# ADDITIONAL 15-DAY EXPRESS TERMS AND RATIONALEFOR PROPOSED BUILDING STANDARDSOF THE CALIFORNIA BUILDING STANDARDS COMMISSIONREGARDING THE 2025 CALIFORNIA GREEN BUILDING STANDARDS CODE,CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11(BSC 03/24)

No state agency may adopt, amend, or repeal a regulation which has been changed from that which was originally made available to the public pursuant to Section 11346.5, unless the change is (1) nonsubstantial or solely grammatical in nature, or (2) sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed regulatory action. If a sufficiently related change is made, the full text of the resulting adoption, amendment, or repeal, with the change clearly indicated, shall be made available to the public for at least 15 or 45 days before the agency adopts, amends, or repeals the resulting regulation.

Any written comments received regarding the change must be responded to in the final statement of reasons required by Section 11346.9 (Government Code Section 11346.8(c)).

If using assistive technology, please adjust your settings to recognize underline, strikeout, double strikeout, italics and ellipsis. Double underline will be indicated by parenthetical notes within the text. The notes will not be codified or published in the code.

## LEGEND for EXPRESS TERMS (California only codes - Parts 1, 6, 8, 11, 12)

* Existing California amendments appear upright.
* Unmodified California 45-day amendments appear in underline and ~~strikeout~~.
* California additional 15-day amendments appear in double underline and double strikeout.
* Ellipses (…) indicate existing text remains unchanged.
* Rationale: The justification for the change is shown after each section or series of related changes.

## ADDITIONAL 15-DAY EXPRESS TERMS

### ITEM 1Chapter 5 NONRESIDENTIAL MANDATORY MEASURES,*DIVISION 5.1 – PLANNING AND DESIGN*SECTION 5.106 SITE PLANNINGSection 5.106.4.1 Bicycle parking [with subsections]

**5.106.4 Bicycle parking.** For buildings within the authority of California Building Standards Commission as specified in Section 103, comply with Section 5.106.4.1. For buildings within the authority of the Division of the State Architect pursuant to Section 105, comply with Section 5.106.4.2**.**

**5.106.4.1 Bicycle parking. [BSC-CG]** Comply with Sections 5.106.4.1.1 and 5.106.4.1.2; or meet the applicable local ordinance, whichever is stricter.

#### ITEM 1-1

**5.106.4.1.1 Short-term bicycle parking.** If the new project or an addition or alteration is anticipated to generate visitors ~~traffic~~, provide permanently anchored bicycle racks within 200 feet of the visitors’ entrance, readily visible to passers-by, for ~~5~~ 20 percent of the peak daily ~~new~~ visitors ~~motorized vehicle parking spaces being added,~~ with a minimum of one two-bike capacity rack.

**Exception:** Additions or alterations which add nine or less visitors. ~~vehicular parking spaces.~~

#### ITEM 1-2

**5.106.4.1.2 Long-term bicycle parking.** For new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for ~~5~~ 10 percent of the tenant-occupants ~~vehicular parking spaces~~ with a minimum of one bicycle parking facility. [begin double underline] Calculations for bicycle parking requirements shall be rounded up to the nearest whole number.

Acceptable bicycle parking facility for Sections 5.106.4.1.2, 5.106.4.1.2.1 and 5.106.4.1.2.2 shall be conveniently located near the street and shall meet one of the following:

1. Covered, lockable enclosures with permanently anchored racks for bicycles;

2. Lockable bicycle rooms with permanently anchored racks; or

3. Lockable, permanently anchored bicycle lockers. [end double underline]

**5.106.4.1.~~3.~~2.1.** For additions or alterations that add 10 or more tenant-occupants ~~vehicular parking spaces~~, provide secure bicycle parking for ~~5~~ 10 percent of the tenant-occupants ~~vehicular parking spaces~~ being added, with a minimum of one bicycle parking facility.

**5.106.4.1.~~4.~~2.2.** For new shell buildings in phased projects provide secure bicycle parking for ~~5~~ 10 percent of the anticipated tenant-occupants ~~vehicular parking spaces~~ with a minimum of one bicycle parking facility.

[Relocated to main paragraph above]

**5.106.4.1.5.2.3.** Acceptable bicycle parking facility for Sections 5.106.4.1.2, 5.106.4.1.3 2.1 and 5.106.4.1.4 2.2 shall be convenient from the street and shall meet one of the following:

1. Covered, lockable enclosures with permanently anchored racks for bicycles;

2. Lockable bicycle rooms with permanently anchored racks; or

3. Lockable, permanently anchored bicycle lockers.

**~~Note:~~** ~~Additional information on recommended bicycle accommodations may be obtained from Sacramento Area Bicycle Advocates.~~

**Rationale:**
During the 45-day public comment period, BSC staff received comments from the California Bicycle Coalition with 11 signatories (and 11 individual commentors), based on the BSC 03/24 45-Day Express Terms, Item 1, Sections 5.106.4.1.1 Short-term bicycle parking and 5.106.4.1.2 Long-term bicycle parking.

The coalition stated “It is unclear what data building occupants must provide to show how many foot traffic visitors there have been before and will be after an alteration… Thus, it seems that the exception is not well defined, and setting a limit of nine added foot traffic visitors seems vague and indeterminate.

Upon review of these 45-day public comments and after BSC staff analyzed the required minimum number of parking facilities (minimum of 1 two-bike rack for short-term and a minimum of one bicycle parking facility for long-term) repealing the exceptions will not change the required code minimums. The exceptions are not needed because to trigger additional parking bike racks or parking facilities would require 10 or more visitors or tenant-occupants, which is the current baseline. BSC also agrees with the commentors and proposes the following changes.

**ITEM 1-1:** Repeal the exception in Section 5.106.4.1.1 that exempts additions or alterations that add 9 or less visitors.

**ITEM 1-2:** Amend Sections 5.106.4.1.2 and 5.106.4.1.2.1 to repeal the verbiage that states “… that have 10 or more tenant-occupants. “

The proposed 15-day code language for both short- and long-term bicycle parking will clarify the application and triggers for the required number of bicycle parking facilities in nonresidential occupancies, removes ambiguity and promotes the installation of additional bicycle parking.

BSC acknowledges the California Bicycle Coalition additional recommendations and other individuals to accommodate larger or longer bikes, and to add new definitions that align with HCD’s bicycle proposals along with additional recommendations for mobility devices. Upon further review, BSC has determined to address these recommendations in future code adoption cycles.

Additionally, BSC is proposing to relocate the existing code language from Section 5.106.4.1.2.3 to the main paragraph in Section 5.106.4.1.2 and repeal the section number. These amendments are meant to simplify the code requirements by providing the code compliance options in the main paragraph.

Lastly, BSC is proposing to add the following verbiage “Calculations for bicycle parking requirements shall be rounded up to the nearest whole number.” This code addition is meant to ensure that the proper calculation method is used by requiring the rounding up to the nearest whole number.

#### Notation:

Authority: Health and Safety Code Sections 18930.5 and 18944.19

Reference(s): Health and Safety Code Sections 18930.5 and 18944.19

### ITEM 3Chapter 5 NONRESIDENTIAL MANDATORY MEASURES,*DIVISION 5.1 – PLANNING AND DESIGN*SECTION 5.106 SITE PLANNINGTable 5.106.5.3.1 EV Capable spaces

#### ITEM 3-1

**TABLE 5.106.5.3.1
EV Capable spaces and EVCS**

[15-day changes proposed in column 1 only]

![Total actual parking spaces values change  from 0 to 9 spaces, to 1 to 9 spaces. parenthetical notes  0 [begin double underline] 1 [end double underline] dash 9]()

**Rationale:**

During the 45-day public comment period, BSC staff received a comment from the EV Charging for All Coalition (EVCAC) (with 10 signatories) based on the BSC 03/24 45-Day Express Terms, Item 3, Table 5.106.5.3.1 EV capable spaces and EVCS. The commenter noted that in “the first row of Table 5.106.5.3.1, the range should be 1 to 9 spaces for the first category because there are no parking lots with zero spaces.”

In addition to Item 3, Table 5.106.5.3.1 listed above, the discrepancy also occurs in the following Express Terms Items with tables:

ITEM 5-1: TABLE 5.106.5.3.6, EVCS–Power allocation method

ITEM 12-1: TABLE A5.106.5.3.1, Tier 1 EV capable spaces and EVCS

ITEM 12-2: TABLE A5.106.5.3.2, Tier 1 EVCS–Power allocation method

ITEM 13-1: TABLE A5.106.5.3.3, Tier 2 EV capable spaces and EVCS

ITEM 13-2: TABLE A5.106.5.3.4, Tier 2 EVCS–Power allocation method

BSC agrees with the commenter and proposes to provide an editorial correction to the values in column one “total number of actual parking spaces” for each of the tables listed above and individually show below.

This proposed editorial amendment clarifies the applicability of the intended parking space ranges that trigger the EV parking requirements. This correction removes ambiguity from the parking space tables.

#### Notation:

Authority: Health and Safety Code Sections 18930.5 and 18941.10.

Reference(s): Health and Safety Code Sections 18930.5 and 18941.10.

### ITEM 5Chapter 5 NONRESIDENTIAL MANDATORY MEASURES,*DIVISION 5.1 – PLANNING AND DESIGN*SECTION 5.106 SITE PLANNINGTable 5.106.5.3.6 EVCS–Power allocation method

**5.106.5.3.6** **Electric vehicle charging stations (EVCS)–power allocation method.** The power allocation method may be used as an alternative …

#### ITEM 5-1

**TABLE 5.106.5.3.6**
**EVCS–Power allocation method**

[15-day changes proposed in column 1 only]

![Total actual parking spaces values change  from 0 to 9 spaces, to 1 to 9 spaces. parenthetical notes  0 [begin double underline] 1 [end double underline] dash 9]()

**Rationale:**

See rationale for ITEM 3-1.

#### Notation:

Authority: Health and Safety Code Sections 18930.5 and 18941.10.

Reference(s): Health and Safety Code Sections 18930.5 and 18941.10.

### ITEM 12APPENDIX A5 NONRESIDENTIAL VOLUNTARY MEASURES*DIVISION A5.1 – PLANNING AND DESIGN*SECTION A5.106 SITE DEVELOPMENT

**A5.106.5.3 Electric vehicle (EV) charging. [N]** Construction shall comply with Section A5.106.5.3.1 Tier 1 or A5.106.5.3.3 Tier 2 …

#### ITEM 12-1

**A5.106.5.3.1 Tier 1.** Comply with Section 5.106.5.3.1 …

**TABLE A5.106.5.3.1
Tier 1 EV capable spaces and EVCS**

[15-day changes proposed in column 1 only]

![Total actual parking spaces values change  from 0 to 9 spaces, to 1 to 9 spaces. parenthetical notes  0 [begin double underline] 1 [end double underline] dash 9]()

#### ITEM 12-2

**A5.106.5.3.2 Tier 1** **Electric vehicle charging stations (EVCS)—power allocation method.** The power allocation method may be used as an alternative …

**TABLE A5.106.5.3.2
Tier 1** **EVCS–Power allocation method**

[15-day changes proposed in column 1 only]

![Total actual parking spaces values change  from 0 to 9 spaces, to 1 to 9 spaces. parenthetical notes  0 [begin double underline] 1 [end double underline] dash 9]()

**Rationale for ITEMS 12-1 and 12-2:**

See rationale for ITEM 3-1.

#### Notation:

Authority: Health and Safety Code Sections 18930.5 and 18941.10.

Reference(s): Health and Safety Code Sections 18930.5 and 18941.10.

### ITEM 13APPENDIX A5 NONRESIDENTIAL VOLUNTARY MEASURES*DIVISION A5.1 – PLANNING AND DESIGN*SECTION A5.106 SITE DEVELOPMENTSection A5.106.5.3.3 Tier 2 with associated Table A5.106.5.3.3 Tier 2 EV capable spaces and Section A5.106.5.3.4 Tier 2 Electric vehicle charging stations (EVCS)—power allocation method with associated Table A5.106.5.3.4

#### ITEM 13-1

**A5.106.5.3.3 Tier 2.** …

Refer to Section 5.106.5.3.2 …

**TABLE A5.106.5.3.3
Tier 2 EV capable spaces and EVCS**

[15-day changes proposed in column 1 only]

![Total actual parking spaces values change  from 0 to 9 spaces, to 1 to 9 spaces. parenthetical notes  0 [begin double underline] 1 [end double underline] dash 9]()

#### ITEM 13-2

**A5.106.5.3.4 Tier 2 Electric vehicle charging stations (EVCS)—Power allocation method.** The Power allocation method may be used as an alternative …

**TABLE A5.106.5.3.4
Tier 2** **EVCS–Power allocation method**



**Rationale:**

**ITEMS 13-1 and 13-2, values in Column 1:** See rationale for ITEM 3-1.

**ITEM 13-2, values in Columns 2, 3, 4:** During the 45-day public comment period, BSC staff discovered an editorial error in the appendix Table A5.106.3.4 Teir 2 Power allocation method. This appendix table, which is solely based on power in kVA, is meant to be used in lieu of the EV charging requirements in appendix Section A5.106.5.3.3 Tier 2 EV capable spaces. This alternative was crafted using the required power allocation in amps for the EV capable spaces from appendix Table A5.106.5.3.3.

Table A5.106.5.3.4 shows the required minimum total kVA at 6.6 kVA for parking spaces up to 200 and 45 percent of the actual parking spaces for 201 and over listed in column 2 which have been converted into kVA using 40-amps per space which equates to 6.6 kVA using 32A at 208v. The kVA calculation for 6.6 kVA minimum for the EV capable space was based on the minimum codified requirements for a level 2 charger “a dedicated 208/240 volts, 40-ampere minimum branch circuit”.

Knowing that the standard circuit breakers typically allow only 80% of their rating, the amperage was calculated as follows; 40Ax80%=32A. To convert the 32A to kVA, 208v is used because it is most common, and because it was the lower of the 2 voltages which results in increased chargers. See below for the kVA at 6.6 kVA calculation for both level 2 EVSE and EV capable spaces using the power allocation method.

kVA= (32"A" ×208"v" )/1000=6.6kVA

This power method calculation aligns with the codified EV capable spaces required in Table A5.106.5.3.3 and provides consistency between the two tables. Essentially both compliance methods require a similar amount of electrical power.

The editorial error occurred when calculating the power allocations (based on kVAs) in Table A5.106.5.3.4 which were calculated using 9.6 kVA instead of the 6.6 kVA which is shown on table column 2. This created larger kVA values for the various ranges for the actual parking spaces. The CALGreen intent is that this appendix table is meant to be used in lieu of the EV charging requirements in appendix Section A5.106.5.3.3 Tier 2 EV capable spaces. As codified in the 2022 Intervening Code Cycle this error creates a conflict between the two tables.

BSC proposes to amend appendix Tier 2 Table A5.106.3.4 Power allocation method to correct the error and provide consistency between the two tables. This amendment corrects the unintended consequences of penalizingthe power allocation compliance method compared to EV capable space power requirements.

#### Notation:

Authority: Health and Safety Code Sections 18930.5 and 18941.10.

Reference(s): Health and Safety Code Sections 18930.5, 18931.7 and 18941.10.