

**Section 17. Adoption of Chapter 7 of Title 8.** Title 8 of the Pacifica Municipal Code is hereby amended to add Chapter 7 to read as follows:

**“CHAPTER 7  
GREEN BUILDING STANDARDS CODE**

Sec. 8-7.01 – Adoption of the California Green Building Standards Code

For the purpose of regulating the erection, construction, enlargement, alteration, repair, removal, demolition, conversion, occupancy, equipment, use, height, area, conservation of building materials, waste management and sustainability for all buildings and structures in the City of Pacifica, Chapters 1 through 8 of that certain code designated as the California Green Building Standards Code, 2022 Edition [Title 24, California Code of Regulations, Part 11], as adopted by the California Building Standards Commission, which is on file in the office of the City Clerk for public record and inspection, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full, subject, however, to the amendments, additions, and deletions set forth in this chapter, and said code shall be known as the Green Building Standards Code for the City.

Sec. 8-7.02 - Amendments: Section 202 (“Definitions”)

Section 202 of the California Green Building Standards Code is hereby amended to add the following definitions:

**AFFORDABLE HOUSING UNITS.** A dwelling unit that is offered for rent or purchase at or below a rent or sales price that is affordable to a household whose annual income does not exceed the qualifying limits set for "lower income households" in Section 50079.5 of the California Health and Safety Code. Any such dwelling unit shall remain affordable for lower income households for at least 45 years from the date of initial occupancy pursuant to a legal agreement approved as to form by the City Attorney which shall be in the form of affordable housing covenants, deed restrictions, covenants and/or resale restriction and refinance limitation agreements.

**ALL ELECTRIC BUILDING.** A building that has no natural gas or propane plumbing installed within the building, and that uses electricity as the source of energy for all purposes, including but not limited to space conditioning (including heating), water heating, pool and spa systems, and appliances (including cooking appliances and clothes drying appliances). An All Electric Building may include solar thermal pool heating.

**LEVEL 1 ELECTRIC VEHICLE (EV) READY.** A parking space that is served by a complete electric circuit with the following requirements:

- a. A minimum of 2.2 kVa (110/120 volt, 20-ampere) capacity wiring;
- b. A receptacle labeled “Electric Vehicle Outlet” or electric vehicle supply equipment located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 16-ampere; and
- c. Conduit oversized to accommodate future Level 2 EV Ready (208/240 volt, 40-ampere) at each parking space.

**LEVEL 2 ELECTRIC VEHICLE (EV) CHARGING STATION (EVCS).** A parking space that meets all requirements of a Level 2 EV Ready parking space and also includes the installation of Electric Vehicle Supply Equipment.

**LEVEL 2 ELECTRIC VEHICLE (EV) READY.** A parking space that is served by a complete electric circuit with the following requirements:

- a. A minimum of 8.3 kVa (208/240 volt, 40-ampere) capacity wiring; and
- b. A receptacle labeled “Electric Vehicle Outlet” or electric vehicle supply equipment located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 30-ampere.

**LOW POWER LEVEL 2 ELECTRIC VEHICLE (EV) READY.** A parking space that is served by a complete electric circuit with the following requirements:

- a. A minimum of 4.1 kVA (208/240 Volt, 20-ampere) capacity wiring;
- b. A receptacle labeled “Electric Vehicle Outlet” or electric vehicle supply equipment located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 16-ampere; and
- c. Conduit oversized to accommodate future Level 2 EV Ready (208/240 volt, 40-ampere) at each parking space.

**NEW CONSTRUCTION BUILDING.** A building constructed pursuant to a building permit issued on or after January 1, 2023.

Sec. 8-7.03 - Amendments: Section 4.106 (“Site Development”)

Section 4.106.4.1 of the California Green Building Standards Code is hereby amended in its entirety to read as follows:

*Section 4.106.4.1 New one- and two-family dwellings and townhouses with attached private garages.* For each dwelling unit, install one Level 2 EV Ready circuit and one Level 1 EV Ready circuit. The receptacle associated with each space shall be located on the exterior of the private garage and within five feet of the garage door or other opening used to access the private garage.

*Exception:* A raceway is not required if a minimum 40-ampere 208/240-volt dedicated EV branch circuit is installed in close proximity to the proposed location of an EV charger at the time of original construction in accordance with the California Electrical Code.

Section 4.106.4.2 of the California Green Building Standards Code is hereby amended in its entirety to read as follows:

*Section 4.106.4.2 New multifamily dwellings.* When parking is provided, parking spaces for new multifamily dwellings shall include a quantity of Level 2 EVCS equal to or greater than 15 percent of dwelling units with parking spaces and Low Power Level 2 EV Charging Receptacles equal to or greater than 85 percent of dwelling units with parking spaces.

*Exception.* Any dwelling unit meeting the definition of an Affordable Housing Unit may, at the applicant's sole discretion, be excluded from the calculation of dwelling units that are subject to the EV parking requirements in this section.

Section 4.106.4.2.1 *Electric Vehicle Ready Space Signage.* Electric vehicle ready spaces shall be identified by signage or pavement markings, in compliance with Caltrans Traffic Operations Policy Directive 13-01 (Zero Emission Vehicle Signs and Pavement Markings) or its successor(s).

Sec. 8-7.04 - Amendments: Section 4.106 ("Site Development")

Section 4.106 of the California Green Building Standards Code is hereby amended to add the following sections:

Section 4.106.5 *All Electric Buildings.* All New Construction Buildings shall meet the definition of All Electric Building as defined in Section 202. Any building required pursuant to this Code to be an All Electric Building shall not be permitted at any time to convert or construct improvements to use other fuel sources, other than electricity, for purposes of cooking, space conditioning, water heating, lighting, pool and spa systems, and appliances, or any other purpose, unless authorized by the Building Official pursuant to Section 5.106.13.

Sec. 8-7.05 - Amendments: Section 4.304.1 ("Outdoor potable water use in landscape areas")

Section 4.304.1 of the California Green Building Standards Code is hereby amended in its entirety to read as follows:

*4.304.1 Outdoor potable water use in landscape areas.*

Residential developments using outdoor potable water in landscape areas shall comply with one of the following options:

1. The current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO); or
2. Projects with aggregate landscape areas less than 2,500 square feet may comply with the MWELO's Appendix D Prescriptive Compliance Option.

Sec. 8-7.06 - Amendments: Section 5.106 ("Site Development")

Section 5.106.5.3 of the California Green Building Standards Code is hereby amended in its entirety to read as follows:

Section 5.106.5.3.1 *Electric Vehicle (EV) Charging for New Construction.* When parking is provided, parking spaces for nonresidential uses shall be provided in accordance with Sections 5.106.5.3.1.1 through 5.106.5.3.1.4.

Section 5.106.5.3.1.1 *Offices.* Level 2 EVCS: 20 percent of off-street parking spaces, and Level 2 EV Ready: 30 percent of off-street parking spaces.

Section 5.106.5.3.1.2 *Public Parking Lots.* Level 2 EVCS: 15 percent of off-street parking spaces, and Level 2 EV Ready: 20 percent of off-street parking spaces.

Section 5.106.5.3.1.3 *Overnight Accommodations*. Level 2 EVCS: 30 percent of off-street parking spaces, and Level 2 EV Ready: 20 percent of off-street parking spaces.

Section 5.106.5.3.1.4 *All Other*. Level 2 EVCS: 10 percent of off-street parking spaces, and Level 2 EV Ready: 10 percent of off-street parking spaces.

Section 5.106.5.3.2. *Use of automatic load management systems (ALMS)*. ALMS shall be permitted for EVCS. When ALMS is installed, the required electrical load capacity specified in Section 5.106.5.3.1 for each EVCS may be reduced when serviced by an EVSE controlled by an ALMS. Each EVSE controlled by an ALMS shall deliver a minimum 30 amperes to an EV when charging one vehicle and shall deliver a minimum 3.3 kW while simultaneously charging multiple EVs.

Section 5.106.5.3.3 *Accessible EVCS*. When EVSE is installed, accessible EVCS shall be provided in accordance with the California Building Code, Chapter 11 B, Section 11B-228.3. Note: For EVCS signs, refer to Caltrans Traffic Operations Policy Directive 13-01 (Zero Emission Vehicle Signs and Pavement Markings) or its successor(s).

Section 5.106.5.4 of the California Green Building Standards Code is hereby deleted.

Section 5.106 of the California Green Building Standards Code is hereby amended to add the following section:

Section 5.106.13 *All Electric Buildings*. All New Construction Buildings shall meet the definition of All Electric Building as defined in Section 202. Any building required pursuant to this Code to be an All Electric Building shall not be permitted at any time to convert or construct improvements to use other fuel sources, other than electricity, for purposes of space conditioning, water heating, lighting, pool and spa systems, and appliances.

*Exception*. New Construction Buildings containing a for-profit restaurant open to the public may be approved for an exception to install gas-fueled cooking appliances, as determined appropriate in the discretion of the Building Official. This request must be based on a business-related reason to cook with a flame that cannot be reasonably achieved with an electric fuel source. Examples include barbeque-themed restaurants and pizza ovens. The Building Official's decision shall be final unless the applicant files a timely appeal.

The Building Official shall grant this exception only if all of the following findings can be made based on substantial evidence:

1. There is a business-related reason to cook with a flame;
2. This need cannot be reasonably achieved with an electric fuel source;
3. The applicant has employed reasonable methods to mitigate the greenhouse gas impacts of the gas-fueled appliance;
4. The applicant shall comply with the pre-wiring provision of Note 1 below.

Note 1: If natural gas appliances are used, natural gas appliance locations must also be electrically pre-wired for future electric appliance installation. They shall include the

following:

1. A dedicated circuit, phased appropriately, for each appliance, with a minimum amperage requirement for a comparable electric appliance (see manufacturer's recommendations) with an electrical receptacle or junction box that is connected to the electric panel with conductors of adequate capacity, extending to within 3 feet of the appliance and accessible with no obstructions. Appropriately sized conduit may be installed in lieu of conductors;
2. Both ends of the unused conductor or conduit shall be labeled with the words "For Future Electric Appliance" and be electrically isolated;
3. A reserved circuit breaker space shall be installed in the electrical panel adjacent to the circuit breaker for the branch circuit and labeled for each circuit, an example is as follows (i.e. "For Future Electric Range;") and
4. All electrical components, including conductors, receptacles, junction boxes, or blank covers, related to this section shall be installed in accordance with the California Electrical Code.

Note 2: If an exception is granted, the Building Official shall approve alternative materials, design and methods of construction or equipment per Building Code Section 104.

Sec. 8-7.07. Section 8-7.07 ("Streamlined permitting process for electric vehicle charging systems") is hereby added to read as follows:

- (a) *Purpose.* The purpose of this section is to adopt an expedited, streamlined permitting process for electric vehicle charging stations that complies with Assembly Bill 1236 (Chapter 598, Statutes 2015, Cal. Gov't Code § 65850.7) and Assembly Bill 970 (Chapter 710, Statutes 2021, Cal. Gov't Code §§ 65850.7 & 65851.71) to achieve timely and costly-effective installations of electric vehicle charging stations. The ordinance encourages the use of electric vehicle charging stations by removing unreasonable barriers, minimizing costs to property owners and the City of Pacifica ("City"), and expanding the ability of property owners to install electric vehicle charging stations. The ordinance allows the City of Pacifica to achieve these goals while protecting the public health and safety.
- (b) *Definitions.*
  - (1) "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the City on another similarly situated application in a prior successful application for a permit.
  - (2) "Electric vehicle charging station" or "charging station" means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this section, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

- (3) "Electronic submittal" means the utilization of the City's online building permit web portal.
  - (4) "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- (c) *City building permit required.*
- (1) A City building permit is required to install an electric vehicle charging station.
  - (2) An application for a City building permit to install an electric vehicle charging station shall be processed in accordance with Government Code Sections 65850.7 and 65850.71.
- (d) *Review of applications.* The following expedited, permitting process applies to applications for a building permit to install an electric vehicle charging station:
- (1) *Application.* The City will make the following available on the City's website: the City's standard building permit application form; and the City's standard electric vehicle charging station plan form and checklist. The checklist will include all requirements that an electric vehicle charging station must meet to be eligible for review and approval under this section. An application to install an electric vehicle charging station may be submitted electronically.

A building permit application will be deemed complete if the Building Official determines that the application includes all of the information and documents required by the standard application form, the standard plan form, and the standard checklist, and is consistent with all applicable laws and health and safety standards. If an application is deemed incomplete, the Building Official will notify the applicant in writing of the additional information needed to complete the application. After an application is deemed complete, the Building Official will perform an expedited review of the application and all submittals.

(2) *Application review.*

(A) The City shall administratively review and approve an application to install an electric vehicle charging station through the issuance of a building permit. Review of an application to install an electric vehicle charging station shall be limited to the Building Official's review of whether it meets all health and safety requirements of local, state, and federal law. The requirements of local law shall be limited to those standards and regulations necessary to ensure that the electric vehicle charging station will not have a specific, adverse impact upon the public health or safety.

(B) If the Building Official makes a finding, based on substantial evidence, that the electric vehicle charging station could have a specific, adverse impact upon the public health or safety, the Building Official may require

the applicant to apply for a use permit as provided in Article 33 of Chapter 4 of Title 9 of the Pacifica Municipal Code. The decision of the Building Official to require approval of a use permit prior to issuance of a building permit may be appealed to the Planning Commission pursuant to the provisions in Section 9-4.3804 of the Pacifica Municipal Code.

(C) The City may not deny an application for a use permit to install an electric vehicle charging station unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The findings shall include the basis for the rejection of potential feasible alternatives of preventing the adverse impact. Any conditions imposed on an application to install an electric vehicle charging station shall be designed to mitigate the specific, adverse impact upon the public health or safety at the lowest cost possible.

(D) The City shall not condition approval for any electric vehicle charging station permit on the approval of an electric vehicle charging station by an association, as that term is defined in Section 4080 of the Civil Code.

(E) An application to install an electric vehicle charging station submitted to the Building Official shall be deemed complete if, after the applicable time period described in subsection (iii) has elapsed, both of the following are true:

(i) The Building Official has not deemed the application complete, consistent with the checklist created by the City, pursuant to subdivision (g) of Section 65850.7 of the Government Code.

(ii) The Building Official has not issued a written correction notice detailing all deficiencies in the application and identifying any additional information explicitly necessary for the Building Official to complete a review limited to whether the electric vehicle charging station meets all health and safety requirements of local, state, and federal law, consistent with subdivisions (b) and (g) of Section 65850.7 of the Government Code.

(iii) For purposes of subsection (E), “applicable time period means” either of the following:

(1) Five business days after submission of the application to the City, if the application is for at least 1, but not more than 25 electric vehicle charging stations at a single site.

(2) Ten business days after submission of the application to the City, if the application is for more than 25 electric vehicle charging stations at a single site.

(3) *Permit issuance.* A building permit will be issued following the Building Official's approval of an application for an electric vehicle charging station and after all required fees have been paid.

(A) An application to install an electric vehicle charging station shall be deemed approved if the applicable time period described in paragraph (2) has elapsed and all of the following are true:

(i) The Building Official has not administratively approved the application pursuant to subdivision (b) of Section 65850.7 of the Government Code.

(ii) The Building Official has not made a finding, based on substantial evidence, that the electric vehicle charging station could have a specific adverse impact upon the public health or safety or required the applicant to apply for a use permit pursuant to subdivision (b) of Section 65850.7 of the Government Code.

(iii) The Building Official has not denied the permit pursuant to subdivision (c) of Section 65850.7 of the Government Code.

(iv) An appeal has not been made to the Planning Commission, pursuant to subdivision (d) of Section 65850.7 of the Government Code.

(4) *Inspection and authorization to operate.* As soon as practicable after the applicant notifies the Building Official that an electric vehicle charging station has been installed, the Building Official will inspect the system to verify compliance with the building permit. If the Building Official determines that a system was not installed in compliance with a building permit, the Building Official will notify the permittee of the actions needed to comply with the building permit and will conduct additional inspections as necessary. No electric vehicle charging station may be operated unless the Building Official verifies in writing that it complies with the building permit.

(e) *Electric vehicle charging station installation requirements.*

(1) Electric vehicle charging station equipment shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission regarding safety and reliability.

(2) Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code.

(3) Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.

(4) Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the



manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements.

- (5) If an electric vehicle charging station and any associated equipment interfere with, reduce, eliminate, or in any way impact the required parking spaces for existing uses, the City shall reduce the number of required parking spaces for the existing uses by the amount necessary to accommodate the electric vehicle charging station and any associated equipment.
- (f) *Requirements cumulative.* The requirements of this chapter are in addition to any other applicable requirements of this Code, and any requirements of a utility provider, that must be satisfied before an electric vehicle charging station may be installed or operated.”

**Section 18. Repeal of Chapter 7.5 of Title 8.** Chapter 7.5 (“Residential Code”) of Title 8 (“Building Regulations”) of the Pacifica Municipal Code is hereby repealed in its entirety; however, such repeal shall not affect or excuse any violation of said chapter that occurred prior to the effective date of this ordinance; nor shall such repeal impeded, impact, or negate any administrative, civil, or criminal enforcement of said chapter that that commenced prior to the enforcement date of this ordinance.

**Section 19. Adoption of Chapter 7.5 of Title 8.** Title 8 of the Pacifica Municipal Code is hereby amended to add Chapter 7.5 to read as follows:

**“CHAPTER 7.5  
RESIDENTIAL CODE**

Sec. 8-7.5.01 – Adoption of the California Residential Code.

For the purpose of regulating the erection, construction, enlargement, alteration, repair, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all buildings and structures and grading in the City of Pacifica, Chapters 1 through 10, including, Appendix AH (“Patio Covers”), Appendix AJ (“Existing Buildings and Structures”), Appendix AK (“Sound Transmission”), Appendix AQ (“Tiny Homes”), Appendix AX (“Swimming Pool Safety Act”), and Appendix AZ (“Emergency Housing”) of that certain code designated as the California Residential Code, 2022 Edition [Title 24, California Code of Regulations, Part 2.5], which incorporates and amends the 2021 Edition of International Residential Code as published by the International Code Council and as may be amended by the Building Standards Commission, which is on file in the office of the City Clerk for public record and inspection, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full, subject, however, to the amendments, additions, and deletions set forth in this chapter, and said code shall be known as the Residential Code for the City.

Sec. 8-7.5.02. Amendments: Section R101.1 (“Title”).

Section R101.1 of the California Residential Code is hereby amended to read as follows:

*R101.1 Title.* These regulations shall be known as the Residential Code of the City of Pacifica, hereafter referred to as “this Code.”