

PUBLIC HEARINGS/GENERAL BUSINESS[19-0169](#)

Green Building Program Update: Forward a recommendation to the City Council to Adopt a Resolution to Update the Green Building Program for Residential Projects, Nonresidential Projects, and Public Facilities, and Find that the Action is Exempt from CEQA Pursuant to CEQA Guidelines Sections 15308, 15061(b)(3), and 15378(b).

Kelly Cha, Associate Planner, provided a presentation on the Green Building Program Update, including reviewing the minimum requirements and incentives offered for all building types. She highlighted several requirements or incentives that were added based on community feedback gathered during outreach meetings. The Commission discussed the proposed Green Building Program Update and provided comments. Amber Blizinski, Principal Planner, and Chuck Clark, Chief Building Official answered clarification questions as needed.

Clarifications provided included:

- (1) Single-family and duplex dwellings would be able to achieve an increase in floor-to-area (FAR) ratio without having to go through the Planning Commission's review;
- (2) It was challenging for the City to increase the minimum standards to match the equivalent of Leadership in Energy and Environmental Design (LEED) Platinum, as LEED-Platinum allocates points to a building for being located in a transit-oriented location, which is challenging in most parts of Sunnyvale;
- (3) Incentivizing electrification by reducing permitting fees may be challenging as permit fees are essential to the City for recovering the cost of Permit Center staff time; instead, the Climate Action Playbook (CAP) includes an action to create a differential utility use rate to encourage use of electricity over gas while simultaneously creating a funding source for CAP implementation;
- (4) The Green Building Program would continue to be updated every three years, as per the current frequency.

Vice Chair Wickham recommended, and the Commission generally agreed, that the language encouraging specific sustainable measures listed in the multi-family dwellings in the Green Building Program be replicated for single-family dwellings, to encourage owners or developers of single-family homes to take those additional steps.

Commissioner Zornetzer commented that the City could take an even more

progressive approach that anticipates new technologies and new policies to increase requirements of the proposed Green Building Program to further cement Sunnyvale's leadership in this area.

Chair Paton asked how the Green Building Program is aligned with the Reach Code effort that the City is investigating. Ms. Melody Tovar, Regulatory Programs Division Manager, shared that the City is considering adopting Reach Codes to encourage electrification and is working to assess the viability of this approach in partnership with Silicon Valley Clean Energy (SVCE). Reach Codes would establish new requirements for the City that provide two options for developers to choose from, such that choosing the all-electric option may be more cost-effective than its alternative.

Vice Chair Wickham inquired how staff would reconcile the incentivized actions in the Green Building Program if Reach Codes required those same actions. Ramana Chinnakotla, Director of Environmental Services, noted that the Green Building Program, Reach Codes, and Climate Action Playbook were all being worked on in conjunction with each other. The Green Building Program provided incentives, Building Codes mandated actions, and Reach Codes were a pathway between those two options.

Chair Paton asked whether including all-electric as mandatory was legally allowed. Mr. Chinnakotla and Mr. Clark noted that the City would need to provide a justification for adding all-electric as a requirement to the Building Code. Ms. Tovar noted that this would not be a viable recommendation by the Commission as a part of the current recommendation on the Green Building Program.

Chair Paton opened the public hearing.

Mary Brunkhorst, Sunnyvale Urban Forest Advocates, expressed her concerns related to continued protection of trees over installing rooftop solar. The Green Building Program as written, she noted, may incentivize a property to install solar over protecting mature trees. She emphasized that the Program needed to balance the installation of rooftop solar with protecting shade-giving, mature trees.

Chair Paton closed the public hearing.

Commissioner Kunz moved, and Commissioner Padgett seconded, a motion to recommend that the City Council adopt a resolution to update the Green Building

Program for residential projects, nonresidential projects, and public facilities, and find that the action is exempt from CEQA pursuant to CEQA Guidelines Sections 15308, 15061(b)(3), and 15378(b), with the additional comment that the highly encourage sustainable measures should be added to single-family homes. The motion carried by the following vote:

Yes: 6 - Chair Paton
Vice Chair Wickham
Commissioner Hafeman
Commissioner Kunz
Commissioner Padgett
Commissioner Zornetzer

No: 0

Absent: 1 - Commissioner Joesten

Commissioner Zornetzer moved, and Commissioner Kunz seconded, a motion to provide a comment to Council that in light of the increasing urgency of addressing climate change, the Commission strongly recommends to Council that we consider requiring all-electric new construction in the City.

Vice Chair Wickham offered a friendly amendment to the motion to recommend that all-electric may be considered as a part of the Reach Codes that may be adopted by the City. Commissioner Zornetzer accepted the friendly amendment. The motion carried by the following vote:

Yes: 6 - Chair Paton
Vice Chair Wickham
Commissioner Hafeman
Commissioner Kunz
Commissioner Padgett
Commissioner Zornetzer

No: 0

Absent: 1 - Commissioner Joesten