

successor provision, except that “permanent supportive housing” shall also include associated facilities if used to provide services to housing residents.

SECTION 5. A new section 24.10.120 is added to Part 1 of Chapter 24.10 of Title 24 of the San José Municipal Code to be numbered, entitled, and to read as follows:

**24.10.120 Cross-References to CALGreen**

The provisions of this Chapter contain cross-references to the 2019 CALGreen Code to facilitate references and comparison to those provisions.

SECTION 6. A new section 24.10.130 is added to Part 1 of Chapter 24.12 of Title 24 of the San José Municipal Code to be numbered, entitled, and to read as follows:

**24.10.130 Local Amendments**

The provisions of this Chapter shall constitute local amendments to the cross-referenced CALGreen Code and modifies, repeals, or replaces the relevant section.

SECTION 7. Chapter 24.10 of Title 24 of the San José Municipal Code is hereby amended by adding a Part to be numbered, entitled, and to read as follows:

**Part 2  
Residential Mandatory Measures (CALGreen, Ch. 4)**

**24.10.200 Electrical Vehicle (EV) Charging for new construction (CALGreen, Ch. 4, §§4.106.4 – 4.106.4.3.7)**

CALGreen, Chapter 4, Sections 4.106.4 through 4.106.4.3.7 are amended to read as follows:

4.106.4 Electric vehicle (EV) charging for new construction. New construction shall comply with Section 4.106.4.1, 4.106.4.2, or 4.106.4.3, to facilitate current and future electric vehicle charging. Electric vehicle supply equipment (EVSE) shall be installed in accordance with the *California Electrical Code*, Article 625.

Exceptions:

1. On a case-by-case basis, where the local enforcing agency has determined EV charging and infrastructure are not feasible based upon one or more of the following conditions:
  - 1.1 Where there is no commercial power supply.

- 1.2 Where there is evidence substantiating that meeting the requirements will alter the local utility infrastructure design requirements on the utility side of the meter so as to increase the utility side cost by more than \$400 per dwelling unit for Permanent Supportive Housing or buildings which are restricted for housing those whose income is no more than thirty percent (30%) of the AMI. If costs are found to exceed this level, the applicant shall provide EV infrastructure up to a level that would not exceed this cost for utility service or on-site transformer capacity.
- 1.3 Where there is evidence substantiating that meeting the requirements will alter the local utility infrastructure design requirements on the utility side of the meter for buildings other than those identified in Section 1.2 above, so as to increase the utility side cost by more than an average of \$4,500 per EV capable, EV Ready and EV Supply Equipment Spaces. If costs are found to exceed this level, the applicant shall provide EV infrastructure up to a level that would not exceed this cost for utility service or on-site transformer capacity.

2 Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) without additional parking facilities.

4.106.4.1 New one- and two-family dwellings and town- houses with attached and detached private garages. Each dwelling unit shall be provided with one EV Ready Space.

EXCEPTION: Detached private garages without electrical service.

4.106.4.2 New multifamily dwellings. If residential parking is available, ten percent (10%) of the total number of parking spaces on a building site provided for all types of parking facilities shall be EVSE spaces, 20% of the total number of parking spaces provided for all types of parking facilities shall be EV Ready spaces, and seventy percent (70%) of the total number of parking spaces for all types of parking facilities shall be EV Capable spaces. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number. See, Table 4.106.4.3.1 below.

Notes:

1. Construction documents are intended to demonstrate the project's capability and capacity for facilitating future EV charging.

2. There is no requirement for EV spaces to be constructed or available until EV chargers are installed for use.

4.106.4.2.1 Electric vehicle space (EV space) locations. Construction documents shall indicate the location of proposed EV spaces. Where common use parking is provided at least one EV space shall be located in the common use parking area and shall be available for use by all residents.

- 4.106.4.2.1.1 Electric vehicle supply equipment stations (EVSE) shall comply with the requirements of the 2019 California Building Code.

Note: Electric vehicle charging stations serving public housing are required to comply with the *California Building Code*, Chapter 11 B.

4.106.4.2.2 Electric vehicle charging space (EV space) dimensions. The EV spaces shall be designed to comply with the requirements of the 2019 California Building Code.

4.106.4.2.3 Not adopted.

4.106.4.2.4 Not adopted.

4.106.4.2.5 Identification. The service panel or subpanel circuit directory shall identify the overcurrent protective device space(s) reserved for electric vehicle capable spaces as "EV CAPABLE" in accordance with the *California Electrical Code*.

4.106.4.2.6 Electric service capacity for EV capable spaces. The building electrical panel that contains the physical space to accommodate the future installation of circuit breakers for EV capable spaces required by Section 4.106.4.2 shall have sufficient electrical capacity to provide no less than 8 amps at 208/240 volts per EV capable space.

4.106.4.3 Adopted without modification.

4.106.4.3.1 Number of required EVSE and EV capable spaces for new Hotels and Motels. For Hotels and Motels, ten percent (10%) of the total number of parking spaces provided for all types of parking shall be EVSE spaces and fifty percent (50%) of the total number of parking spaces shall be EV Capable. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number. See, Table 4.106.4.3.1.

**Table 4.106.4.3.1**

Building Type	Required EVSE Spaces <sup>1</sup>	Required EV Ready Space	Required EV Capable Spaces
Multifamily	10% of total	20% of total	70% of total
Hotel/Motel	10% of total	0%	50% of total

<sup>1</sup>All calculations shall be based upon the total number of parking spaces, and rounded up to the nearest whole number

4.106.4.3.2 – 4.106.4.3.6 Adopted without modification.

4.106.4.3.7 Electric service capacity for EV capable spaces. The building electrical panel that contains the physical space to accommodate the future installation of circuit breakers for EV capable spaces required by Section 4.106.4.3.1 shall have sufficient electrical capacity to provide no less than 8 amps at 208/240 volts per EV capable space.

**SECTION 8.** Chapter 24.10 of Title 24 of the San José Municipal Code is hereby amended by adding a Part to be numbered, entitled, and to read as follows:

**Part 3**

**NonResidential Mandatory Measures (CALGreen, Ch. 5)**

**24.10.300 Electrical Vehicle (EV) Charging Stations (CALGreen, Ch. 5, §§5.106.5.3 – 5.106.5.3.5)**

**CALGreen Code, Chapter 5, Sections 5.106.5.3 through 5.106.5.5 are amended to read as follows:**

5.106.5.3 Electric vehicle (EV) charging. [N] Construction shall comply with Section 5.106.5.3.1 through Section 5.106.5.3.4 to facilitate current and future electric vehicle charging. EVSE shall be installed in accordance with the California Electrical Code, Article 625.

5.106.5.3.1 EVSE and EV Capable requirements. Ten percent (10%) of the total number of parking spaces provided for all types of parking facilities shall be EVSE spaces. Forty percent (40%) of the total number of parking spaces provided for all types of parking facilities shall be EV Capable spaces. Calculations for the required number of electric vehicle spaces shall be rounded up to the nearest whole number. See, Table 5.106.5.3.1

Exceptions: On a case-by-case basis where the local enforcing agency determined EV charging and infrastructure is not feasible based upon one or more of the following conditions:

1. Where there is insufficient electrical supply.
2. Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may adversely impact the construction cost of the project.

**Table 5.106.5.3.1**

Table 5.106.5.3.3 is renumbered and replaced with the following:

Building Type	Required EVSE Spaces <sup>1</sup>	Required EV Ready Space	Required EV Capable Spaces
All Nonresidential	10% of total	0%	40% of total

<sup>1</sup>All calculations shall be based upon the total number of parking spaces, and rounded up to the nearest whole number

5.106.5.3.2 Electric service capacity for EV Capable spaces. The building electrical panel that contains the physical space to accommodate the future installation of circuit breakers for electric vehicle capable spaces required by Section 5.106.5.3.1 shall have sufficient electrical capacity to provide no less than 8 amps at 208/240 volts per EV Capable space.

5.106.5.3.3 Reserved.

5.106.5.3.4 Identification. The service panel or subpanel(s) circuit directory shall identify the reserved overcurrent protective device space(s) for EV Capable spaces as "EV CAPABLE". The raceway termination location shall be permanently and visibly marked as "EV CAPABLE."

5.106.5.3.5 Not adopted.

**SECTION 9.** Section 24.12.100 of Part 1 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.12.100 Adoption of Technical Provisions of the California Building Energy Efficiency Standards**

- A. Except as otherwise provided for in this Chapter, the California Building Energy Efficiency Standards 2019 edition, including the appendices thereto, together