experiencing and is at risk of more frequently experiencing the devastating effects of extreme heat and weather events and flooding caused by climate change, including increased frequency and magnitude of wildfires and associated air pollution, health impacts, utility and transportation service interruptions, economic disruption, property loss, dislocation, housing shortages, and increased demand on public sector resources and emergency response capacity.
4. According to the 100 year and 500 year flood maps provided by FEMA, the City of Goleta has a significant risk from flooding during to the extreme weather events and can impact access to utilities, emergency services, and transportation. Extreme weather events are expected to increase as the climate warms due to the greenhouse gas effect.
5. City residents suffer from asthma and other health conditions associated with poor air quality exacerbated by internal combustion engines. Transportation emissions account for about 50% of California's GHG emissions, nearly 80% of nitrogen oxide pollution, and 90% of diesel particulate matter pollution. Additionally, census tract 6083003001, located in Old Town Goleta, is in the 85th percentile for pollution burden in the state in part due to diesel particulate matter and traffic exposures, designating this tract as a state recognized Disadvantage Community per SB 535 and indicated in CalEnviroScreen 4.0. This state designation indicates that a particular portion of Goleta is disproportionately impacted by the air pollution created by vehicles.

Attachment 3
CEQA Notice of Exemption

NOTICE OF EXEMPTION (NOE)

To: Office of Planning and Research
P.O. Box 3044, 1400 Tenth St. Rm. 212
Sacramento, CA 95812-3044

From: City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

Clerk of the Board of Supervisors
County of Santa Barbara
105 E. Anapamu Street, Room 407
Santa Barbara, CA 93101



Subject: Filing of Notice of Exemption

Project Title: Ordinance Amending Chapter 15.12 Green Building Code of the Goleta Municipal Code to Adopt an Electric Vehicle Reach Code

Project Applicant: City of Goleta

Project Location (Address and APN): Goleta City Hall, 130 Cremona Drive, Suite B
Goleta, CA 93117

Description of Nature, Purpose and Beneficiaries of Project: The City of Goleta City Council prioritized development of a Reach Code to encourage electric vehicle (EV) infrastructure development during the City's review of the Planning and Environmental Review Department's Annual Work Program in 2023. The purpose of amending Chapter 15.12 Green Building Code is to enhance long-term public health and welfare by contributing to the overall reduction of greenhouse gas (GHG) emissions and the reduction of air pollutants associated with gas powered vehicles and combustion by increasing EV charging requirements for new construction and significant alterations.

As part of the ordinance, new local amendments are proposed as follows: 1) new single family residential developments shall provide one Level 2 Electric Vehicle (EV) Charging Receptacle and one Level 1 EV Charging Receptacle; 2) new multifamily residential developments shall provide at least one low power Level 2 EV charging receptacle for each assigned parking space and 25% of unassigned or common use parking spaces shall provide Level 2 EV chargers; 3) new hotel and motel developments shall provide 40% of parking spaces with low power Level 2 EV charging receptacles and 25% of the total spaces with Level 2 EV chargers; 4) new offices and retail developments shall provide 7% of parking spaces EV capability and 23% of parking spaces with EV Charging Stations (EVCS); and 5) all other new nonresidential developments shall provide 15% EV capable parking spaces and 15% EVCS spaces.

Pursuant to California Health and Safety Code Sections 17958.5, 17958.7 and 18941.5, the local amendments to the 2022 Edition of the California Building and Energy Code are reasonably necessary due to local climactic, geological, or topographical conditions. The amendment is in the interests of public health and safety and general community welfare. The amended Chapter enhances long-term public health and welfare by contributing to the overall reduction of greenhouse gas (GHG) emissions and the reduction of emissions associated with personal vehicle transportation by improving access to electric vehicle charging. The burning of fossil fuels (gasoline, diesel) to power passenger vehicles is a significant contributor to greenhouse gas emissions and climate change, as well as air pollution. Emissions from transportation, mainly gas consumption by single-occupancy vehicles represented 55% of greenhouse gas emissions in the City of Goleta in 2020. The reduction of greenhouse gas emissions from the increased use of EVs, supported by

NOTICE OF EXEMPTION (NOE)

critical charging infrastructure in new construction will reduce emissions from gas-powered passenger vehicles, and thus will help mitigate climate change and its negative effects such as extreme heat events, droughts, intense storms, and flooding in the region, thus making these amendments reasonably necessary because of local climactic, geological, and topographical reasons.

Name of Public Agency Approving the Project: City of Goleta

Name of Person or Agency Carrying Out the Project: City of Goleta

Exempt Status: *(check one)*

- Ministerial (Sec. 15369)
- Statutory (Sec. 21080.35)
- Categorical Exemption: (Sec. 15307 & 15308)
- Emergency Project (Sec. 15359)
- Other: (Sec 15061(b)(3))

Reason(s) why the project is exempt:

The City Council hereby finds and determines that this ordinance has been assessed in accordance with the California Environmental Quality Act (Cal. Pub. Res. Code, § 21000 et seq.) ("CEQA") and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) and is categorically exempt from CEQA under CEQA Guidelines, § 15061(b)(3), which exempts from CEQA any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Adoption of the proposed ordinance would not be an activity with potential to cause significant effect on the environment because the adoption and local amendments to the California Green Building Standards Code are enacted to provide more protection to the environment, and therefore is exempt from CEQA. Therefore, it can be seen with certainty that there is no possibility that the ordinance in question may have a significant effect on the environment; accordingly, the ordinance is categorically exempt from CEQA.

City of Goleta Contact Person and Telephone Number:

Dana Murray, Sustainability Manager, 805-961-7547

Peter Imhof

Director, Planning & Environmental Review

Date

NOTICE OF EXEMPTION (NOE)

If filed by the applicant:

1. Attach certified document of exemption finding
2. Has a Notice of Exemption been filed by the public agency approving the project?
Yes No

Date received for filing at OPR: _____

Note: Authority cited: Section 21083 and 211110, Public Resources Code
Reference: Sections 21108, 21152.1, Public Resources Code