

NATURAL GAS PROHIBITION EXEMPTION FORM

The City's updated Natural Gas Ban goes into effect on August 1, 2021, as outlined in [Municipal Code CHAPTER 17.845 - Prohibition of Natural Gas Infrastructure in Newly Constructed Buildings](#). Natural Gas Infrastructure shall be prohibited in Newly Constructed Buildings that are wholly or partly located in the City of San Jose, with allowance for exceptions and exemptions, as summarized below (please read the ordinance for full language).

EXCEPTIONS & EXEMPTIONS

Hospitals and Certain Attached ADUs are Excepted. These requirements do not apply to Hospitals, as defined in the California Building Code, Chapter 2, Section 202. (17.845.020(G)) Attached accessory dwelling units (ADUs) that are proposed in an existing mixed-fuel building are also excepted.

Distributed Energy Resource Facilities may be Excepted - Facilities with a Distributed Energy Resource (DER) for necessary operations to protect the public health, safety, or economic welfare in the event of an electric grid outage may apply for an exception on or before December 31, 2022 as allowed by the criteria of the [Municipal Code 17.845.040](#).

Manufacturing/Industrial Facilities and Food Service Establishments - There are limited exemptions for Manufacturing and Industrial Facilities and Food Service Establishments. Exemptions may be applied for on or before December 31, 2022 as allowed by the criteria of the [Municipal Code 17.845.045](#). The limited exemption may be approved by the Director of Planning, Building, Code Enforcement or his or her designee. The Director may issue a decision requiring compliance with less than the full extent of the requirements of the Chapter, but to the fullest extent reasonably achievable given the circumstances, provided:

- The non-exempt areas of the project comply with the code provisions.
- The proposed design meets or exceed the electrification readiness requirements in Municipal Code 24.12.

Hardship Exemption (section 17.845.050). The City allows for hardship exemptions that meet the criteria outlined in the [Municipal Code 17.845.050](#). The hardship exemption may be approved by the Director of Planning, Building, Code Enforcement, or his or her designee. The Director may issue a decision requiring compliance with less than the full extent of the requirements of the Chapter, but to the fullest extent reasonably achievable given the circumstances, provided:

- The non-exempt areas of the project comply with the code provisions.
- The proposed design meets or exceed the electrification readiness requirements in Municipal Code 24.12.

This form enables application of an exemption. For information more information about the ban and Reach Code, please visit the [San Jose Reach Code](#) webpage and view the [FAQs](#).

INSTRUCTIONS

Complete and submit this form to apply for an exemption.

HOW TO SUBMIT

- This form should be submitted with your building permit application. Schedule your required appointment for your building permit project at www.sanjoseca.gov/BuildingPermitServices.
- Please ensure that you sign and save all forms and documents as PDF files.

This is a computer-fillable PDF form and signatures, if required, must be a Digital ID Signature.
Follow instructions for [Digital Forms & Signatures](#).

Staff will assign PLAN CHECK #:

1. PROPERTY INFORMATION

FIND APN: WWW.SCCASSESSOR.ORG. FIND COUNCIL DISTRICT AND PERMIT INFO: WWW.SJPERMITS.ORG

PROJECT NAME:

PROJECT ADDRESS/ES:

2. TYPE OF EXEMPTION/EXCEPTION

2.a. Check the type of exemption (or exception for DER) that is applicable to your project:

- Distributed Energy Resource (DER) Facility**, requesting exception for necessary operations to protect the public health, safety, or economic welfare in the event of an electric grid outage.
- Manufacturing and Industrial Facility**, requesting limited exemption for the area with Process Loads. If checking this box, please also be sure to include information in Section 3:
- Food Service Establishment**, requesting limited exemption for area with Cooking Equipment or Commercial Kitchen.
- Hardship Exemption** - The type of project, site conditions, or operational requirements make it infeasible or a hardship to meet the requirements.

2.b. In the space below, briefly describe the area that is the subject of the limited exemption (or DER exception) and justify the request. Attach typed pages to the form if more space is needed.

3. FACILITIES WITH A DISTRIBUTED ENERGY RESOURCE SYSTEM

Please provide the following information for your DER system:

SYSTEM SIZE (kW):	UNIT EFFICIENCY (KWH/THERM):
ESTIMATED TOTAL ANNUAL GENERATION (KWH):	
ESTIMATED ANNUAL FUEL USAGE BY FUEL TYPE:	
EMISSION FACTORS (CO2/KWH, CH4/KWH, N2O/KWH) IF AVAILABLE:	

4. SIGNATURE & CONTACT INFORMATION

This exemption application is requested by:

• SIGNATURE of Property Owner	DATE: [MM/DD/YYYY]
PRINT NAME:	
TITLE IF APPLICABLE:	
FIRM NAME IF APPLICABLE:	
EMAIL:	PHONE:
MAILING ADDRESS:	

PERSON TO CONTACT WITH DECISION IF DIFFERENT FROM ABOVE:

NAME:

EMAIL:

A Digital ID Signature is required of the property owner or legally authorized agent of the property owner. By signing this application, you acknowledge that you are the property owner or the legally authorized agent of the property owner. For signatures by multiple property owners, use the [Affidavit Of Ownership-Multiple Owners Form](#).

DISCLAIMER: Applicants must recognize that approval of the exemption is based on the documentation provided at the time of approval. If during the review or inspection process, a City building official notices deviations from the original application, the approval becomes null and void. The applicant will then need to either revert to the original proposal or file a new application based on revised plans. For proposals that are processed prior to submittal of a full set of plans, only a conceptual approval can be given; a valid approval to proceed with the proposal requires submittal of all construction documents.

OFFICE USE ONLY		
FINDINGS:		
BUILDING INSPECTION MANAGER Signature:	<input type="checkbox"/> RECOMMENDED	<input type="checkbox"/> NOT RECOMMENDED
CHIEF BUILDING OFFICIAL Signature:	<input type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED
DEPARTMENT DIRECTOR or Designee Signature:	<input type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED