



**CITY OF ELK GROVE  
CITY COUNCIL STAFF REPORT**

**AGENDA TITLE:** A Public Hearing to consider a resolution amending and an ordinance implementing the Elk Grove Climate Action Plan

**MEETING DATE:** December 11, 2019

**PREPARED BY:** Carrie Whitlock, Strategic Planning & Innovation Program Manager

**DEPARTMENT HEAD:** Christopher Jordan, AICP, Director of Strategic Planning & Innovation

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**RECOMMENDED ACTION:**

Staff and the Planning Commission (5-0) recommend that the City Council conduct a public hearing to receive information from staff and comments from the public, and then consider the following:

1. A Resolution amending the Climate Action Plan (Attachment 1) to ensure the solar photovoltaic (PV) requirements are consistent with the 2019 California Building Codes; and
2. Introduce and waive the full reading, by substitution of title only, an Ordinance amending the Elk Grove Municipal Code (EGMC) Title 23 (Zoning) to implement the Climate Action Plan Electric Vehicle (EV) Charging Requirements (Attachment 2).

**BACKGROUND INFORMATION:**

On February 27, 2019, the City Council approved a comprehensive update to the Elk Grove Climate Action Plan (CAP). The CAP serves as a plan for the reduction of greenhouse gases (GHG) consistent with State-recommended targets and serves as a programmatic tiering document for the purposes of CEQA. The actions requested with this recommendation are intended to (1) ensure the CAP remains consistent with the 2019 California Building Codes and (2) ensure the Elk Grove Municipal Code (EGMC) remains consistent with the CAP. This includes amending Measure BE-7 in

the CAP related to solar photovoltaic (PV) and amending EGMC Title 23 Zoning (hereafter “Zoning Code”) to add provisions for electric vehicle (EV) charging infrastructure in new development.

### **PLANNING COMMISSION REVIEW:**

On November 21, 2019, the Planning Commission held a public hearing for the CAP amendment to solar PV and Zoning Code amendments for EV charging infrastructure. Following staff’s presentation on the proposed amendments, the Commission voted 5-0 to recommend no further environmental review was required and recommend adoption of the proposed resolution (Attachment 1) and the proposed ordinance (Attachment 2).

The only public comment received was the resubmission of a February 21, 2019 letter from 350 Sacramento/ECOS/Sierra Club addressing suggested improvements to the draft Climate Action Plan. These comments were addressed at the time of the CAP adoption and do not require reconsideration.

### **ANALYSIS/DISCUSSION:**

The CAP as adopted includes actions related to solar PV and EV charging as discussed below.

#### **Solar Photovoltaics**

The measure on solar photovoltaics was included in the final CAP as Building Stock supporting Measure 7 (BE-7). The measure reads:

*Encourage and require installation of on-site solar photovoltaic (PV) in new single-family and low-rise multi-family developments and encourage the installation in existing residential and commercial development.*

As staff expected, the updated California Energy Code (CEC), which goes into effect January 1, 2020, requires that all single-family residential include on-site solar PV installation. The adopted CAP already includes this requirement. No local regulations are required to implement this provision.

An additional action item was included by the City Council with this measure that the City develop and adopt regulations requiring non-residential and mixed-used buildings of at least 25,000 square feet to be “solar-ready.”

Subsequent to the adoption of the CAP, the 2019 California Building Standards Code (the Building Code) was finalized with solar PV requirements that were more stringent than staff anticipated. The Building Code now requires that all new multi-family or mixed-use buildings of 10 stories or fewer, all non-residential buildings of three stories or fewer, and all additions of greater than 2,000 square feet, be built as solar-ready. This requirement is intended to provide sufficient space and structural integrity for the potential future installation of a solar energy system on-site. This requirement is greater than what was anticipated by the City in the CAP and does not require any additional regulations beyond implementation of the Building Code. Therefore, in order to remain consistent with the Building Code, the City's adopted CAP needs to be updated to reflect this change.

### **Electric Vehicle Charging**

In addition, at the February 27, 2019, meeting, the Council agreed that a measure be included in the CAP related to EV charging. Initially, the CAP included only requirements for the installation of conduit for future EV charging. However, after hearing recommendations from staff and input from the public, Council opted to include specific requirements for EV infrastructure depending on development type. The final CAP includes Transportation Alternative and Congestion Management supporting Measure 9 (TACM-9). This measure reads, in part:

*Adopt an electric vehicle (EV) charging station ordinance that establishes minimum EV charging standards for all new residential and commercial development.*

An action item was included for the City to develop guidelines for the design of EV charging stations to be incorporated into the ordinance process. Therefore, staff has drafted the attached ordinance amending the Zoning Code, which does the following:

- Adds a new section, Section 23.58.120 Electric Vehicle Charging: This section outlines the requirements related to parking infrastructure to support electric vehicle usage.
  - Pre-wiring for future installation of EV charging equipment is required in all new single-family residential development.
  - New multifamily, commercial, office, industrial, and mixed-use development is required to provide EV charging equipment based upon a schedule provided (shown in Table 23.58-5 in

Attachment 2, Exhibit B) and include pre-wiring for expanding this equipment as demand increases.

- The requirements are applicable for all new development, all changes in use that would increase the number of off-street parking spaces by more than 10%, and all modifications to existing structures that would increase the number of off-street parking spaces by more than ten percent.
- Amends Section 23.100.020 (General Definitions): Adds terminology related to electric vehicle charging infrastructure.

### **ENVIRONMENTAL ANALYSIS:**

CEQA requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” The proposal includes changes to the EGMC Zoning ordinances and updates to the CAP, both of which are projects subject to CEQA.

State CEQA Guidelines Section 15162 provides that no further review is required under CEQA when there are no substantial changes in the Project, there are no substantial changes with respect to the circumstances under which the Project is undertaken, and there is no new information of substantial importance, which was not known and could not have been known at the time of certification of the EIR. The proposed amendments both relate to the CAP, which was considered as part of the General Plan Update Environmental Impact Report (EIR) (SCH No. 2017062058). That document provides a programmatic review of the potential impacts associated with implementation of these amendments and the overall proposed General Plan. The EIR is comprised of a Draft EIR (Draft EIR) and Final EIR (Final EIR). The Final EIR was released for public review on January 4, 2019 and certified by the City Council on February 27, 2019.

The proposed revisions to the CAP and the adoption of the proposed EGMC amendments are consistent with the analysis presented in the EIR and, pursuant to State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations), no subsequent analysis is required. Specifically, the revisions to the CAP, which reflect unanticipated changes to the Building Code, provide for more potential energy efficiency and greenhouse gas reduction potential than the CAP originally provided because the regulations apply to a wider range of building types and sizes. The revisions to the

EGMC implement measures in the CAP requiring the installation or prewiring for installation of electric vehicle charging. Therefore, there are no substantial changes in the Project; there are no substantial changes with respect to the circumstances under which the Project is undertaken; and there is no new information of substantial importance, which was not known and could not have been known at the time of certification of the EIR, and no further environmental review is required.

**ALTERNATIVE ACTIONS:**

The City Council could elect to not adopt one or both of the amendments to the CAP and/or the Zoning Code. For the amendment to the CAP, the 2019 California Building Codes will become effective on January 1, 2020, and have been adopted into the Elk Grove Municipal Code through Ordinance 22-2019. Staff is recommending the adoption of the CAP amendment to ensure consistency with the Building Code and the EGMC. If the CAP is not updated, there would be conflicting requirements between the CAP and the Building Code.

Not adopting the amendments to the EGMC is also an alternative. This action would mean the City would be unable to enforce the action related to electric vehicle charging identified in the CAP and is therefore not recommended by staff.

**FISCAL IMPACT:**

Costs associated with preparing these amendments were included in the Fiscal Year budget. Implementation of the CAP includes both City and private actions. For private development, these costs are the responsibility of the developer. However, a number of local, state, and federal incentives are available for certain requirements, including design funding and construction incentives from SMUD and tax credits. The CAP includes a discussion of available funding opportunities and this can be updated over time.

**ATTACHMENTS:**

1. Resolution amending the Climate Action Plan
2. Ordinance amending portions of Elk Grove Municipal Code Title 23 (Zoning)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
APPROVING AN AMENDMENT TO THE CLIMATE ACTION PLAN MEASURE BE-7  
TO BE CONSISTENT WITH 2019 CALIFORNIA BUILDING CODES**

**WHEREAS**, on February 27, 2019, the City Council certified an Environmental Impact Report (EIR) and adopted an updated General Plan and Climate Action Plan (CAP); and

**WHEREAS**, future development projects that the City determines are not exempt from the California Environmental Quality Act (CEQA) and are subject to environmental review (e.g., an initial study/negative declaration or an Environmental Impact Report is required) can achieve streamlining pursuant to the provisions of CEQA (Guidelines Section 15183.5) by including all applicable GHG reduction measures in the CAP in the project designs and/or as mitigation measures in the environmental document. As a result, projects that rely on the CAP would have a cumulatively less than significant impact on the environment; and

**WHEREAS**, the CAP includes measures that, when implemented, are intended to reduce the per capita greenhouse gas emissions in the City; and

**WHEREAS**, certain measures require adoption of new or updated regulations by the City, either through the implementation of the 2019 California Building Standards Code or new requirements in the Elk Code Municipal Code; and

**WHEREAS**, the Climate Action Plan is intended to be periodically updated to adjust to changes in legislation or regulations; and

**WHEREAS**, the final 2019 California Building Standards Code includes requirements for solar photovoltaic systems that were not known at the time of adoption of the CAP and that are more stringent than the CAP directed through local implementation; and

**WHEREAS**, State CEQA Guidelines Section 15162 provides that no further review is required under CEQA when there are no substantial changes in the Project, there are no substantial changes with respect to the circumstances under which the Project is undertaken, and there is no new information of substantial importance, which was not known and could not have been known at the time of certification of the EIR; and

**WHEREAS**, the Planning Commission of the City of Elk Grove (the "Planning Commission") held a duly noticed public hearing on November 21, 2019, as required by law to consider all the information presented by staff and public testimony presented in writing and at the meeting and voted 5-0 to recommend approval to the City Council; and

**WHEREAS**, the City Council held a duly-noticed public hearing on December 11, 2019, as required by law to consider all of the information presented by staff, and public testimony presented in writing and at the meeting.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby finds that no further environmental review is required pursuant to State CEQA Guidelines Section 15162 for the solar PV amendment to the CAP based upon the following finding:

**California Environmental Quality Act (CEQA)**

Finding: No further environmental review is required pursuant to State CEQA Guidelines Section 15162.

Evidence: State CEQA Guidelines Section 15162 provides that no further review is required under CEQA when there are no substantial changes in the Project, there are no substantial changes with respect to the circumstances under which the Project is undertaken, and there is no new information of substantial importance, which was not known and could not have been known at the time of certification of the EIR. The proposed amendments both relate to the CAP, which was considered as part of the General Plan Update Environmental Impact Report (EIR) (SCH No. 2017062058). That document provides a programmatic review of the potential impacts associated with implementation of these amendments and the overall proposed General Plan. The EIR is comprised of a Draft EIR (Draft EIR) and Final EIR (Final EIR). The Final EIR was released for public review on January 4, 2019 and certified by the City Council on February 27, 2019.

The proposed revisions to the CAP are consistent with the analysis presented in the EIR and, pursuant to State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations), no subsequent analysis is required. Specifically, the revisions to the CAP, which reflect unanticipated changes to the Building Code, provide for more potential energy efficiency and greenhouse gas reduction potential than the CAP originally provided because the regulations apply to a wider range of building types and sizes. Therefore, there are no substantial changes in the Project, there are no substantial changes with respect to the circumstances under which the Project is undertaken, and there is no new information of substantial importance, which was not known and could not have been known at the time of certification of the EIR, and no further environmental review is required.

**AND, BE IT FURTHER RESOLVED**, that the City Council does hereby adopt the solar PV amendments to the Climate Action Plan, attached hereto as Exhibit A and incorporated herein by this reference, based upon the following finding:

***Climate Action Plan Amendment***

Finding: The proposed Climate Action Plan amendments are consistent with the General Plan goals, policies, and implementation programs.

Evidence: The proposed amendments to CAP Chapter 4, Measure BE-7 related to solar photovoltaics are necessary in order to ensure consistency with the 2019 California Energy Code. The proposed amendments would update the actions

outlined in the CAP related to solar photovoltaic readiness for new multi-family, nonresidential and mixed-use buildings or additions of greater than 2,000 square feet for such buildings. The intent is to provide sufficient space and structural integrity for the potential future installation of a solar energy system on-site. The CAP update would be consistent with the 2019 California Energy Code Title 24, Part 6, Section 110.10. This requirement is greater than what was anticipated by the City in the CAP and does not require any additional regulations beyond implementation of the Building Code.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 11<sup>th</sup> day of December 2019

\_\_\_\_\_  
STEVE LY, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

\_\_\_\_\_  
JONATHAN P. HOBBS,  
CITY ATTORNEY




Chapter 4

**BE-7. Building Stock: Solar Photovoltaics in New and Existing Residential and Commercial Development**

*Encourage and require installation of on-site solar photovoltaic (PV) in new single-family and low-rise multi-family developments. Promote installation of on-site PV systems in existing residential and commercial development.*

This measure includes incentives to facilitate the installation of on-site solar PV systems in existing residential and commercial development and helps the City prepare for PV system requirements for ~~new single-family homes~~ that will be implemented through the 2019 Title 24 energy standards, which become effective in 2020. The City will work closely with SMUD to provide information to residences and businesses about key components of solar system installation including financing, rebates, contracting, permitting requirements, installation, and maintenance. The City will also support commercial development projects that include solar PV systems and promote the feasibility and benefits of these design standards for future commercial development in the City in general.



**Existing Efforts**

*General Plan Policy NR-6-1; NR-6-2; NR-6-3; SD-2-1; SD-2-2*

The City will revise and update existing building standards to begin the transition to requiring on-site solar PV systems for all new single-family residential development and to require solar-ready requirements construction for multi-family and non-residential buildings as part of the 2019 Title 24 standards. PV systems installation for multi-family and non-residential buildings will not be required in the 2019 Title 24 energy standards, though there are solar-ready requirements for certain new and/or expanded buildings. However, ~~non-residential development (i.e., retail, office, industrial) may be subject to the same standards in the future as the State Energy Code is updated. To ensure new commercial buildings can support the added roof weight of a PV system if they are added in later years, the City will update existing building standards to require new non-residential buildings to be constructed with roof structural systems and adequate rooftop space to support future installation of PV systems.~~

**Action Items**

- The City will Concurrent with City actions to adopt the 2019 Title 24 building energy efficiency standards update, requiring:
  - A. New single-family residential construction to include solar PV systems installed consistent with Part 6, Section 150.1.(c).14;
  - B. New construction of multi-family residential, nonresidential or mixed-use projects, and additions of 2,000 square feet or more to provide structural capacity for on-site solar

## Chapter 4

energy production that would supply at least 15 percent of the project's annual electricity demand, consistent with Part 6, Section 110.10; and

- C. For development unable to comply with A or B above to meet on-site demand, require other improvements, including but not limited to other roof-mounted or ground-mounted solar energy production opportunity, or purchase of off-site credits (or combination thereof), the City will also develop and adopt amendments to the City Building Code that would require non-residential projects or mixed-use projects with at least 25,000 square feet or more in new non-residential construction to be "solar-ready" such that they either (a) be constructed with roof structural systems and adequate rooftop spaces that can support future installation of PV systems; OR, (b) identify a dedicated area(s) within on-site parking lot(s) for future installation of solar canopy structures with an equivalent surface area to rooftop PV generation on the project building(s), and pre-wire the dedicating parking lot solar canopy area for future solar canopy and PV panel installation; OR, (c) a combination of (a) or (b) as noted above, provided that the project as a whole is designed to be "solar-ready" as defined.

The City may also implement this action in combination with actions intended to further implementation of Measure BE-5.

- Promote SMUD's solar incentive programs on the City's website and at the planning and permitting counters in the City's Planning Department.
- Partner with private developers and SMUD to incentivize new developments to participate in design assistance and incentive programs to both increase efficiency and maximize renewable energy generation potential.
- Develop a program to reduce or waive planning, permitting, and inspections fees for the solar portion of permit fees; and, streamline the development review process for new commercial projects who commit to including solar PV systems as part of the project.
- Work with SMUD and private developers to prepare locally-specific preapproved single-family plans aligned with current solar or other relevant design assistance and incentive programs.
- Work with SMUD and non-profit community organizations to identify locations for large-scale solar installations that would benefit low income communities in Elk Grove
- Review and update the Citywide Design Guidelines and the Zoning Code to remove impediments to the installation of renewable energy facilities.
- Promote and provide additional incentives for SMUD's Commercial Battery Storage program for commercial projects that are including solar PV systems in the project design.

## Chapter 4

- Develop strategies to overcome barriers to PV solar system installation in non-residential buildings which are leased to multiple-tenants. The City will identify barriers expressed by building owners for installing PV solar systems in non-residential buildings and design incentives to overcome identified barriers. Common strategies used to overcome this barrier could include:
  - Provide information to property owners on "green leases" for tenants in which tenants commit to participating in shared cost of PV solar system installation.
  - Promote the benefits of PV solar systems to sell electricity back to the utilities through a Feed-In-Tariff program.
  - Promote the ease and availability of third-party PV system ownership in which third party sells electricity directly, often at lower rate than the utility, to the building tenant at a fixed or escalating electricity rate for a predetermined period of time.
  - If on-site PV systems are determined to be infeasible, encourage non-residential property owners to participate in off-site renewable energy programs, such as SMUD's SolarShares or Greenenergy programs (see Measure BE-8).

### Target Indicators

The following target indicators serve to monitor progress towards achieving measure implementation.

- Residential:
  - Five percent participation rate for installation of PV systems in existing residential development by 2030.
- Commercial:
  - Five percent participation rate for installation of PV systems in existing and new commercial development by 2030.

(Note: Because of new requirements for the installation of PV systems for new residential development as part of the 2019 Title 24 standards beginning in 2020, this measure does not credit additional reductions from PV systems to avoid double counting reductions already accounted for in the legislative-adjusted BAU forecast discussed in Chapter 3.)

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AMENDING PORTIONS OF THE  
ELK GROVE MUNICIPAL CODE TITLE 23 (ZONING)**

**WHEREAS**, on February 27, 2019, the City Council certified an Environmental Impact Report (EIR) and adopted an updated General Plan and Climate Action Plan (CAP); and

**WHEREAS**, the adopted CAP includes measure TACM-9 stating that the City will “adopt an electric vehicle (EV) charging station ordinance that establishes minimum EV charging standards for all new residential and commercial development” and specifically outlining the requirements for one- and two-dwelling residential units and multi-family residential and non-residential developments; and

**WHEREAS**, the CAP includes measures that, when implemented, are intended to reduce the per capita greenhouse gas emissions in the City; and

**WHEREAS**, future development projects that the City determines are not exempt from the California Environmental Quality Act (CEQA) and are subject to environmental review (e.g., an initial study/negative declaration or an Environmental Impact Report is required) can achieve streamlining pursuant to the provisions of CEQA (Guidelines Section 15183.5) by including all applicable GHG reduction measures in the CAP in the project designs and/or as mitigation measures in the environmental document. As a result, projects that rely on the CAP would have a cumulatively less than significant impact on the environment; and

**WHEREAS**, State CEQA Guidelines Section 15162 provides that no further review is required under CEQA when there are no substantial changes in the Project, there are no substantial changes with respect to the circumstances under which the Project is undertaken, and there is no new information of substantial importance, which was not known and could not have been known at the time of certification of the EIR; and

**WHEREAS**, the Planning Commission of the City of Elk Grove (the “Planning Commission”) held a duly noticed public hearing on November 21, 2019, as required by law to consider all the information presented by staff and public testimony presented in writing and at the meeting and voted 5-0 to recommend approval to the City Council; and

**WHEREAS**, the City Council held a duly-noticed public hearing on December 11, 2019, as required by law to consider all of the information presented by staff, and public testimony presented in writing and at the meeting.

**NOW, THEREFORE**, the City Council of the City of Elk Grove does ordain as follows:

Section 1: Purpose and Authority

The purpose of this Ordinance is to amend sections of EGMC Title 23 to ensure consistency with the adopted Climate Action Plan:

- Adds Section 23.58.120 Electric Vehicle Charging, as shown in Exhibit A, which outlines requirements related to parking infrastructure to support electric vehicle usage.
- Amends Section 23.100.020 General Definitions by adding terminology related to electric vehicle charging infrastructure.

## Section 2: Findings

### **California Environmental Quality Act (CEQA)**

Finding: No further environmental review is required pursuant to State CEQA Guidelines Section 15162.

Evidence: State CEQA Guidelines Section 15162 provides that no further review is required under CEQA when there are no substantial changes in the Project, there are no substantial changes with respect to the circumstances under which the Project is undertaken, and there is no new information of substantial importance, which was not known and could not have been known at the time of certification of the EIR. The proposed amendments both relate to the CAP, which was considered as part of the General Plan Update Environmental Impact Report (EIR) (SCH No. 2017062058). That document provides a programmatic review of the potential impacts associated with implementation of these amendments and the overall proposed General Plan. The EIR is comprised of a Draft EIR (Draft EIR) and Final EIR (Final EIR). The Final EIR was released for public review on January 4, 2019 and certified by the City Council on February 27, 2019.

The proposed EGMC amendments are consistent with the analysis presented in the EIR and, pursuant to State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations), no subsequent analysis is required. Specifically, the revisions to the EGMC implement measures in the CAP requiring the installation or prewiring for installation of electric vehicle charging. Therefore, there are no substantial changes in the Project, there are no substantial changes with respect to the circumstances under which the Project is undertaken, and there is no new information of substantial importance, which was not known and could not have been known at the time of certification of the EIR, and no further environmental review is required.

### **General Plan Consistency**

Finding: The proposed amendments to Title 23 are consistent with the General Plan goals, policies, and implementation programs.

Evidence: The proposed amendments to Title 23 (Zoning) of the Elk Grove Municipal Code include (1) a new section 23.58.120 relative to electrical vehicle charging requirements; and (2) additional terminology to clarify terms related to electric vehicle charging infrastructure. These changes are consistent with the General Plan because they do not alter the allowed intensity or density of development beyond that contemplated in the General Plan.

## Section 3: Amendments to Title 23 (Zoning)

EGMC Title 23 is amended as shown in Exhibit A.

Section 4: No Mandatory Duty of Care

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 5: Severability

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 6: Savings Clause

The provisions of this ordinance shall not affect or impair an act done or right vested or approved or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take affect; but every such act done, or right vested or accrued, or proceeding, suit or prosecution shall remain in full force and affect to all intents and purposes as if such ordinance or part thereof so repealed had remained in force. No offense committed and no liability, penalty or forfeiture, either civilly or criminally incurred prior to the time when any such ordinance or part thereof shall be repealed or altered by said Code shall be discharged or affected by such repeal or alteration; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceeded with in all respects as if such prior ordinance or part thereof had not been repealed or altered.

Section 7: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).

INTRODUCED:

ADOPTED:

EFFECTIVE:

\_\_\_\_\_  
STEVE LY, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

\_\_\_\_\_  
JONATHAN P. HOBBS,  
CITY ATTORNEY

**Proposed Municipal Code Revisions**

**Climate Action Plan Update – Draft Dated September 11, 2019**

**Section 23.58.120 (Electric Vehicle Charging) shall be added as follows:**

**23.58.120 Electric Vehicle Charging**

**A. Requirements.**

1. Electric vehicle (EV) parking for residential and nonresidential uses shall be provided in compliance with this section. The City requires the construction of parking spaces that are electric vehicle ready (EV Ready) or that include electric vehicle supply equipment (EVSE), as further defined herein, for all new development, changes in use or modifications to existing structures as identified in EGMC section 23.058.020.
2. All plans for applicable design review applications (major and minor) shall identify the proposed location(s) for EVSE and EV ready spaces, as applicable, consistent with the requirements of this section.
3. Installation of EV Ready and EVSE shall conform to the requirements of EGMC chapter 16.07 and the California Electrical Code, including Article 625.

B. Residential One- and Two-Family Dwelling Units and Townhouses. To allow for the future installation of EVSE for use by the resident, a minimum of one “EV Ready” space is required per unit to be located in a garage or other parking area serving the new dwelling.

C. Multi-Family Residential and Non-Residential Developments. New multi-family residential projects and non-residential projects shall be designed and constructed to include dedicated electric vehicle parking spaces, including a minimum number of spaces with EVSE installed, as well as dedicated “EV Ready” spaces for future installation of additional EVSE as demand for on-site electric vehicle charging increases, in accordance with Table 23.58-5. All parking space calculations shall be rounded up to the next full space. In no event shall there be less than two (2) parking spaces with EVSE installed and two (2) “EV Ready” parking spaces. This requirement does not apply to non-residential developments that are less than 10,000 square feet.

**Table 23.58-5**

**Electric Vehicle Parking Requirements for Multi-Family Residential and Non-Residential Developments**

<b><u>Land Use Type</u></b>	<b><u>Minimum Size Threshold for Application</u></b>	<b><u>Dedicated Spaces with EVSE Installed<sup>1</sup></u></b>	<b><u>Spaces EV Ready for future expansion of EVSE<sup>2</sup></u></b>
<u>Multi-family Residential</u>	<u>All</u>	<u>2.5% of total spaces provided</u>	<u>2.5% of total spaces provided</u>
<u>Retail</u>	<u>Any project ≥ 10,000 square feet</u>	<u>3% of total spaces provided</u>	<u>3% of total spaces provided</u>
<u>Office</u>	<u>Any project ≥ 10,000 square feet</u>	<u>5% of total spaces provided</u>	<u>5% of total spaces provided</u>
<u>Industrial</u>	<u>Any project ≥ 10,000 square feet</u>	<u>3% of total spaces provided</u>	<u>3% of total spaces provided</u>

**Notes:**

1. Spaces dedicated for EV parking only, with EVSE (charging equipment) installed.
2. Spaces dedicated for EV parking and marked as “EV Ready” spaces on project plans. Such spaces shall have a cabinet, box, or enclosure connected to a conduit linking the parking space to the electrical service in a manner approved by the Chief Building Official.

**Section 23.100.020 (General Definitions) is hereby amended as follows (term listing renumbered as appropriate):**

**23.100.020 General definitions**

E. "E" Definitions

...

2. "Electric Vehicle" means an automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, primarily powered by an electric motor that draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other source of electric current. Plug-in hybrid electric vehicles (PHEV) are considered electric vehicles.

3. "Electric Vehicle Ready" or "EV Ready" means a parking space that is pre-wired with a dedicated 208/240 branch circuit installed in the wall that originates at the electrical service panel or sub-panel with a 40 ampere minimum overcurrent protection device, and terminates into a cabinet, box, or enclosure, in a manner approved by the building official. The intent is to ensure adequate electrical system capacity and design to allow for future residents to install EVSE if desired, with minimal additional cost or effort.

4. "Electric Vehicle Supply Equipment (EVSE)" means the conductors, including the ungrounded, grounded, and equipment grounding conductors, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

25. "Equivalent financial incentive"...

...





Incorporated July 1, 2000

8401 Laguna Palms Way  
Elk Grove, California 95758

CITY OF ELK GROVE

Telephone: (916) 683-7111  
Fax: (916) 627-4400  
www.elkgrovecity.org

## City of Elk Grove – City Council NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that on **Wednesday, December 11, 2019**, at the hour of **6:00 p.m.**, or as soon thereafter as the matter may be heard, the Elk Grove City Council will conduct a public hearing at City Hall in the Council Chambers, 8400 Laguna Palms Way, Elk Grove, California, to consider the following matter:

### **CLIMATE ACTION PLAN (CAP) AMENDMENT AND IMPLEMENTATION (CITY INITIATED PROJECT):**

On February 27, 2019, the City Council approved a comprehensive update to the CAP. The CAP serves as a plan for the reduction of greenhouse gases (GHG) consistent with State-recommended targets and serves as a programmatic tiering document for the purposes of CEQA. Revisions will ensure consistency between the CAP, the 2019 California Building Standards Code and the Elk Grove Municipal Code, and include the following:

- Amendments to measure 7 under Building Stock (BE-7) is to ensure that the solar photovoltaic (PV) requirements are consistent with the 2019 California Building Standards Code.
- Amendments to the EGMC include a new Section, 23.58.120 (Electric Vehicle Charging) and amending Section 23.100.020 (General Definitions) in order to implement measure 9 related to electric vehicle charging standards for new or expanded development under Transportation Alternatives and Congestion Management (TACM-9).

*The Planning Commission considered this matter at its regular meeting on November 21, 2019 and voted 5-0 to recommend approval to the City Council.*

LOCATION: City-wide

ENVIRONMENTAL: No further environmental review is required under CEQA pursuant to Section 15162 (Subsequent EIRs and Negative Declarations) of Title 14 of the California Code of Regulations (State CEQA Guidelines) (General Plan EIR SCH No. 2017062058).

Information or questions regarding this item should be referred to Carrie Whitlock, (916) 478-2238, 8401 Laguna Palms Way, Elk Grove, CA, 95758. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the close of the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 8401 Laguna Palms Way, Elk Grove, CA, 95758, at or prior to the close of the public hearing.

**This meeting notice is provided pursuant to Section 23.14.040 of Title 23 of the Elk Grove Municipal Code.**

Dated/Published: November 29, 2019

JASON LINDGREN  
CITY CLERK, CITY OF ELK GROVE

**ADA COMPLIANCE STATEMENT**

**In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (916) 478-3635. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.**