



TO: Mayor and Councilmembers

SUBMITTED BY: Peter Imhof, Planning and Environmental Review Director

PREPARED BY: Dana Murray, Sustainability Manager
Angeline Foshay, Management Analyst

SUBJECT: Second Reading of Ordinance Amending Title 15, Chapter 15.12 of the Goleta Municipal Code to Exempt Hospitals from the EV Reach Code

RECOMMENDATION:

- A. Hold a public hearing and then conduct second reading by title only, waiving further reading of Ordinance No. 25-__ entitled, “An Ordinance of the City Council of the City of Goleta, California, Amending Title 15, Chapter 15.12 (Green Building) of the Goleta Municipal Code Exempting Hospitals from the Electric Vehicle Reach Code and Finding the Amendment to be Exempt from the California Environmental Quality Act.”
- B. Find the adoption of Ordinance No. 25-__ exempt from the California Environmental Quality Act and direct staff to file a Notice of Exemption within five (5) business days.

BACKGROUND:

Investing in the development and installation of Electric Vehicle (EV) charging infrastructure is identified in the City’s budget priorities and Strategic Plan as a means of supporting environmental vitality and the City’s transition to a clean energy future. Additionally, ‘Developing an Electrical Vehicle Infrastructure Reach Code’ was a top priority in the City’s adopted Planning & Environmental Review Department’s FY 2023-24 Annual Work Program. The City Council adopted an EV Charging Station Permit Streamlining Ordinance in April 2020.

The City’s EV Reach Code was discussed at three public meetings of the Council’s Standing Committee on Energy and Green issues, in October 2022, September 2023, and January 2024. The City also held a public webinar/workshop for the community on February 28, 2024. Following those public meetings, the EV Reach Code ordinance was originally introduced for first reading at the May 7, 2024 City Council meeting. Second reading was initially postponed and the ordinance was developed further to clarify

language and evidence local climatic, geographical, and topographical conditions justifying the local amendments for reintroduction.

During the September 3, 2024 City Council meeting, the ordinance was updated to include an exception in the Reach Code for Alterations that solely add Level 1 or Level 2 EV charging receptacles or Level 1 or Level 2 EV chargers, and no other addition or alteration is performed. The ordinance was also updated to include clarifying language to Section 301.3 to add “parking lot surfaces.” The requirements in the EV Reach Code for non-residential development were reduced from 45% of parking spaces to 30% of parking spaces. City Council voted unanimously to approve the ordinance at First Reading with those modifications. City Council also directed staff to reach out to Goleta Valley Cottage Hospital about the EV Reach Code.

At the September 17th, 2024 Council Meeting, Council voted unanimously to approve the Second Reading of the EV Reach Code Ordinance and directed staff to return with an amendment that exempted hospitals from the EV Reach Code. Following the City Council meeting, the City’s EV Reach Code was approved by the State, and went into effect on October 17, 2024.

At the January 21, 2025 City Council meeting, Council introduced and voted unanimously to approve the ordinance at First Reading.

DISCUSSION:

To address direction from Council from the September 3, 2024 discussion and first reading of the ordinance at City Council, staff reached out to Goleta Valley Cottage Hospital. Staff made contact with the Cottage Hospital Support and Construction Manager, and three other employees. The Hospital Construction Manager communicated his preference for healthcare facilities to be excluded from the ordinance due to the significant size of the hospital parking facilities and asserting that allowing charging access would deplete parking availability for staff and patients who are of higher priority, particularly in the event of a medical emergency. In acknowledgement of the hospital staff’s cost concerns associated with parking lot size, especially related to energy-intensive medical technology (such as an MRI machine) that could potentially trigger the State Code and EV Reach Code by requiring updates to the electrical panel, City Council moved that Staff return with a potential amendment to the EV Reach Code carving out an exception for hospitals with the City of Goleta.

As noted at the September 17th, 2024 City Council meeting, the recommended approach to a hospital exemption would be to use the “hospital overlay” zone designated in the Goleta Municipal Code to exclude potential hospital major redevelopment from the EV Reach Code. Staff drafted the attached amendment to exempt alterations in the hospital overlay district, as the district is the only area within the City where there is an existing hospital. As a note, redevelopment in the hospital district would still be subject to the State Code and the EV requirements that could be triggered by alterations and additions.

FISCAL IMPACTS:

There is no fiscal impact associated with this item.

NOTICE:

Notice of this public hearing was published twice in the Santa Barbara Independent on January 23, 2025 and January 30, 2025, in both English and Spanish. On January 21, 2025, notice of the public hearing was mailed to residents on the citywide interest list.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

This has been assessed in accordance with the California Environmental Quality Act (Cal. Pub. Res. Code, § 21000 et seq.) ("CEQA") and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) and is categorically exempt from CEQA under CEQA Guidelines § 15061(b)(3), which exempts from CEQA any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Adoption of the amendment to the City's EV Reach Code would not be an activity with potential to cause significant effect on the environment. Therefore, it can be seen with certainty that there is no possibility that the ordinance in question may have a significant effect on the environment; accordingly, the ordinance is categorically exempt from CEQA.

ALTERNATIVES:

In light of Council's introduction of the ordinance on January 21, 2025, alternatives include:

- 1) Amend the ordinance and introduce it; or 2) direct staff to return with further information; or 3) take no action.

LEGAL REVIEW BY: Isaac Rosen, Acting City Attorney

APPROVED BY: Robert Nisbet, City Manager

ATTACHMENTS:

1. Ordinance No. 25-__ entitled, "An Ordinance of the City Council of the City of Goleta, California, Amending Title 15, Chapter 15.12 (Green Building) of the Goleta Municipal Code Exempting Hospitals from the Electric Vehicle Reach Code and Finding the Amendment to be Exempt from the California Environmental Quality Act"
2. CEQA Notice of Exemption
3. Presentation

ATTACHMENT 1

Ordinance No. 25-__ entitled, “An Ordinance of the City Council of the City of Goleta, California, Amending Title 15, Chapter 15.12 (Green Building) of the Goleta Municipal Code Exempting Hospitals from the Electric Vehicle Reach Code and Finding the Amendment to be Exempt from the California Environmental Quality Act.”

ORDINANCE NO. 25-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, AMENDING TITLE 15, CHAPTER 15.12 (GREEN BUILDING) OF THE GOLETA MUNICIPAL CODE EXEMPTING HOSPITALS FROM THE ELECTRIC VEHICLE REACH CODE AND FINDING THE AMENDMENT TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS the California State Green Building Standards Commission approved and published the 2022 Edition of the California Green Building Standards Code effective on January 1, 2023, and the California Building Standards Code intervening update on July 1, 2024, both of which provided for specific regulations regarding electrical vehicles; and

WHEREAS Section 15.12.010.A of the Goleta Municipal Code adopts the latest 2022 Edition of the California Building Standards Code, except as amended by other sections of Chapter 15.12; and

WHEREAS the City Council adopted Ordinance No. 24-04 on September 17, 2024, amending Chapter 15 of the Goleta Municipal Code to create a City-specific electric vehicle (EV) Reach Code via amendments to the City's Green Building Code in Goleta Municipal Code Chapter 15.12; and

WHEREAS the City Council directed staff to return with an amendment to Chapter 15.12 that would exempt hospitals from the requirements of the City's EV Reach Code; and

WHEREAS Section 101.7.1 of the 2022 California Green Building Standards Code provides that express findings must be made by the City for each local amendment, addition, or deletion to the 2022 California Green Building Standards Code based upon climatic, topographical, or geological conditions, which include local environmental conditions as established by the City; and

WHEREAS the Goleta City Council has considered the proposed amendments to the building standards contained in the California Building Standards Code and deems them necessary in Goleta due to local climatic, geological, or topographical conditions; and

WHEREAS in accordance with Governmental Code Section 50022.3, a noticed public hearing to be held at the second reading on February 4, 2025, before the City Council and all interested parties, were held;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLETA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. RECITALS.

The City Council hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct, and are incorporated herein as substantive findings of this Ordinance.

SECTION 2. PUBLIC HEALTH AND SAFETY FINDINGS.

Pursuant to California Health and Safety Code Sections 17958.5, 17958.7, and 18941.5, the City of Goleta City Council declares that an amendment to California Building Standard's Code to exempt the only hospital in Goleta and located on the only property zoned within a Hospital Overlay District is reasonably necessary due to concerns that if building alterations for necessary medical equipment upgrades and major renovations to the hospital within the City trigger potentially costly EV upgrades due to the City's EV Reach Code, that these costs can potentially delay or prohibit the hospital's acquisition of equipment that could ensure certain standards of medical care. With alterations to provide upgraded medical equipment and facilities potentially triggering the City's EV Reach Code, the resulting cost for electrical infrastructure upgrades could be prohibitive to improving healthcare access and quality for the community. The City Council does not desire to impose a requirement that could potentially negatively impact the provision of care from the only hospital in the City and residents' access to medical care.

SECTION 3. ENVIRONMENTAL FINDINGS.

The City Council hereby finds and determines that this ordinance has been assessed in accordance with the California Environmental Quality Act (Cal. Pub. Res. Code, § 21000 et seq.) ("CEQA") and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) and is categorically exempt from CEQA under CEQA Guidelines, § 15061(b)(3), which exempts from CEQA any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Adoption of the proposed amendment to the City's EV Reach Code would not be an activity with potential to cause significant effect on the environment. Therefore, it can be seen with certainty that there is no possibility that the ordinance in question may have a significant effect on the environment; accordingly, the ordinance is categorically exempt from CEQA.

SECTION 4. CODE AMENDMENT.

Subsections 5.106.6.3 and 5.106.5.4 of Section 15.12.050 of Chapter 15.12 of the Goleta Municipal Code are hereby replaced and amended to read in its entirety as follows:

- A. Section 5.106.5.3, "Electric vehicle (EV) charging. of Chapter 5 of the Green Building Standards Code is amended to read as follows:

Construction to provide electric vehicle infrastructure and facilitate electric vehicle charging shall comply with Section 5.106.5.3.1 EV capable spaces and, Section 5.106.5.3.2 Electric vehicle charging stations and associated Table 5.106.5.3.1, or Section 5.106.5.3.6 Electric vehicle charging stations (EVCS)—Power allocation method and associated Table 5.106.5.3.6 and shall be provided in accordance with regulations in the California Building Code and the California Electrical Code.

Exceptions:

1. On a case-by-case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:

- a. Where there is no local utility power supply.
- b. Where the local utility is unable to supply adequate power.
- c. Where there is evidence suitable to the local enforcement agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may increase construction cost associated with utility-owned infrastructure by an average of \$4,500 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.
- d. Alterations that solely add Level 1 or Level 2 EV charging receptacles or Level 1 or Level 2 EV chargers, and no other addition or alteration is performed. When this exception is triggered, only Goleta Municipal Code Section 15.12.060 shall not apply but Chapter 5 of the Green Building Code shall still apply.
- e. Alterations to existing hospitals. Projects in the Hospital Overlay District as identified in Goleta's

Municipal Code Chapter 17.18 shall be exempt from Goleta Municipal Code Section 15.12.050, but Chapter 5 of the Green Building Code shall still apply.

- B. Section 5.106.5.4, "Additions or alterations to existing buildings or parking facilities [A]," is amended to read as follows:

"Existing buildings or parking facilities being modified by one of the following shall comply with Section 5.106.5.4.1 or 5.106.5.4.2. When EVSE is installed, accessible EVCS shall be provided in accordance with the California Building Code, Chapter 11B, Section 11B-228.3.

1. When the scope of construction work includes an increase in power supply to an electric service panel as part of a parking facility addition or alteration.
2. When a new photovoltaic system is installed covering existing parking spaces.
3. When additions or alterations to existing buildings are triggered pursuant to code Section 301.3 and the scope of work includes an increase in power supply to an electric service panel.

Exceptions:

1. On a case-by-case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:
 - a. Where there is no local utility power supply.
 - b. Where the local utility is unable to supply adequate power.
 - c. Where there is evidence suitable to the local enforcement agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may increase construction cost associated with utility-owned infrastructure by an average of \$4,500 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.

d. Where demonstrated as impracticable excluding local utility service or utility infrastructure issues.

2. Remote parking facilities that do not have access to the building service panel.

3. Parking area lighting upgrades where no trenching is part of the scope of work.

4. Emergency repairs, including but not limited to water line break in parking facilities, natural disaster repairs, etc.”

5. Alterations that solely add Level 1 or Level 2 EV charging receptacles or Level 1 or Level 2 EV chargers, and no other addition or alteration is performed. When this exception is triggered, only Goleta Municipal Code Section 15.12.050 shall not apply but Chapter 5 of the Green Building Code shall still apply.

6. Alterations to existing hospitals. Projects in the Hospital Overlay District as identified in Goleta’s Municipal Code Chapter 17.18 shall be exempt from Goleta Municipal Code Section 15.12.050, but Chapter 5 of the California Green Building Code shall still apply.

SECTION 5. SEVERABILITY.

If any word, phrase, sentence, part, section, subsection, or other portion of this Chapter, or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Chapter, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The City Council hereby declares that it would have passed this title, and each section, subsection, sentence, clause, and phrase of this Chapter, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases is declared invalid or unconstitutional.

SECTION 6. CERTIFICATION.

The City Clerk shall certify to the adoption of this ordinance and, within 15 days after its adoption, shall cause it to be published in accord with California Law.

SECTION 7. EFFECTIVE DATE.

This ordinance shall take effect 30 days following adoption by the City Council.

INTRODUCED ON the **21st** day of January, 2025.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2025.

PAULA PEROTTE, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH S. LOPEZ
CITY CLERK

ISAAC ROSEN
ACTING CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, Deborah S. Lopez, City Clerk of the City of Goleta, California, do hereby certify that the foregoing Ordinance No. 25-__ was introduced on _____, and adopted at a regular meeting of the City Council of the City of Goleta, California, held on the _____, by the following roll-call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK

ATTACHMENT 2

CEQA Notice of Exemption

NOTICE OF EXEMPTION (NOE)

To: Office of Planning and Research
P.O. Box 3044, 1400 Tenth St. Rm. 212
Sacramento, CA 95812-3044

From: City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

Clerk of the Board of Supervisors
County of Santa Barbara
105 E. Anapamu Street, Room 407
Santa Barbara, CA 93101



Subject: Filing of Notice of Exemption

Project Title: Ordinance Amending Chapter 15.12 Green Building Code of the Goleta Municipal Code to Adopt an Amendment to the Electric Vehicle Reach Code

Project Applicant: City of Goleta

Project Location (Address and APN): Goleta City Hall, 130 Cremona Drive, Suite B
Goleta, CA 93117

Description of Nature, Purpose and Beneficiaries of Project: The City of Goleta City Council unanimously adopted an Electric Vehicle (EV) Infrastructure Reach Code on September 17th, 2024. The purpose of EV Reach Code is to enhance long-term public health and welfare by contributing to the overall reduction of greenhouse gas (GHG) emissions and the reduction of air pollutants associated with gas powered vehicles and combustion by increasing EV charging requirements for new construction and significant alterations. Following the City Council meeting, the City's EV Reach Code was approved by the State and went into effect on October 17, 2024. At the September 17th, 2024 City Council meeting, Council directed staff to return with an amendment that exempted hospitals from the EV Reach Code.

Pursuant to California Health and Safety Code Sections 17958.5, 17958.7, and 18941.5, the local amendment to California Building Standard's Code to exempt the only hospital in Goleta zoned within a Hospital Overlay District is reasonably necessary due to concerns that if building alterations for necessary medical equipment upgrades and major renovations to the hospital within the City trigger potentially costly EV upgrades, that these costs can potentially deter or prohibit the hospital's acquisition of equipment that could ensure certain standards of medical care. With alterations to provide upgraded medical equipment and facilities potentially triggering the EV Reach Code, the resulting cost for electrical infrastructure upgrades could be prohibitive to improving healthcare access and quality for the community. As there is only one hospital within the City of Goleta, the City does not intend to impose a requirement that could potentially negatively impact the provision of care from the only hospital in the City and residents' access to medical care.

Name of Public Agency Approving the Project: City of Goleta

Name of Person or Agency Carrying Out the Project: City of Goleta

Exempt Status: *(check one)*

- Ministerial (Sec. 15369)
- Statutory (Sec. 21080.35)
- Categorical Exemption: (Sec. 15307 & 15308)
- Emergency Project (Sec. 15359)

NOTICE OF EXEMPTION (NOE)

- Other: (Sec 15061(b)(3))

Reason(s) why the project is exempt:

This ordinance has been assessed in accordance with the California Environmental Quality Act (Cal. Pub. Res. Code, § 21000 et seq.) ("CEQA") and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) and is categorically exempt from CEQA under CEQA Guidelines § 15061(b)(3), which exempts from CEQA any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Adoption of the amendment to the City's EV Reach Code would not be an activity with potential to cause significant effect on the environment. Therefore, it can be seen with certainty that there is no possibility that the ordinance in question may have a significant effect on the environment; accordingly, the ordinance is categorically exempt from CEQA.

City of Goleta Contact Person and Telephone Number:

Dana Murray, Sustainability Manager, 805-961-7547

Peter Imhof

Director, Planning & Environmental Review

Date

NOTICE OF EXEMPTION (NOE)

If filed by the applicant:

1. Attach certified document of exemption finding
2. Has a Notice of Exemption been filed by the public agency approving the project?
Yes No

Date received for filing at OPR: _____

Note: Authority cited: Sections 21083 and 211110, Public Resources Code
Reference: Sections 21108, 21152.1, Public Resources Code

ATTACHMENT 3

PRESENTATION

Amendment to EV Reach Code

Public Hearing & 2nd Reading

February 4, 2025

Presentation by:

Dana Murray, Sustainability Manager

Angeline Foshay, Management Analyst

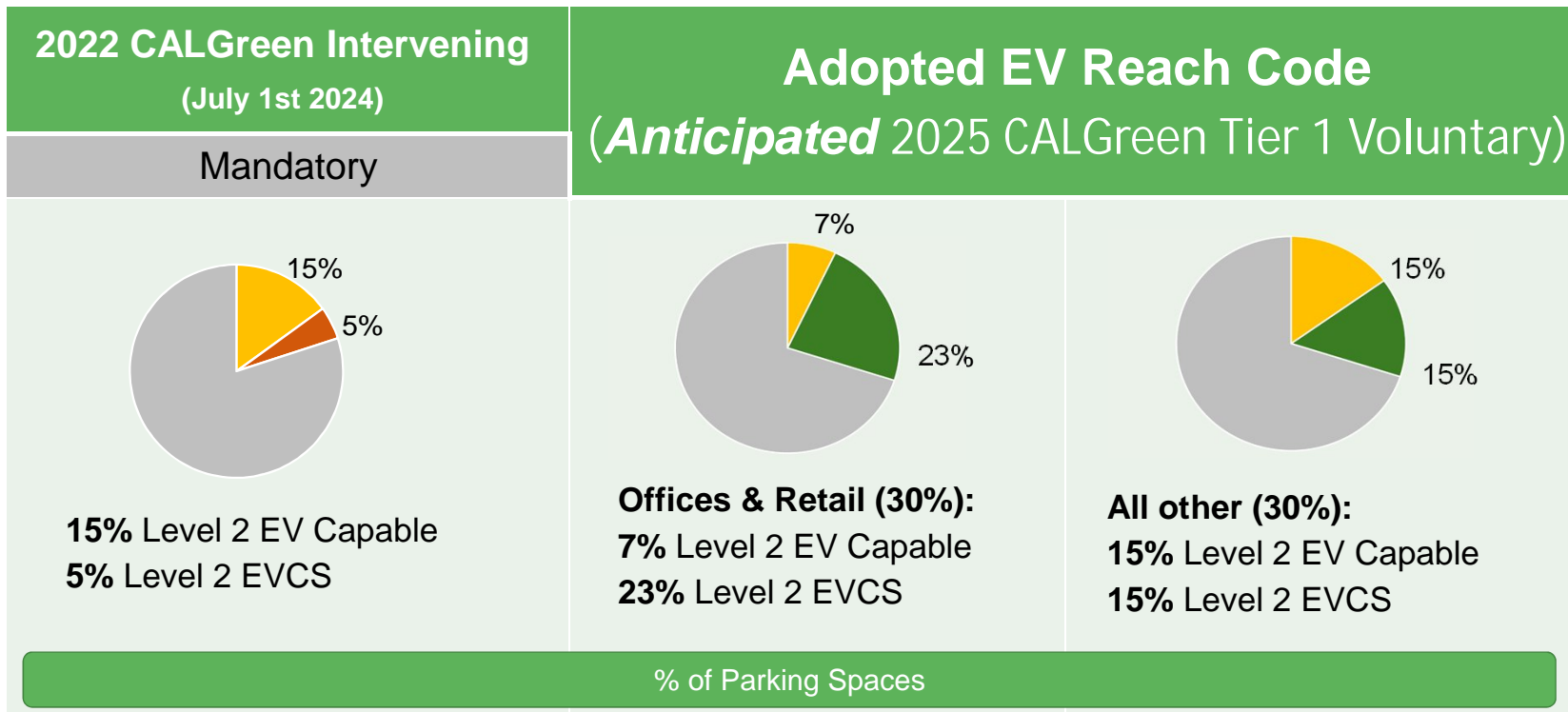


Background-History

- October 2022 – Green Committee
 - Overview of EV Reach Codes
 - Requested more information
- September 2023 – Green Committee
 - Provided EV Reach Code options
 - Recommendation to pursue model ordinance
- January 2024 – Green Committee
 - Intervening Code updates
 - Model ordinance option evaluation
 - Recommendation to pursue model ordinance
- February 28, 2024
 - Public Webinar on Draft EV Reach Code
- May 7, 2024 – City Council
 - Passed unanimously on first reading
- September 3, 2024 – City Council
 - Passed unanimously on first reading with minor amendments
- September 17, 2024 – City Council
 - Passed on second reading with request to return with amendment for hospital exemption
- October 17, 2024 – EV Reach Code Effective
- January 21, 2025 – City Council
 - Passed unanimously on first reading



Non-residential

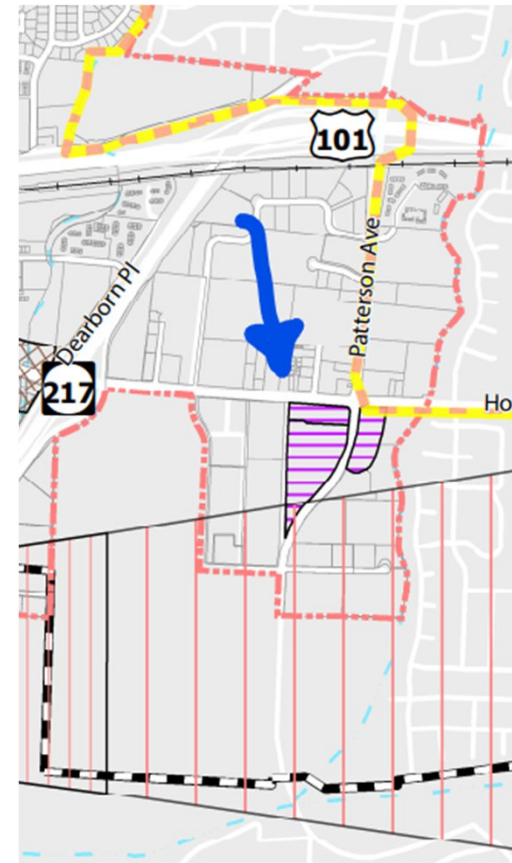


Take-away: EV Reach Code splits non-res into two categories with distinct requirements based on the anticipated 2025 CALGreen voluntary Tier 1 code



Proposed Amendments

- Alterations & Additions now trigger EV code
- Proposed amendment - exempt alterations projects in the Hospital Overlay District Zone from the Reach Code
 - Hospital Overlay defined in the GMC Chapter 17.18 - H Hospital Overlay District
 - The only hospital in Goleta is in this zone



Recommendation

- A. Hold a public hearing and then conduct second reading by title only, waiving further reading of Ordinance No. 25-__ entitled, "An Ordinance of the City Council of the City of Goleta, California, Amending Title 15, Chapter 15.12 (Green Building) of the Goleta Municipal Code Exempting Hospitals from the Electric Vehicle Reach Code and Finding the Amendment to be Exempt from the California Environmental Quality Act."
- B. Find the adoption of Ordinance No. 25-__ exempt from the California Environmental Quality Act and direct staff to file a Notice of Exemption within five (5) business days.

