



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)

## Cover Memo

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**File #:** ACT 24-015, **Version:** 1

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**DATE:** March 11, 2024

**TO:** Council Sustainability Committee

**FROM:** Director of Public Works

### **SUBJECT**

Reach Code - Current Status and Future Revisions - Discussion and Direction to Staff

### **RECOMMENDATION**

That the Council Sustainability Committee (CSC) reviews this report and provides direction to staff regarding the development of an amended Reach Code.

### **SUMMARY**

Hayward's current Reach Code took effect on January 1, 2023. The Reach Code ordinance modifies and goes beyond the State building code to require:

- All new residential buildings, including mixed-use buildings, must be all electric.
- All new non-residential buildings for which natural gas infrastructure is installed, must be "electric ready", meaning they have the wiring, electrical capacity, and space needed to be converted to an all-electric building in the future.
- All new buildings, and modifications to existing buildings resulting in new parking spaces, must have electric vehicle (EV) charging infrastructure above and beyond that required by the California Green Building Standards Code.

The Ninth Circuit Court of Appeals found the City of Berkeley's natural gas ban ordinance preempted by the federal Energy Policy and Conservation Act (EPCA). Due to similarities between Berkeley's ordinance and Hayward's Reach Code ordinance, Hayward's requirement for new residential buildings to be all electric is no longer being enforced.

Hayward's Climate Action Plan (CAP), adopted by Council on January 30, 2024, includes 180 actions - all of which need to be implemented for Hayward to meet its ambitious goal of reducing greenhouse gas (GHG) emissions by 55% by 2030. The CAP includes actions that call for continued enforcement of and expansion of Hayward's Reach Code. Staff recommends that efforts be focused on a Reach Code that will take effect with the next version of the California Green Building Standards Code, which will take effect in January 2026.

### **ATTACHMENTS**

Attachment I Staff Report