

Ordinance No. 5263

Ordinance of the Council of the City of Palo Alto Adopting Section 16.14.380 of the Palo Alto Municipal Code to Adopt Local Amendments to the California Green Building Standards Code and Related Findings

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. Findings and Declarations.

The adoption and amendment of Section A4.106.8 of the California Green Building Standards Code is justified on the basis of local topographical and geographical conditions. Failure to address and significantly reduce greenhouse gas emissions could result in rises to sea level, including in San Francisco Bay, that could put at risk Palo Alto homes and businesses, public facilities, and Highway 101 (Bayshore Freeway), particularly the mapped Flood Hazard areas of the City. The aforementioned conditions create hazardous conditions for which departure from California Green Building Standards Code is required.

SECTION 2. Section 16.14.370 of the Palo Alto Municipal Code is amended to read as follows:

**16.14.370 Section A4.106.8 Electric Vehicle (EV) Charging.**

Section A4.106.8 of the California Green Building Standards Code is added and amended to read:

**A4.106.8 Electric Vehicle (EV) Charging for Residential Structures.** Newly constructed single family and multifamily residential structures, including residential structures constructed as part of a mixed use development, shall comply with the following requirements for electric vehicle supply equipment (EVSE). All parking space calculations under this section shall be rounded up to the next full space.

**A4.106.8.1 Definitions.** For the purposes of this section, the following definitions shall apply:

- (a) Level 2 EVSE. "Level 2 EVSE" shall mean an EVSE capable of charging at 30 amperes or higher at 208 or 240 VAC. An EVSE capable of simultaneously charging at 30 amperes for each of two vehicles shall be counted as two Level 2 EVSE.
- (b) Conduit Only. "Conduit Only" shall mean, at minimum: (1) a panel capable to accommodate a dedicated branch circuit and service capacity to install a 208/240V, 50 amperes grounded AC outlet; and (2) raceway or wiring with capacity to accommodate a 100 ampere circuit; terminating in (3) a listed cabinet, box, enclosure, or NEMA receptacle. The raceway shall be installed

so that minimal removal of materials is necessary to complete the final installation.

- (c) EVSE-Ready Outlet. "EVSE-Ready Outlet" shall mean, at minimum: (1) a panel capable to accommodate a dedicated branch circuit and service capacity to install a 208/240V, 50 amperes grounded AC outlet; (2) a two-pole circuit breaker; (3) raceway with capacity to accommodate 100-ampere circuit; (4) 50 ampere wiring; terminating in (5) a 50 ampere NEMA receptacle in a covered outlet box.
- (d) EVSE Installed. "EVSE Installed" shall mean an installed Level 2 EVSE.

**A4.106.8.2 Single Family Residences.** The following standards apply to newly constructed detached and attached single family residences.

- (a) In general. The property owner shall provide Conduit Only, EVSE-Ready Outlet, or EVSE Installed for each residence.
- (b) Location. The proposed location of a charging station may be internal or external to the dwelling, and shall be in close proximity to an on-site parking space consistent with City guidelines, rules, and regulations.

**A4.106.8.3 Multi-Family Residential Structures.** The following standards apply to newly constructed residences in a multi-family residential structure, except as provided in section A4.106.8.4.

- (a) Resident parking. The property owner shall provide at least one EVSE-Ready Outlet or EVSE Installed for each residential unit in the structure.
- (b) Guest parking. The property owner shall provide Conduit Only, EVSE-Ready Outlet, or EVSE Installed, for at least 25% of guest parking spaces, among which at least 5% (and no fewer than one) shall be EVSE Installed.
- (c) Accessible spaces. The percentage calculations and substantive requirements imposed by this section shall be applied separately to accessible parking spaces. Parking at accessible spaces where an EVSE is installed shall not be limited to electric vehicles.
- (d) Minimum total circuit capacity. The property owner shall ensure sufficient circuit capacity, as determined by the Chief Building Official, to support a Level 2 EVSE in every location where Circuit Only, EVSE-Ready Outlet or EVSE Installed is required.
- (e) Location. The EVSE, receptacles, and/or raceway required by this section shall be placed in locations allowing convenient installation of and access to EVSE. In addition, if parking is deed-restricted to individual residential units,

the EVSE or receptacles required by subsection (a) shall be located such that each unit has access to its own EVSE or receptacle. Location of EVSE or receptacles shall be consistent with all City guidelines, rules, and regulations.

**A4.106.8.4 Exception – Multi-Family Residential Structures with Individual, Attached Parking.** The property owner shall provide Conduit Only, EVSE-Ready Outlet, or EVSE Installed for each newly constructed residence in a multi-family residential structure featuring: (1) a parking space attached to the residence; and (2) a shared electrical panel between the residence and parking space (e.g., a multi-family structure with tuck-under garages).

SECTION 3. Section 16.14.380 of the Palo Alto Municipal Code is amended to read as follows:

**16.14.380 Section A5.106.5.3 Electric Vehicle (EV) Charging for Non-Residential Structures.**

Section A5.106.5.3 of the California Green Building Standards Code is added and amended to read:

**A5.106.5.3 Electric Vehicle (EV) Charging for Non-Residential Structures.** New non-residential structures shall comply with the following requirements for electric vehicle supply equipment (EVSE). All parking space calculations under this section shall be rounded up to the next full space.

**A5.106.5.3.1 Definitions.** For the purposes of this section, the following definitions shall apply:

- (a) Level 2 EVSE. “Level 2 EVSE” shall mean an EVSE capable of charging at 30 amperes or higher at 208 or 240 VAC. An EVSE capable of simultaneously charging at 30 amperes for each of two vehicles shall be counted as two Level 2 EVSE.
- (b) Conduit Only. “Conduit Only” shall mean, at minimum: (1) a panel capable to accommodate a dedicated branch circuit and service capacity to install at least a 208/240V, 50 amperes grounded AC outlet; and (2) raceway or wiring with capacity to accommodate a 100 ampere circuit; terminating in (3) a listed cabinet, box, enclosure, or NEMA receptacle. The raceway shall be installed so that minimal removal of materials is necessary to complete the final installation.
- (c) EVSE-Ready Outlet. “EVSE-Ready Outlet” shall mean, at minimum: (1) a panel capable to accommodate a dedicated branch circuit and service capacity to install at least a 208/240V, 50 amperes grounded AC outlet; (2) a two-pole circuit breaker; (3) raceway with capacity to accommodate a 100-ampere

circuit; (4) 50 ampere wiring; terminating in (5) a 50 ampere NEMA receptacle in a covered outlet box.

(d) EVSE Installed. "EVSE Installed" shall mean an installed Level 2 EVSE.

**A5.106.5.3.2 Non-Residential Structures Other than Hotels.** The following standards apply newly constructed non-residential structures other than hotels.

- (a) In general. The property owner shall provide Conduit Only, EVSE-Ready Outlet, or EVSE Installed for at least 25% of parking spaces, among which at least 5% (and no fewer than one) shall be EVSE Installed.
- (b) Accessible spaces. The percentage calculations and substantive requirements imposed by this section shall be applied separately to accessible parking spaces. Parking at accessible spaces where an EVSE is installed shall not be limited to electric vehicles.
- (c) Minimum total circuit capacity. The property owner shall ensure sufficient circuit capacity, as determined by the Chief Building Official, to support a Level 2 EVSE in every location where Circuit Only, EVSE-Ready Outlet or EVSE Installed is required.
- (d) Location. The EVSE, receptacles, and/or raceway required by this section shall be placed in locations allowing convenient installation of and access to EVSE. Location of EVSE or receptacles shall be consistent with all City guidelines, rules, and regulations.

**A5.106.5.3.3 Hotels.** The following standards apply newly constructed hotels.

- (a) In general. The property owner shall provide Conduit Only, EVSE-Ready Outlet, or EVSE Installed for at least 30% of parking spaces, among which at least 10% (and no fewer than one) shall be EVSE Installed.
- (b) Accessible spaces. The percentage calculations and substantive requirements imposed by this section shall be applied separately to accessible parking spaces. Parking at accessible spaces where an EVSE is installed shall not be limited to electric vehicles.
- (c) Minimum total circuit capacity. The property owner shall ensure sufficient circuit capacity, as determined by the Chief Building Official, to support a Level 2 EVSE in every location where Circuit Only, EVSE-Ready Outlet or EVSE Installed is required.
- (d) Location. The EVSE, receptacles, and/or raceway required by this section shall be placed in locations allowing convenient installation of and access to

EVSE. Location of EVSE or receptacles shall be consistent with all City guidelines, rules, and regulations.

SECTION 4. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion or sections of the Ordinance. The Council hereby declares that it should have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 5. The Council finds that this project is exempt from the provisions of the California Environmental Quality Act ("CEQA"), pursuant to Section 15061 of the CEQA Guidelines, because it can be seen with certainty that there is no possibility that the ordinance will have a significant effect on the environment.

SECTION 6. This ordinance shall be effective on the thirty-first day after the date of its adoption.

INTRODUCED: June 16, 2014

PASSED: August 4, 2014

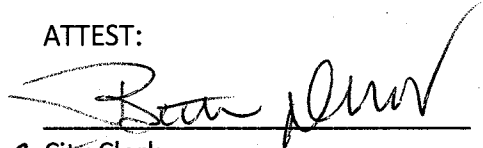
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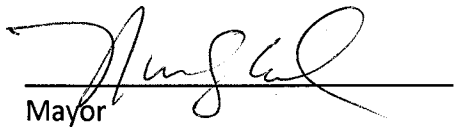
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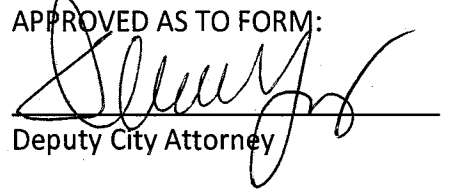
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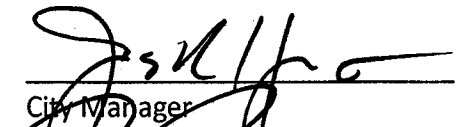
  
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for City Clerk

  
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Mayor

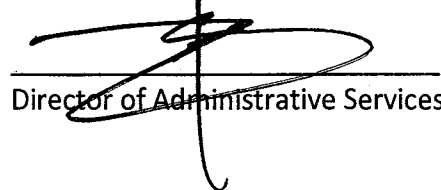
APPROVED AS TO FORM:

  
\_\_\_\_\_  
Deputy City Attorney

APPROVED:

  
\_\_\_\_\_  
City Manager

  
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Director of Development Services

  
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Director of Administrative Services