

**COMMISSION ACTION MATRIX -- YELLOW**

2022 CALIFORNIA GREEN BUILDING STANDARDS CODE, TITLE 24, PART 11  
 AGENCY: CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD 03/21)

**LEGEND:**

**CAC Actions:** Approve, Disapprove, Approve as Amended, Further Study Required

**Agency Responses:** Accept, Disagree, Withdraw

**CBSC Actions:** Approve, Disapprove, Approve as Amended, Further Study Required

**Matrix Paper Color (for commission action only):** GREEN = uncontested items, YELLOW = challenged items, SALMON = withdrawn, no action required

**GREEN CODE ADVISORY COMMITTEE – APRIL 28 & 29, 2021**

**CHAPTER 2-- DEFINITIONS**

Adopt/amend definitions from the 2019 CALGreen into the 2022 CALGreen as listed below:

Item Number 2	Code Section	CAC Action	Agency Response	Public Comments	Annotations	CBSC Action
HCD 03/21-2-0*	AUTOMATIC LOAD MANAGEMENT SYSTEM (ALMS)	<b>Approve</b>	<b>Accept</b>	45-Day comments:  R. Whitehair, San Mateo, CA Approve as Amended, Criteria #1  G. Hall, Electric Auto Association D. MacCurdy, Sacramento Electric Vehicle Association M. Geller, Plug In America Approve as Amended  D. Jaff, Electric Vehicle Charging Association; K. Corby, California Electric Transportation Coalition; M. Alexander, CALSTART; S. Douglas, Alliance for Automotive Innovation; N. Derrickson, Tesla Support comments, Approve  J. Hart, Powerflex Approve as Amended	* HCD added ALMS defined term to the Express Terms for 45-Day. HCD proposes to adopt the defined term also co-adopted with the California Building Standards Commission (CBSC). a new definition for EV capable spaces. HCD: No action required.  Commenters suggested definition is insufficient, ambiguous and unclear; suggest developing standards for listing of certified ALMS systems; concerned whether transformer capacity requirements are adequate to serve at least 3.3 kW to each EVSE.	

Item Number 2	Code Section	CAC Action	Agency Response	Public Comments	Annotations	CBSC Action
HCD 03/21-2-2	ELECTRIC VEHICLE (EV) READY SPACE	Approve	Accept	45-Day Comment: C. Diaz, Chargepoint Approve as Amended	HCD proposes to adopt a new definition for EV ready spaces. HCD: No action required.  Commenter suggests revision to the defined term to include additional features to the equipment.	
HCD 03/21-2-3	LEVEL 2 ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE).	Approve	Accept	45-Day comments: J. Hart, Powerflex Approve as Amended	HCD proposes to adopt a new definition for Level 2 EVSE. HCD: No action required.  Commenter suggests expanding the defined term to include branch circuits up to 60 amps.	

#### CHAPTER 4 – RESIDENTIAL MANDATORY MEASURES

Adopt/Amend/Repeal sections from “Electric Vehicle Infrastructure” in the 2019 CALGreen into the 2022 CALGreen as listed below:

Item Number 4	Code Section	CAC Action	Agency Response	Public Comments	Annotations	CBSC Action
HCD 03/21-4-1	4.106.4 Electric Vehicle (EV) charging for new construction. Exceptions 1.2, 1.3 & 1.4.	Further Study	Accept	<u>45-Day comments:</u> <b>137 Various commenters; see FSOR Attachment A for a complete list.</b> Approve as Amended  G. Latshaw, Ph.D. Wei-Tai Kwok, Council Member, City of Lafayette Approve as Amended  S. Dunlap; E. Dunlap Approve as Amended  J. Kalb, EV Charging Pros Approve as Amended  M. Roest, Sustainable Energy Inc. Approve as Amended  J. Frey & P. Mustacich, Statewide Utility Codes and Standards Team	HCD proposes to amend Exception 1.2 and add new Exceptions 1.3 & 1.4. CAC: 1. consider using BSC language Vs 3-exceptions; 2. Add technical infeasibility. HCD: Proposed exceptions modified to remove reference to cost thresholds and modified reference to commercial utility and added exception text for inability for local utility to supply power and possible exception based on adverse impacts to construction costs.  <u>45-Day Commenters:</u> Form Letters and delegation letter suggest 3 primary revisions to the proposed language regarding EV parking facilities. See FSOR and List Attachments for signatories.  <u>15-Day Commenters:</u> Form Letters and delegation letter: The basis of the comments is outside the scope of the	

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				<p>Comment not applicable to CRC.</p> <p>L. Emerson, National City, CA General comment.</p> <p>P. Kobernick, on behlf of Peninsula Clean Energy, MCE, Clean Power Alliance, Redwood Coast Energy Authority, and East Bay Community Energy Further Study Item 4, Criteria #3.</p> <p><b><u>15-Day comments:</u></b> Commenters: Senator Dave Cortese, plus 11 California Legislators &amp; Letter from Legislative Members; Approve as Amended</p> <p>Sven Thesen, Project Green Home Approve as Amended.</p> <p>Stacey Reineccius, Powertree Services Inc. Approve as Amended</p>	<p>15-day Express Terms. GOV Code Section 11346.9. See FSOR List Attachments. No changes to the FET were made as a result of these comments.</p>	

Item Number 4	Code Section	CAC Action	Agency Response	Public Comments	Annotations	CBSC Action
HCD 03/21-4-3	4.106.4.2 New multifamily dwellings.	<b>Further Study</b>	<b>Accept</b>	<p><u>45-Day Comments:</u> S. Thesen, Project Green Home Approve as Amended</p> <p><u>15-Day Comments:</u> S. Thesen, Project Green Home Approve as Amended EV Charging Access, Light Duty - Group Letter See Attachment C for list of additional signatories. Approve as Amended</p> <p>V. Warheit, EV Charging Access for All See Attachment B for list of additional signatories. Approve as Amended P. Kobernick, Peninsula Clean Energy Approve as Amended</p>	<p>On behalf of CARB, HCD proposes this new amendment which permits EV spaces to be counted as parking spaces only for the purposes of meeting parking space requirements at the local level. CAC: consider explicit language on ALMS; coordinate with BSC; Add word “when parking is provided” HCD: added use of ALMS in Section 4.106.4.2.2; changed text to “when parking is provided.”</p> <p><u>45-Day Commenters:</u> S. Thesen: Commenter suggests that HCD change the code to require a low power Level 2 receptacle for every multifamily dwelling unit that has access to parking.</p> <p><u>15-Day Commenters:</u> Form Letters and delegation letter and comments: The basis of the comments is outside the scope of the 15-day Express Terms. GOV Code Section 11346.9.</p> <p>No changes to the FET were made as a result of these comments.</p> <p>See FSOR List Attachments.</p>	

Item Number 4	Code Section	CAC Action	Agency Response	Public Comments	Annotations	CBSC Action
HCD 03/21-4-4	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.	<b>Further Study</b>	<b>Accept</b>	<p>45-Day Comments: C. Diaz, Chargepoint Approve as Amended</p> <p>T. Burroughs, StopWaste; Alma Freeman, StopWaste Approve as Amended</p> <p>R. Whitehair, San Mateo, CA Approve as Amended</p> <p>V. Warheit, EV Charging Access for All See Attachment B for list of signatories. Approve as Amended</p> <p>B. Formigli, Qualcomm Technologies, Inc. Approve as Amended</p> <p>B. Gross, Carbon-Free Mobility Approve as Amended</p>	<p>On behalf of CARB, HCD proposes a new percentage requirement for installation of low power Level 2 receptacles for parking spaces in all new multifamily developments with additional stipulations regarding costs. CAC: Coordinate with BSC total Parking spaces; outlet configuration; address parking lifts.</p> <p>HCD: Percentage has always been based on total parking spaces (no change); outlet configuration could not identified as a specific NEMA outlet (left to designer); parking lift exception determined to be valid since not all parking lifts are suitable for supporting EV charging.</p> <p>C. Diaz: Commenter recommends that HCD require 100% EV ready parking for new multifamily, hotel and motel occupancies in several sections.</p> <p>StopWaste: Suggest 30% of all new parking spaces should be EV capable."</p>	

Item Number 4	Code Section	CAC Action	Agency Response	Public Comments	Annotations	CBSC Action
HCD 03/21-4-5	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.	<b>Further Study</b>	<b>Accept</b>	<p><u>45-Day comments:</u> Ida Claire, Division of the State Architect (DSA) Approve as Amended</p> <p>Various comments – refer to FSOR for summaries.</p> <p>Whitehair Approve as Amended</p> <p>V. Warheit, EV Charging Access for All See FSOR Attachments B for list of additional signatories. Approve as Amended</p> <p><u>15-Day comments</u> EV Charging Access, Light Duty - Group Letter – increase EV Ready percentage. – See FSOR List Attachments. Approve as Amended</p> <p>V. Warheit, EV Charging Access for All – See FSOR List Attachments. Approve as Amended</p> <p>EV Charging Access, Light Duty - Group Letter - remove the clarifying ALMS language. – See FSOR List Attachments. Approve as Amended</p> <p>Phillip Kobernick, Peninsula Clean Energy Approve as Amended.</p>	<p>HCD proposes adoption of this new section regarding larger projects and installation of Level 2 EV chargers for 5 percent of parking spaces with exceptions for voluntary compliance measures that exceed requirements in this section. CAC: Use section number instead of “3;” use the word percent “minimum;” consider Alternate compliance option. HCD: Recommended editorial changes made. Alternative Compliance Pathway method analyzed, but not included due to lack of sufficient public review.</p> <p><u>45-Day Commenters:</u> Suggest increase the residential EV ready percentage from 25% to 85%, and some comments suggested 100%.</p> <p>DSA comments regarding general support and requests amendments to coordinate efforts with agencies to maintain consistency with the regulations already adopted.</p> <p><u>15-Day Commenters:</u> Form Letters and comments: The basis of the comments is outside the scope of the 15-day Express Terms. GOV Code Section 11346.9.</p> <p>See FSOR List Attachments. No changes to the FET were made as a result of these comments.</p>	

Item Number 4	Code Section	CAC Action	Agency Response	Public Comments	Annotations	CBSC Action
HCD 03/21-4-9	4.106.4.2.3	Further Study	Accept	45-Day comments: G. Hall, Electric Auto Association D. MacCurdy, Sacramento Electric Vehicle Association M. Geller, Plug In America Approve as Amended	HCD proposes adoption this referenced new section regarding proposed requirements for EV infrastructure in existing multifamily buildings when new parking facilities are added and undergoing permitted upgrades. CAC: Suggestion: Add note to exempt stripping and resurfacing HCD: Clarification on exemptions added to Section 301.1.1.	
HCD 03/21-4-11.1*	4.106.4.2.6 Electric Vehicle Ready Space Signage.	*	*	45-Day comments: R. Whitehair, San Mateo, CA Support comment, Approve.  T. Burroughs, StopWaste Support comment, Approve. V. Warheit, EV Charging Access for All, See FSOR List Attachments Support comment, Approve.	* Post CAC: Section 4.106.4.2.6 added to the Express Terms. HCD proposes new section as a result of comments and discussions during CAC regarding EV ready space signage in residential parking facilities. See FSOR.	

#### APPENDIX A4 – RESIDENTIAL VOLUNTARY MEASURES, DIVISION A4.1, PLANNING AND DESIGN

Continue adoption of sections and new amendments into the 2022 CALGreen as listed below:

Item Number 11	Code Section	CAC Action	Agency Response	Public Comments	Annotations	CBSC Action
HCD 03/21-11-1	A4.106.8.2.1 Multifamily development projects and hotels and motels. Tier 1 & 2	Approve	Accept	45-Day comments: Phillip Kobernick, On behalf of Peninsula Clean Energy, MCE, Clean Power Alliance, Redwood Coast Energy Authority, and East Bay Community Energy Further Study, Criteria #3  Ida Claire, Division of the State Architect (DSA) Approve as Amended	Modify title and repeal Tier 1 and Tier 2 provisions. HCD: No action required.  Comments regarding charging access to 100% of parking spaces with various levels of charging capacities.  DSA requests deleting references to CBC Chapter 11B.	