



**INFEASIBILITY GUIDELINES:  
ENERGY REACH CODE**

**EFFECTIVE: APRIL 1, 2021**

**SCOPE: RESIDENTIAL AND COMMERCIAL**

**APPLICABLE CODES: 2019 PAMC 5485, 2019 CEC**

*The information provided in this document is general and intended as a guide only. Each project is unique and additional requirements may be enforced as deemed appropriate.*

These guidelines specify the procedures that apply to a request for an “Infeasibility Exemption” under PAMC Section 16.17.120. In the case that the applicant believes it is unable to fully comply with the Energy Reach Code, the applicant shall complete the steps outlined below. It is recommended that circumstances of infeasibility be identified early on in the planning process. The language from the approved Energy Reach Code Ordinance can be found in PAMC Chapter 16.17.

**Development Services Administrative Guidelines for Infeasibility Exemption**  
**In accordance with PAMC 16.17.120 (b)**

**1. Complete “Energy Reach Code Infeasibility Exemption Form”:**

Applicant shall complete the “Energy Reach Code Infeasibility Exemption Form” available on the Department of Planning and Development Services’ Green Building Compliance [website](#). Applicant shall submit the completed and signed form with the building permit application in accordance with the [Online Permitting Services Submittal Guidelines](#).

**2. Provide Supporting Technical Documentation:**

Applicant shall provide supporting technical documentation that substantiates the circumstances that makes it infeasible to meet the local energy reach code requirements. Supporting documentation may include, but is not limited to, energy model simulation results, cost-effectiveness studies, historic restoration report, manufacturer specs, and plans.

**3. Staff Review and Ruling:**

The completed form and supporting documentation will be reviewed by staff in accordance with the standard review time for building permit applications. If the project requiring Architectural Review approval requests an exemption, the exemption will also require review by the ARB. For this reason, it is recommended that the need for an exemption be identified as early as possible in the planning process. Any aggrieved Applicant may appeal the determination regarding the granting or denial of an exemption in writing no later than fourteen (14) days after the date of determination by the Director.

**4. Appeals:**

---

The appeal of the Director's decision shall be placed on the consent calendar of the City Council within 45 days. The City Council may:

- (1) Adopt the findings and decision of the Director; or
- (2) Remove the appeal from the consent calendar, which shall require three votes, and direct that the appeal be set for a new noticed hearing before the City Council, following which the City Council shall adopt findings and take action on the request.