

DOCKETED

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Project Title:	Local Ordinances Exceeding the 2019 Energy Code
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Document Title:	San Jose 2019 - Att4_PP19-067_Reach Code Exemption
Description:	N/A
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STATEMENT OF EXEMPTION

FILE NO.

PP19-067

LOCATION OF PROPERTY

Citywide

PROJECT DESCRIPTION

Exemption to approve an Ordinance Amending Title 24 of the San José Municipal Code adopting the 2019 California Green Building Standards Title 24, Part 11 and the 2019 California Energy Efficiency Standards Title 24, Part 6 with certain exceptions, modifications, and additions to increase building efficiency, mandate solar readiness, and mandate increased requirements for electric vehicle charging stations (Reach Code); findings related to local modifications based upon local geographical, topographical, and climatic conditions and cost effectiveness; and authorization for the City Manager to submit the Reach Code to the California Energy Commission for its approval as required by law.

CERTIFICATION

Under the provisions of Sections 15308 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) as stated below, this action is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended.

Section 15308. Actions by Regulatory Agencies for Protection of the Environment

Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption.

ANALYSIS

The proposed action is to approve an Ordinance Amending Title 24 of the San José Municipal Code adopting the 2019 California Green Building Standards Title 24, Part 11 and the 2019 California Energy Efficiency Standards Title 24, Part 6 with certain exceptions, modifications, and additions to increase building efficiency, mandate solar readiness, and mandate increased requirements for electric vehicle charging stations (Reach Code); findings related to local modifications based upon local geographical, topographical, and climatic conditions and cost effectiveness; and authorization for the City Manager to submit the Reach Code to the California Energy Commission (CEC) for its approval as required by law.

The CEC updates the California Buildings Standards Code every three years. Jurisdictions may also adopt "reach codes" that require development projects to exceed the minimum Building Code requirements. Unlike the regular Building Code, a reach code must be approved by the CEC under their set guidelines.

The action proposes procedures for protection of the environment by adopting reach codes that exceed Building Code requirements by increasing building efficiency, mandating solar readiness, and mandating

increased requirements for electric vehicle charging stations, accounting for local geographical, topographical, and climatic conditions. Implementation of the Reach Code is expected to result in greenhouse gas (GHG) emissions reductions and public health benefits.

Therefore, the action is categorically exempt under CEQA Guidelines Section 15308, Actions by Regulatory Agencies for Protection of the Environment, and any subsequent actions including, but not limited to, project design, analysis, and construction activities are not exempt and would require additional environmental review.

Rosalynn Hughey, Director
Planning, Building and Code Enforcement

Date 8/16/19



Deputy

Shannon Hill
Environmental Project Manager