



DATE: June 17, 2025

TO: Mayor and City Council

FROM: Director of Public Works & Director of Development Services

SUBJECT: Electrification Reach Code: Introduction of Revised Electrification Reach Code Ordinance with Minor Modifications Required by California Building Standards Commission; Adoption of a Resolution Making Findings in Support of Local Modifications to the 2022 California Building Standards Code, and Finding that the Action is Exempt from CEQA Review

RECOMMENDATION

That the City Council adopts a resolution (Attachment II) making findings supporting the necessity for adoption of local modifications to the 2022 California Building Standards Code, introduces the revised Electrification Reach Code ordinance (Attachment III) to modify the California Green Building Standards Code, and finds the action to be exempt from review pursuant to the California Environmental Quality Act (CEQA). The ordinance includes amendments to the Off-Street Parking Regulations to modify electric vehicle charging requirements.

SUMMARY

On January 21, 2025, the City Council adopted a Reach Code ordinance to modify the electric vehicle (EV) charging requirements included in the California Green Building Standards Code (CalGreen). After adoption by the City Council, the Reach Code ordinance was submitted to the California Building Standards Commission (CBSC) for review and filing. The CBSC requested that the City provide a revised ordinance including definitions that are consistent with CalGreen. Staff made the necessary revisions to the ordinance, which if adopted by Council, will be forwarded to the CBSC. The revisions in the attached draft ordinance do not include substantive differences from the ordinance adopted by the City Council on January 21, 2025.

BACKGROUND

State law allows local jurisdictions to adopt ordinances that amend the California Building Standards Code. The ordinances are commonly referred to as reach codes. More than sixty local governments in California have adopted reach codes to encourage or require all-electric construction as well as electric vehicle charging infrastructure. The City of Hayward has had a reach code since 2020.

Following review and a recommendation from the City Council Sustainability Committee, the City Council introduced a Reach Code ordinance with updated requirements for EV charging infrastructure on December 17, 2024¹. On January 21, 2025², the City Council adopted the ordinance establishing local amendments to CalGreen and amending the City's Off-Street Parking Regulations (Chapter 10, Article 2 of the City's Municipal Code). The Reach Code ordinance, all previous Council reports, as well as checklists for builders and developers are available on the City's Reach Code webpage³.

DISCUSSION

Once adopted, Reach Codes are required to be filed with the CBSC. Following the January adoption, staff submitted Hayward's updated Reach Code and CBSC staff responded requesting a revised ordinance that includes definitions that are consistent with those in CalGreen. The attached ordinance includes the correct definitions as well as other minor modifications to the language for non-residential EV charging requirements for clarification. The ordinance has also be updated to include amendments to the City's Building Code, Chapter 9 of the municipal code, to reference the EV charging requirements. The ordinance does not include substantive changes from what was adopted on January 21, 2025. The numbers and types of EV charging spaces required in the ordinance remain the same.

ECONOMIC IMPACT

The Reach Code requirements for EV charging infrastructure do increase the cost of construction; however, future residents or employees can benefit from the cost savings of operating an EV compared to a gasoline vehicle. For a detailed discussion of the economic impacts, please refer to the December 17, 2024, City Council report.

FISCAL IMPACT

Updates to the Reach Code with new EV charging requirements do not impact the General Fund. Staff has been working with a consultant, TRC Companies, Inc., to prepare the technical revisions to the Reach Code ordinance. The cost of the consultant's assistance, including work completed in 2024 and 2025, will not exceed \$13,000 and will be paid from existing Environmental Services Division funds.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority to *Champion Climate Resilience & Environmental Justice*, and specifically relates to implementation of the following Project under that heading:

¹ <https://hayward.legistar.com/LegislationDetail.aspx?ID=7059334&GUID=CA8E7E66-F1E3-43D5-B983-E7AF7A763B31&Options=&Search=>

² <https://hayward.legistar.com/LegislationDetail.aspx?ID=7096311&GUID=2BC22DF9-CD92-4678-8626-04A92CEA3393&Options=&Search=>

³ <https://www.hayward-ca.gov/reach-code>

Reduce Greenhouse Gases and Dependency on Fossil Fuels:

Project CP1: Implement Year 1 Programs from the adopted GHG Roadmap(Climate Action Plan).

SUSTAINABILITY FEATURES

The use of electric appliances in homes and businesses avoids indoor air pollution associated with the burning of natural gas. Ending the use of natural gas and providing the infrastructure needed for a transition to electric vehicles are both necessary to meet the City's long term GHG reduction goals, which include:

- 30% below 2005 levels by 2025
- 55% below 2005 levels by 2030
- work with the community to develop a plan that may result in the reduction of community based GHG emissions to achieve carbon neutrality by 2045

ENVIRONMENTAL REVIEW

Adoption of the revised Electrification Reach Code is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility that the action approved may have a significant effect on the environment. CEQA applies only to actions that have the potential for causing a significant effect on the environment. 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, the activity is not subject to CEQA. In this circumstance, the proposed action would have no or only a de minimis effect on the environment. The Ordinance is also exempt from CEQA under CEQA Guidelines section 15308, because it is a regulatory action for the protection of the environment.

PUBLIC CONTACT

No public contact was made regarding the adoption of the revised Electrification Reach Code.

NEXT STEPS

If the City Council approves the attached resolution, a second reading of the ordinance will be scheduled for a subsequent meeting. If the ordinance is adopted, it will be filed with the California Building Standards Commission.

Prepared by: Erik Pearson, Environmental Services Manager

Recommended by: Alex Ameri, Director of Public Works
Sara Buizer, Development Services Director

Approved by:

A handwritten signature in blue ink, appearing to read 'M. Lawson', is positioned above a horizontal line.

Michael Lawson, J.D.
Acting City Manager