



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 11/04/2025

ITEM NO: 10

DATE: October 31, 2025

TO: Mayor and Town Council

FROM: Chris Constantin, Town Manager

SUBJECT: **Adopt a Resolution To Confirm the Town's Policy in Support of Greenhouse Gas Reduction and Introduce an Ordinance, by Title Only, Repealing Chapter 6, "Building Regulations," and Chapter 9, "Fire Prevention and Protection," of the Town of Los Gatos Municipal Code, and Replacing Them with a New Chapter 6, "Building Codes and Regulations," that Includes the New 2025 California Building, Fire, and Reach Codes as Amended. Amendments Include Updated Fire Safety Requirements in Wildland Urban Interface Areas for New, Renovated, or Repaired Structures, as well as Reach Codes Affecting Air Conditioning Replacement and Electrical Readiness in Renovations/Alterations. Alternatively, introduce an Ordinance without the Reach Code provisions. Town Code Amendment Application A-25-005. Project Location: Town Wide. Applicant: Town of Los Gatos.**

Ordinance Titles: An Ordinance of the Town Council of the Town of Los Gatos Repealing Chapter 6, "Building Regulations," and Chapter 9, "Fire Prevention and Protection," and Replacing Them with a New Chapter 6, "Building Codes and Regulations," that Includes the New 2025 California Building, Fire, and Reach Codes, as Amended; or

An Ordinance of the Town Council of the Town of Los Gatos Repealing Chapter 6, "Building Regulations," and Chapter 9, "Fire Prevention and Protection," and Replacing Them with a New Chapter 6, "Building Codes and Regulations," that Includes the New 2025 California Building and Fire Codes as Amended. Amendments Include Updated Fire Safety Requirements in Wildland Urban Interface Areas for New, Renovated, or Repaired Structures.

PREPARED BY: Robert Gray
Chief Building Official

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

RECOMMENDATION:

Staff recommends the Town Council consider and take one of the following actions, depending on Council policy direction. Each option ensures compliance with the State's 2025 Building Standards Code adoption requirements while addressing greenhouse gas reduction and public safety priorities:

Option 1 – Core Update with Reach Codes: Adopt a Resolution (Attachment 1) confirming Town policy on greenhouse gas emissions reduction; and introduce an Ordinance (Attachment 2), by title only, repealing Chapter 6, Building Regulations, and Chapter 9, Fire Prevention and Protection, of the Town Code, and replacing them with a new Chapter 6, Building Codes and Regulations, that includes the new 2025 California Building, Fire, and Reach Codes as amended. Amendments include updated fire safety requirements in Wildland Urban Interface (WUI) areas for new, renovated, or repaired structures, as well as Reach Codes addressing Air Conditioning replacement (AC to Heat Pump) and Electrical Readiness.

Option 2 – Core Update Only (No Reach Codes): Introduce an Ordinance (Attachment 4), by title only, repealing Chapter 6, Building Regulations, and Chapter 9, Fire Prevention and Protection, of the Town Code, and replacing them with a new Chapter 6, Building Codes and Regulations, that includes the new 2025 California Building and Fire Codes as amended. Amendments include updated fire safety requirements in Wildland Urban Interface (WUI) areas for new, renovated, or repaired structures, but do not include Reach Codes.

FISCAL IMPACT:

There is no fiscal impact associated with the introduction of either ordinance or adoption of the accompanying resolution. Any minor implementation costs can be accommodated within existing Building Division resources and permit fee structures.

STRATEGIC PRIORITY:

This project supports the Town's Core Goal of Public Safety and the Strategic Priority to enhance emergency preparedness, resiliency, and response capabilities, particularly with respect to wildfire risk and climate adaptation.

BACKGROUND:

California Building Standards Code

The California Building Standards Commission (CBSC) adopts a new edition of the California Building Standards Code (Title 24) every three years. The new 2025 State Code was published in July 2025 and becomes effective statewide on January 1, 2026. Local jurisdictions are required

to adopt and enforce the updated codes and may make local amendments that are more restrictive if justified by local climatic, geological, geographical, or topographical conditions that affect public health, safety, and welfare. Following local adoption, such amendments must be filed with the CBSC and, where applicable, the California Energy Commission (CEC). The amendments become operative when the CBSC and CEC provide written confirmation of acceptance.

Recent State Legislation

Assembly Bill (AB) 306, introduced in January 2025, sought to pause residential building code changes due to rebuilding challenges following Southern California wildfires. AB 130, enacted June 30, 2025, incorporated portions of AB 306 and added temporary restrictions on local amendments to the State Code for residential development from October 1, 2025, through June 1, 2031. Limited exceptions exist, including amendments related to home hardening, wildfire safety, administrative efficiency, or greenhouse gas reduction strategies consistent with a General Plan adopted before June 10, 2025. The Town's proposed ordinance meets these exceptions, as its amendments are consistent with prior local codes, wildfire risk mitigation, and the Town's Sustainability Plan and General Plan adopted June 30, 2022. Specifically, the Reach Codes fall within the exceptions under AB 130 (Health & Safety Code § 17958(b)(5)) allowing amendments necessary to implement a general plan adopted before June 10, 2025 that permits mixed-fuel residential construction while incentivizing all-electric design as part of a local greenhouse gas reduction strategy.

On June 30, 2025, Governor Newsom signed Assembly Bill 130, which incorporated elements of AB 306. AB 130 restricts local amendments to the California Building Standards Code that apply to residential development from October 1, 2025, through June 1, 2031 — two three-year code cycles. The statute provides limited exceptions, including:

- Amendments substantially equivalent to those in effect before September 30, 2025;
- Emergency amendments to protect health and safety;
- Amendments related to home hardening and wildfire safety;
- Amendments necessary to implement a general plan adopted before June 10, 2025 that supports greenhouse-gas reduction while allowing mixed-fuel construction; and
- Administrative efficiency amendments that reduce permitting time or cost.

The proposed Reach Codes meet these exceptions because they continue the Town's previously adopted standards, further home-hardening goals, and implement the Town's 2022 General Plan and Sustainability Plan strategies.

Interagency Coordination and Regional Alignment

Staff collaborated with the Santa Clara County Fire Department (SCCFD), Silicon Valley Clean Energy (SVCE), TRC Energy Consultants, and nearby jurisdictions—Monte Sereno, Saratoga,

Cupertino, Los Altos Hills, and the County of Santa Clara—to promote regional consistency in developing local amendments while accounting for each community’s operational needs.

In accordance with Health and Safety Code § 17958.7(a), notice of public hearing was provided on November 24, 2025, as required by law, and the Town Council will hold the required public hearing prior to adoption of the ordinance.

DISCUSSION:

The 2025 California Building Standards Code will take effect statewide on January 1, 2026. To comply, the Town must adopt the new codes by repealing and replacing Chapter 6 ('Building Regulations') and Chapter 9 ('Fire Prevention and Protection') of the Town Code, with an effective date no later than December 31, 2025. Given the comprehensive changes between the 2022 and 2025 editions of Title 24, a full repeal and replacement of both chapters ensures consistency, transparency, and alignment with State mandates. For informational purposes, Attachment 5 includes a redline version illustrating the specific amendments relative to the prior ordinance.

In addition to adopting the 13 Parts of Title 24, the Town also proposes adopting the 2024 International Property Maintenance Code, which provides procedures for the maintenance, repair, and demolition of existing buildings.

Potential Reach Codes

Two Reach Codes are proposed for Council consideration (Attachment 2). If preferred, Council may introduce the ordinance without these provisions (Attachment 4). The Reach Codes are designed to reduce air pollution, improve energy efficiency, and promote electrification in existing single-family homes while avoiding any requirement to upgrade electrical service panels.

AC to Heat Pump (Section 6.120.050): When a homeowner replaces or installs a new air-conditioning unit in an existing single-family home, the new system must either be a heat pump providing both heating and cooling, or a standard AC paired with additional energy-efficiency measures that yield comparable savings. Projects may comply by

- Installing a heat pump in place of either the furnace or AC unit, using the existing furnace as backup where retained; or
- Installing a high-efficiency AC unit and implementing building energy improvements such as enhanced attic insulation or duct sealing.

The 2025 Cost-Effectiveness Study (Attachment 3) is incorporated into the record by reference as the supporting documentation required under Public Resources Code § 25402.1(h)(2). The Town’s Reach Code provisions rely specifically on the single-family Air Conditioner-to-Heat Pump and Electric-Readiness analyses presented in Sections 3 and 4 (Tables 12–17) of the

study, which demonstrate lifecycle cost-effectiveness for the measures adopted in Sections 6.120.050 and 6.70.020 of the ordinance. The 2025 Cost-Effectiveness Study (Attachment 3) is hereby incorporated into the record by reference as the supporting documentation demonstrating compliance with Public Resources Code § 25402.1(h)(2).

Electric Readiness (Section 6.70.020): When electrical work occurs within three feet of a gas appliance, the project must include conduit and panel capacity to accommodate a future electric appliance. This requirement mirrors those adopted in Sunnyvale and Mountain View and avoids requiring any service-panel upgrades.

Findings and Legal Compliance

Pursuant to California Health and Safety Code §§17958, 17958.5, and 17958.7, local jurisdictions may adopt more stringent standards if justified by local conditions. The ordinance includes findings identifying the Town's specific climatic, geologic, and topographic conditions, which, exacerbated by climate change, justify the adoption of both the home hardening and GHG reduction measures. The ordinance aligns with the General Plan and Sustainability Plan and allows mixed-fuel construction consistent with federal law while incentivizing all-electric options. Following adoption, staff will submit the amendments to CBSC and CEC for confirmation.

The Resolution (Attachment 1) formally affirms the Town's policy to reduce greenhouse gas emissions from buildings, declaring that the Reach Codes are integral to the Town's greenhouse gas reduction strategy in alignment with the Sustainability Plan and General Plan. This resolution also fulfills the requirements under AB 130 for consistency with adopted local GHG reduction strategies.

The Town Council adopts by reference the findings set forth in the Ordinance pursuant to California Health and Safety Code Sections 17958, 17958.5, and 17958.7 and Public Resources Code Section 25402.1(h)(2), determining that such amendments are reasonably necessary due to local climatic, geological, and topographical conditions.

Pursuant to California Health and Safety Code §§ 17958, 17958.5, and 17958.7, the Town Council finds that these local amendments are reasonably necessary due to local climatic, geological, and topographical conditions—specifically, heightened wildfire risk, steep terrain, and seismic hazards. The amendments are consistent with the Town's General Plan and Sustainability Plan and allow mixed-fuel construction consistent with federal law while incentivizing all-electric design. Following adoption, staff will submit the ordinance and findings to the California Building Standards Commission and California Energy Commission for confirmation of compliance under Public Resources Code § 25402.1(h)(2).

The Town Council must adopt the Ordinance (Attachment 2 or 4) with the findings as part of the first reading. These findings satisfy the requirements of Health and Safety Code §§ 17958,

17958.5, and 17958.7 and will be transmitted to the California Building Standards Commission and the California Energy Commission upon adoption.

The local amendments cannot be enforced until the Town files the adopted ordinance and findings with the CBSC and, for Energy Code amendments, receives CEC approval under PRC §25402.1(h)(2) (in addition to CBSC filing acknowledgment).

CONCLUSION:

Staff recommends the Town Council adopt the resolution and introduce the ordinance(s) as appropriate to ensure timely compliance with State mandates and local climate goals. Option 1 (with Reach Codes) advances the Town's sustainability and public health objectives; Option 2 (without Reach Codes) satisfies State adoption requirements.

The ordinance will become effective 30 days after adoption and shall apply to building permit applications submitted on or after January 1, 2026, consistent with the State's effective date for the 2025 California Building Standards Code.

ENVIRONMENTAL ASSESSMENT:

This action is not a project under the California Environmental Quality Act (CEQA) because it can be seen with certainty that adoption of these code amendments will not cause a direct or reasonably foreseeable indirect physical change in the environment (CEQA Guidelines § 15378). If considered a project, the ordinance is categorically exempt under CEQA Guidelines §§ 15307 (Actions for the Protection of Natural Resources) and 15308 (Actions for the Protection of the Environment).

COORDINATION:

The Community Development Department coordinated with the offices of the Town Manager, Town Attorney, and the Santa Clara County Fire Department in preparation of this report and proposed ordinances.

Attachments:

1. Draft Greenhouse Gas Emission Reduction Resolution
2. Draft Ordinance with Reach Codes (Sections 6.70.020 and 6.120.050)
3. 2025 Cost-Effectiveness Study
4. Draft Ordinance without Reach Codes
5. Redline Draft Ordinance