

RESOLUTION NO. 23-2029

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, MAKING FINDINGS THAT AMENDMENTS TO THE 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE ESTABLISHING THE CITY OF AGOURA HILLS REACH CODE, AND ADOPTING ALL-ELECTRIC BUILDING REQUIREMENTS, ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL, OR TOPOGRAPHICAL CONDITIONS

WHEREAS, the City's Climate Action and Adaptation Plan includes increased energy efficiency, use of renewable energy sources, and electric vehicle charging station expansion by implementing "Reach Codes" for building electrification and electric vehicle infrastructure; and

WHEREAS, the City's goal is to improve community health, safety, and resilience by reducing the emissions of greenhouse gases (GHGs) and improving indoor air quality of new buildings; and

WHEREAS, the California Green Building Standards Code, 2022 edition, Title 24, Part 11 of the California Code of Regulations, was adopted by the City of Agoura Hills (City) on November 9, 2022; and

WHEREAS, the City Council intends to make modifications to building standards in the 2022 California Green Building Standards Code which will be more restrictive than State Law; and

WHEREAS, California Health and Safety Code Section 17958.5 requires the City Council to make express findings that such modifications are reasonably necessary because of local climatic, geological, or topographical conditions, and Section 17958.7 requires that such findings shall be filed with the California Building Standards Commission.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES HEREBY RESOLVE AS FOLLOWS:

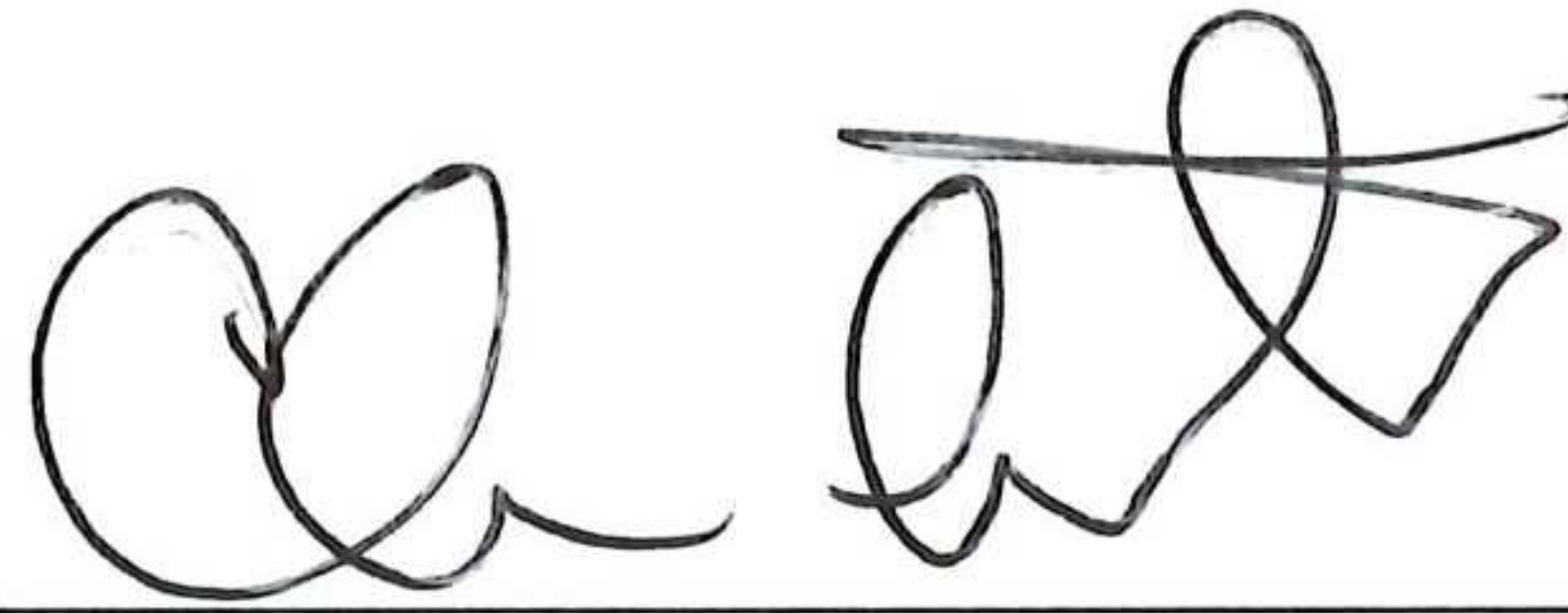
1. Amendments to building standards in the 2022 edition of the California Green Building Standards Code, proposed to be adopted in Ordinance No. 23-466 by the City Council, are reasonably necessary because of local climatic, geological, and/or topographical conditions that create seismic hazards and wildfires, and create a negative impact due to the amount of energy, air quality, and greenhouse gas emissions. A summary of the amendments, with specific references to the express findings, is provided in the table attached hereto as Exhibit A, and incorporated by reference herein.

2. Based on local climatic, geological and/or topographical conditions, the City has incorporated amendments to the 2022 California Green Building Standards Code, as set forth in Ordinance No. 23-466.

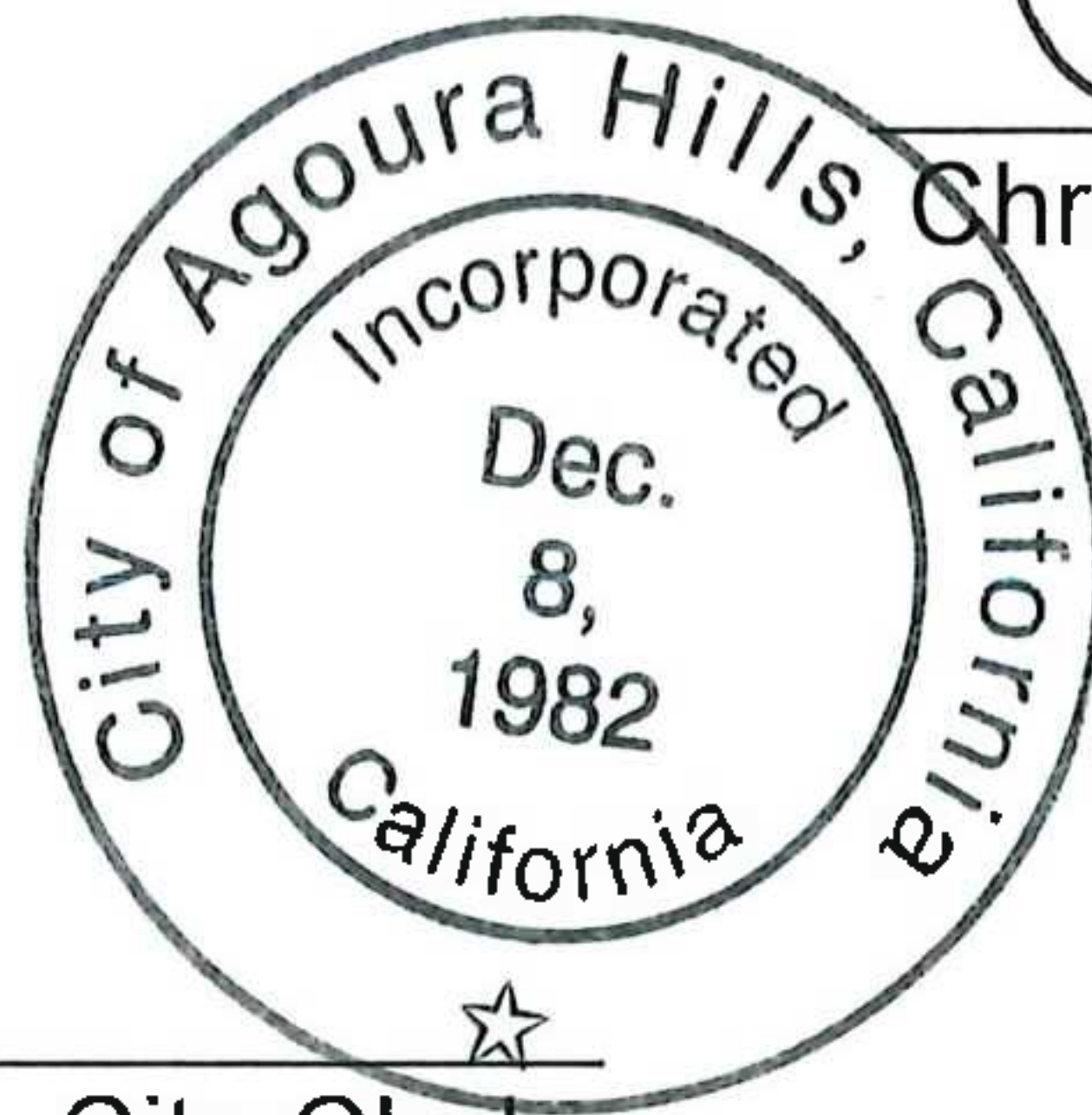
3. The Building Official of the City of Agoura Hills shall file a copy of Ordinance No. 23-466, as amended, together with a copy of this Resolution, with the California Building Standards Commission, and shall obtain an endorsed copy from said Department to be filed with the City of Agoura Hills.

PASSED, APPROVED, AND ADOPTED, this 25th day of January, 2023, by the following vote to wit:

AYES:	(5)	Anstead, Buckley Weber, Lopez, Sylvester, Wolf
NOES:	(0)	
ABSENT:	(0)	
ABSTAIN:	(0)	



Chris Anstead, Mayor



ATTEST:



Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:



Candice K. Lee, City Attorney

**EXHIBIT A
EXPRESS FINDINGS**

2022 CALIFORNIA GREEN BUILDING STANDARDS CODE AMENDMENTS

	TITLE/DESCRIPTION	EXPRESS FINDINGS
Section 202	Amend Section 202 - Definition	A,B,C
Section 4.106.4.1	Amend Section 4.106.4.1 - New One- And Two-Family Dwellings and Townhouses With Attached Private Garages.	C
Subsection 4.106.4.1.1	Amend Subsection 4.106.4.1.1 - Identification.	C
Section 4.106.4.2.1	Amend Section 4.106.4.2.1 - Multifamily development projects with less than 20 dwelling units; and hotels and motels with less than 20 sleeping units or guest rooms.	C
Section 4.106.4.2.2	Amend Section 4.106.4.2.2 - Multifamily development projects with 20 or more dwelling units, hotels and motels with 20 or more sleeping units or guest rooms.	C
Subsection 4.106.5	Add Subsection 4.106.5 All-Electric Buildings	B
Table 5.106.5.3.1	Amend TABLE 5.106.5.3.1 – Number of Required EVSE/EVCS	C
Subsection 5.106.13	Add Subsection 5.106.13 - All-Electric Buildings	B

EXPRESS FINDINGS

- A. **Local Administrative Finding** – This amendment is necessary for administrative clarification. It does not modify a Building Standard pursuant to Sections 17958 and 18941.5 of the California Health and Safety Code and does not require an express finding to be made pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code. This amendment established administrative standards for the effective enforcement of building standards and therefore needs to be incorporated into the Code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the Code.
- B. **Local Geological Conditions** – The City of Agoura Hills is located in an area with high seismic risk with buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake, the 1987 Whittier Narrows Earthquake, the 1971 San Fernando Earthquake and the 1933 Long Beach Earthquake. Earthquakes from these faults could produce primary effects such as strong ground shaking or ground rupture, and secondary effects such as liquefaction and landslides. These primary and secondary effects pose a significant hazard to the City’s building stock and infrastructure, and to public health and safety. This could result in the collapse of vulnerable buildings and bridges, ground rupture affecting roads and highways, and liquefaction damaging buildings and pipelines (water, gas, and sewage). Fire from broken gas lines and the lack of water from broken water lines could result in major damage. There are also concerns for fire-life safety associated with gas appliances and

associated piping located in the ground and in the buildings which increases with the risk of explosion or fire. The protection of human life and the preservation of property support the imposition of having all-electric building requirements greater than those set forth in codes adopted by the California Building Standards Commission. The proposed modification will reduce the failures and injuries, save lives, and minimize structural damage, and therefore needs to be incorporated into the Code to assure that new buildings and structures are designed and constructed in accordance with the scope and objectives of the Code.

- C. **Local Climatic Conditions** – The seasonal hot and dry weather in combination with Santa Ana winds frequently create a high potential for wildland fires in areas of the City of Agoura Hills which is located in a very high fire hazard severity zone. These conditions create an environment where the entirety of local fire department personnel, as well as resources from outside the community, are required to control, monitor, fight and protect against such fire situations in order to protect life and preserve property. In addition, the region is within a climate system capable of producing major winds, fire, and rain-related disasters, including but not limited to those caused by the Santa Ana winds and El Nino (or La Nina) subtropical-like weather in areas of the City without adequate fire department personnel to protect against and control such a situation. Climate change is causing historic droughts, devastating wildfires, torrential storms, extreme heat, property damage, and threats to human health and food supplies. The State of California has outlined specific steps to reduce greenhouse gas emissions to prevent these negative impacts of changing climate, including moving the State to 100 percent clean energy by 2045. This gives local governments the opportunity to achieve greenhouse gas emission reductions with a climate positive impact by powering buildings from clean electricity. The proposed modification to increase the number of EV charging spaces and stations will help to address and significantly reduce local air and noise pollution and greenhouse gas emissions, and will improve the health and welfare of the region's residents, businesses and visitors and reduce the rise in sea or flood levels that could put at risk the region's homes, businesses, and public facilities. To better protect the community, more restrictive requirements are imposed than those set forth in Codes adopted by California Building Standard Commission.