



CITY COUNCIL SUBCOMMITTEE AGENDA REPORT

Meeting Date: October 26, 2022

From: Adrienne Etherton, Sustainability Manager

Subject: Building Reach Codes

Community Goal/Result

Ecological Sustainability - Brisbane will be a leader in setting policies and practicing service delivery innovations that promote ecological sustainability

Purpose

To provide an update on the adoption of state building codes and new building reach codes and receive input on the process for considering local codes for existing buildings.

Recommendation

Receive a report and provide direction to staff as deemed appropriate.

Background

Every three years a new set of construction codes is published by the State. Local adoption of these codes allows the City to enforce them under the authority of the Municipal Code, and to adopt local modifications. The last code adoption cycle was in 2019 when the City adopted the current edition of the California Building Standards Code and amended other chapters within Title 15 as local reach codes pertaining to fire protection, on-site energy generation (solar), electric vehicle (EV) charging infrastructure, and building electrification.

Discussion

The new state codes extend requirements for on-site energy generation to all new buildings; the City's reach code in this area is no longer needed and repeal should be considered.

The local EV charging reach codes adopted in the last cycle remain stronger than the new state code and even the new reach codes proposed by the Bay Area Reach Codes coalition (which is led by Peninsula Clean Energy (PCE), along with other Community Choice Aggregators in the Bay Area and technical support from TRC). Staff recommends this reach code be extended for the next code cycle.

The current local reach code for building electrification retained standing exemptions for fossil gas use for cooking and fireplaces in residential new construction, for new life science buildings, and for buildings which demonstrate that all-electric would not be cost effective or that the non-electric components are essential as a core component of the intended business use. Considering City and State climate goals and their incompatibility with continued use of fossil gas, staff recommends reconsidering these exemptions. Residential all-electric buildings are

feasible and lower cost than mixed-fuel buildings, presenting little reason to continue to allow fossil gas connections for new residences which will need to be phased out later. Life science spaces present a more nuanced situation, with some newer all-electric labs being built but continued technical and cost challenges. Staff recommends life sciences buildings not be offered a blanket exemption but that the provision allowing fossil gas where there is a demonstrated business need or analysis indicating that all-electric is not cost-effective be retained. This would align with the approach taken by the City of San Carlos in the last code cycle which allows fossil gas use in laboratory spaces only when indicated by a feasibility and/or cost-effectiveness analysis.

Regionally, there has been significant conversation surrounding reach codes for existing buildings. According to staff's analysis presented to Council in July 2022, to meet emissions reduction goals established through the Climate Emergency Declaration, 25-40% or more of existing buildings in Brisbane will need to electrify by 2030. Reaching this level of decarbonization will require strong policies, aided by County (PCE) and regional (BayREN) incentives and federal assistance through the Inflation Reduction Act. The City could also consider supplemental incentives or technical assistance programs.

Staff has reviewed the Bay Area Reach Codes model, including having PCE and TRC present to the July OSEC meeting and subsequent conversations with the OSEC Climate Action Plan (CAP) subcommittee. Given the impacts on existing homeowners and businesses, and the potential for confusion between new building codes and requirements for existing buildings, staff recommends proceeding with the new building codes first to meet the statutory deadline and subsequently facilitating a public input process for existing building requirements in early 2023.

Fiscal Impact

None.



—
Adrienne Etherton, Sustainability Manager