

**HAYWARD CITY
COUNCIL MEETING**

NOVEMBER 1, 2022

PRESENTATIONS

PUBLIC HEARING

ITEM #7

PH 22-056

**BUILDING AND FIRE CODE
UPDATES**

2022 Hayward Building Codes

Amendments & Adoption of the California
Building Codes



Triennial Code Cycle

- ▶ California Buildings Standards Commission
 - ▶ Building Code Body
 - ▶ Code Advisory Committees (CAC)
- ▶ California Codes are advancing green technologies
 - ▶ Rulemaking cycles occur every 18 months
 - ▶ Model Codes are adopted every 3 years
 - ▶ These cycles create “living codes” that adapt
- ▶ Importance of “Standards in the Building Codes”

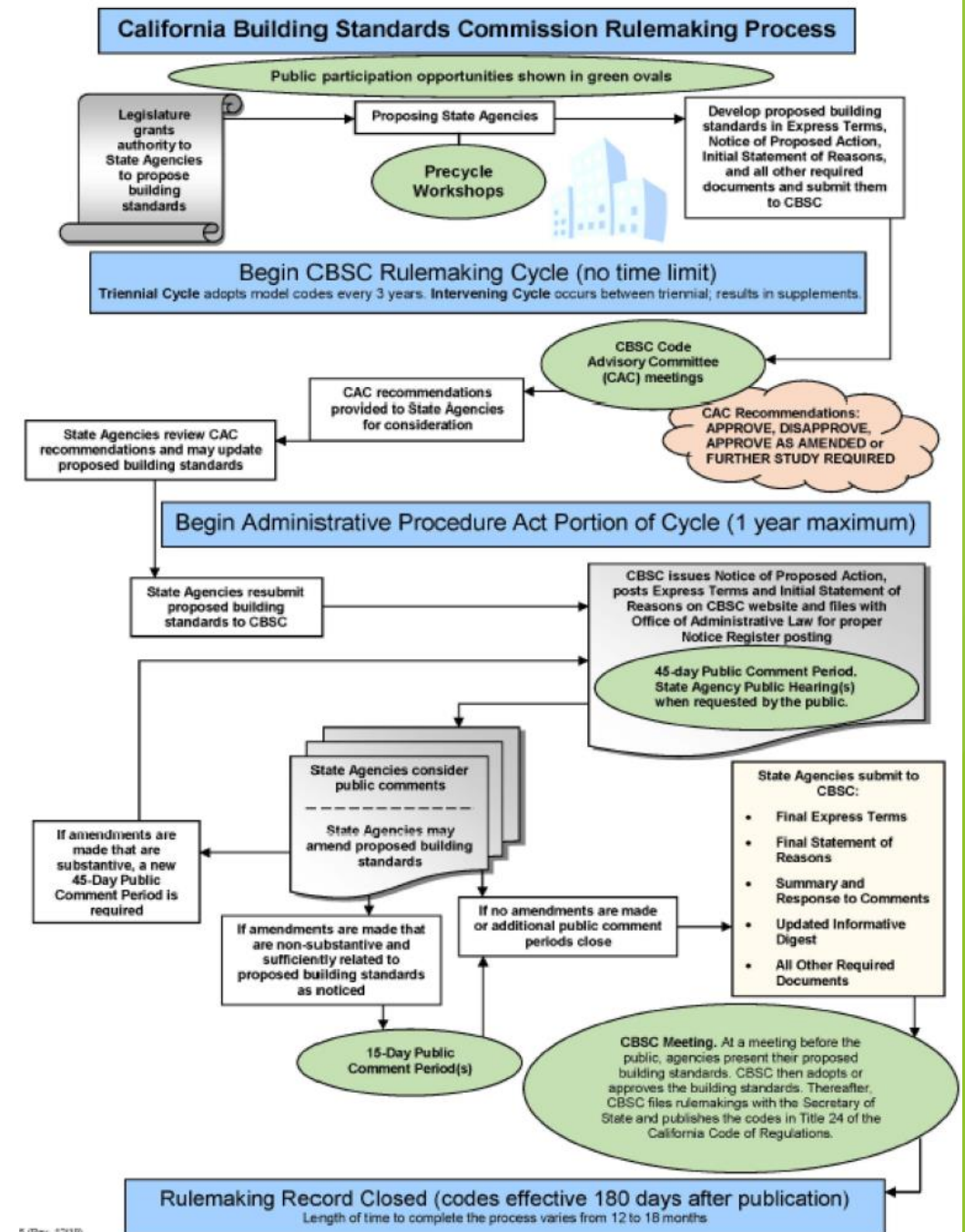
Code Creation Cycle

► Code Making Body

- Subject matter experts, local jurisdictions and industry professionals

► Oversight of the Green Building Standards

- The most innovative and rapidly growing industry
- Public input is in every step of the process



2022 Hayward Building Codes

Exciting Changes to the Building Codes

- California Energy Code and the Reach Code
- Mass Timber
 - Solid, Built-up, Panelized or Engineered wood
 - Type IV-Heavy Timber Construction
 - **Cross Laminated Lumber**
 - Green product, significant reduction in carbon compared to concrete and steel
 - Fire resistant and Reduces sound transmission



Challenges

- ▶ Green Building is growing with cutting edge technologies.
 - ▶ Demand for “clean and green” is up
 - ▶ Building Codes proactively trying to catch up
- ▶ Housing, ADU and low income
 - ▶ Many factors in housing prices, Building Codes and regulations add to the costs
 - ▶ The Building Codes recognize these challenges, consistency is cost savings
 - ▶ Technological improvements will reduce costs, it just takes time

Staff Recommendation

- ▶ Council Questions
- ▶ Open Public Hearing
- ▶ Council Discussion and Motion

PUBLIC HEARING

ITEM #8

PH 22-058

REACH CODE



City Council

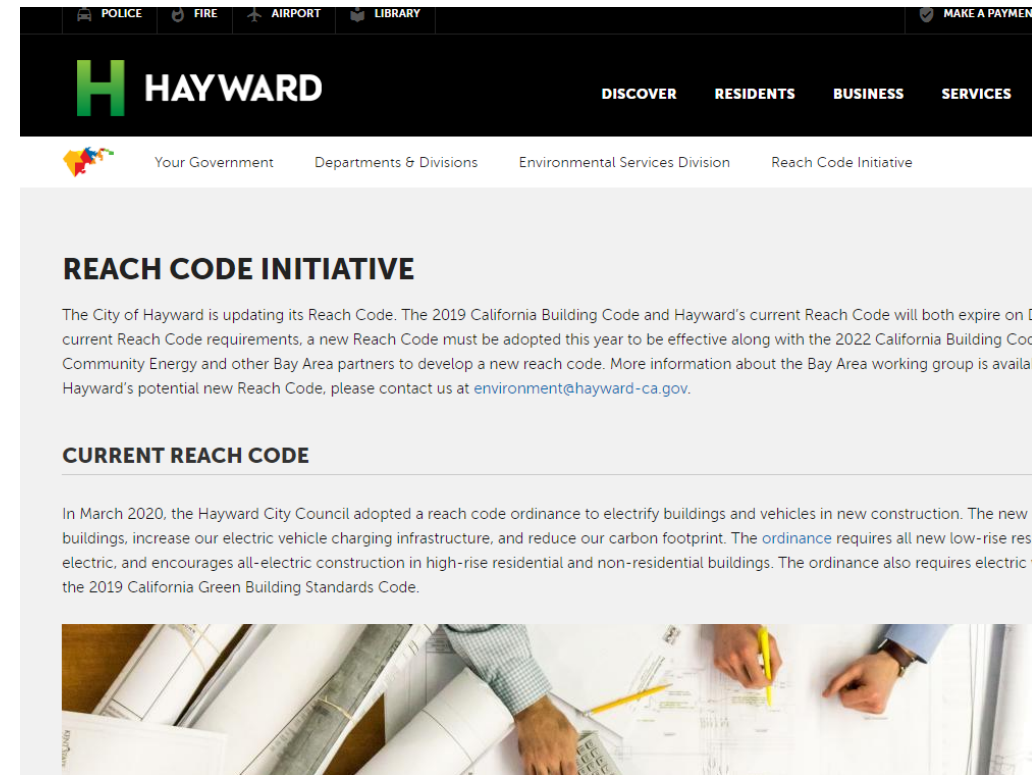
2023 Reach Code

November 1, 2022



Hayward's Current Reach Code

- Modifies the California Building Code
- Adopted by Council March 3, 2020
- Approved by California Energy Commission on June 10, 2020



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

Bay Area Reach Code Adoption

Cities in Alameda County:

- Alameda City – 12/6
- Albany – November
- Berkeley – November
- Dublin – 11/1
- Emeryville – 11/1
- Hayward – 11/1
- Livermore – 10/24
- Piedmont – 10/3
- Pleasanton – 11/1
- San Leandro – 10/17

Other Bay Area Cities/Counties:

- | | |
|-------------------------|-------------------------------|
| <u>Atherton</u> – 10/19 | Palo Alto City – 10/17 |
| Burlingame - 11/7 | <u>Portola Valley</u> - 10/26 |
| Campbell - 11/1 | Redwood City - 10/24 |
| Gilroy – 10/17 | <u>San Bruno</u> - 10/11 |
| Los Altos Hills – 10/20 | San Carlos - 10/24 |
| Los Gatos - 11/1 | San Jose – 11/15 |
| Marin County – 10/18 | San Mateo – 10 /17 |
| Menlo Park - 11/1 | Santa Clara County -11/15 |
| Milpitas – 10/18 | Santa Rosa - 10/25 |
| Morgan Hill - 11/2 | Saratoga - 11/2 |
| Mountain View - 11/1 | Sunnyvale - 10/25 |
| Pacifica - 11/14 | |

Underlining = first time adopting a reach code

Hayward Reach Code – Current Requirements

1. Single-family and Multi-family Residential (up to 3 stories)
 - Must be all-electric
2. Non-residential and High-rise Residential
 - Can be all-electric or mixed-fuel. Mixed-fuel buildings must have additional solar and energy efficiency.
3. Enhanced EV Charging required for all Building Types.

Current Reach Code Expiring

The 2022 California Building Code has been approved and will take effect January 1, 2023.

To continue Hayward's current Reach Code requirements, a new Reach Code must be adopted this year to be effective along with the 2022 California Building Code in January 2023.

Strategic Roadmap – Climate Change Projects

Reduce GHGs & Dependency on Fossil Fuels.

- C1 – Ban natural gas in new residential buildings
- C2 – Require EV charging infrastructure in new construction
- C10 – Explore feasibility of banning natural gas in non-residential (commercial) buildings



Regional Working Group

The screenshot displays the website for the Bay Area Reach Codes initiative. At the top, there are five logos: East Bay Community Energy (with wind turbines and a sun), Peninsula Clean Energy (with a leaf and lightbulb), Silicon Valley Clean Energy (with a leaf), Office of Sustainability County of San Mateo (with a circular arrow logo), and The County of Santa Clara (with a circular seal). Below the logos is a navigation menu with the following items: City Participation, Recommended Reach Codes, About Reach Codes, Process & Timeline, Resources, FAQ, Events, and Stay in Touch. The main content area features the heading "2022 Building Electrification & EV Infrastructure Reach Code Initiative" in bold black text. Below the heading is a photograph of a modern building with large glass windows and palm trees in the foreground.

<https://bayareareachcodes.org/>

Reach Code Public Meetings

March 14, 2022	Sustainability Committee meeting
May 9, 2022	Sustainability Committee meeting
May 26, 2022	Planning Commission
June 14, 2022	City Council Work Session
October 6, 2022	Sustainability Committee meeting

Recommended Reach Code Requirements

Building Type	Current Reach Code (2020 – 2022)	2022 State Code (Effective Jan. 2023)	Recommended Reach Code (Effective Jan. 2023)
Low Rise Residential (≤ 3 stories)	All-electric	Allows gas	All-electric
Accessory Dwelling Units (ADUs)	All-electric <ul style="list-style-type: none"> Exempt if detached & less than 400 sq. ft. 	Allows gas	All-electric
High Rise Residential (> 3 stories)	Electric Preferred	Allows gas	All-electric
Mixed Use (Non-Residential & Residential)	Not addressed	Allows gas	All-electric
Non-Residential	Electric Preferred	Allows gas	<ul style="list-style-type: none"> Allow gas. Require electric readiness.

New Detached Accessory Dwelling Units

- Current reach code exempts ADUs less than 400 sq. ft.
 - Can include natural gas appliances for water heating, space heating, etc.
 - Heat pump water heaters have tanks.
- New state code allows tankless electric water heaters.
 - Easier to go all-electric with small ADU.
 - Cost effective to go all-electric with small ADU.

New Nonresidential Buildings

Currently, new non-residential buildings can be either all-electric or mixed-fuel.

For new Reach code, staff recommends:

- a) Allow gas; and
- b) Require electric readiness.

CEQA Thresholds of Significance

- Adopted by Bay Area Air Quality District on April 20, 2022
- To meet state's goal of Carbon Neutrality by 2045, new buildings must either:
 1. not include natural gas; or
 2. be consistent with a local climate action plan (CAP).
- The recommended updated CAP will likely call for a complete ban on new gas infrastructure effective in January 2026.
 - Staff is seeking Council comments on this potential gas ban.

EV Charging Requirements

Land Use Type	Current Requirements	Recommended Requirements
Single Family & Townhome	Two Level 2 EV Ready spaces per dwelling unit	Two Level 2 EV Ready spaces per dwelling unit
Multi-Family Residential	25% Level 2 EV Capable; and 75% Level 2 EV Ready	20% of units with parking, Level 2 EVSE; and 80% of units with parking, Low Power Level 2 EV Ready.
Non-Res Office	20% Level 2 EVSE; and 30% Level 2 EV Capable	20% Level 2 EVSE; and 30% Level 2 EV Capable
Non-Res Non-Office	15% Level 2 EVSE	10% Level 2 EVSE; and 10% Level 2 EV Capable
Hotel/Motel	NA	5% Level 2 EVSE; and 25% Low Power Level 2 EV Ready

Community Engagement

- Early February - Email to 658 builders and developers
- February 15 and 16 - Regional Workshops
- February & March - Conversations with Affordable Housing Developers
- May - Conversations with Chamber of Commerce, Business Owners and Commercial/Industrial Developers
- September – Update to Developers & Stakeholders

Next Steps

November 15, 2022	Council Meeting – 2 nd Reading of Ordinance
December 2022	File with CA Building Standards Commission
December 2022	Prepare Educational Materials for Builders/Developers
January 1, 2023	Reach Code takes effect

Staff Recommendation

That Council:

- 1) Find the Reach Code exempt from CEQA; and
- 2) Adopts the resolution; and
- 3) Introduces the Reach Code ordinance including:
 - a) electrification requirements for new buildings; and
 - b) amendments to the Off-Street Parking Regulations; and
 - c) repeal of the current Reach Code.

