

ORDINANCE NO. 2941

AN ORDINANCE OF THE CITY OF ISSAQUAH, WASHINGTON, AMENDING SECTIONS 18.02.070 AND 18.09.140 OF THE ISSAQUAH MUNICIPAL CODE RELATED TO ELECTRIC VEHICLE CHARGING; AMENDING CHAPTER 8.12 OF THE CENTRAL ISSAQUAH DEVELOPMENT AND DESIGN STANDARDS TO ADD ELECTRIC VEHICLE CHARGING; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 2014, the City adopted a greenhouse gas emissions reduction target of 25% by 2020, 50% by 2030 and 80% by 2050, with a base year of 2007; and

WHEREAS, electric vehicles are an important step towards achieving City climate goals due to their reduced greenhouse gas emissions and fossil fuel use compared to gasoline-powered vehicles; and

WHEREAS, a lack of widely-accessible charging, especially in multifamily housing, is still a significant barrier to greater EV adoption; and

WHEREAS, the speed of EV adoption is expected to grow in the coming years due to increased affordability, driving range, and popularity. Further, EV sales are expected to grow due to the passage of Senate Bill 5811 in 2020, which authorizes the Department of Ecology to require automakers to sell a certain percentage of Zero Emission Vehicles (ZEVs) each year;

WHEREAS, increased EV ownership has benefits outside of greenhouse gas reductions; namely, a drastic reduction in particulate matter pollution, leading to numerous health benefits, and lower maintenance costs over the vehicle's lifetime when compared to a gasoline-powered vehicle; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, DO

ORDAIN AS FOLLOWS:

Section 1. Adding Definitions. Section 18.02.070, Definitions – E, of the

Issaquah Municipal Code is amended to read as follows:

18.02.070 Definitions – E.

Easement: A grant of one (1) or more of the property rights by the property owner for use by the public, a corporation, or another person, government agency, public utility company or other entity. The use of the easement is typically related to a specific purpose, for example, an access easement.

Easement, access: Any private easement for the purpose of ingress and egress that is not dedicated to the public and that is owned by the underlying owners of land over which it crosses.

Electric vehicle: Any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. Types of electric vehicles include a battery electric vehicle and a plug-in hybrid electric vehicle.

Electric vehicle battery charging station: See Battery charging station.

Electric vehicle battery exchange station: See Battery exchange station.

Electric Vehicle Capable or EV-Capable: Electrical panel capacity and space to support a 208/240-volt branch circuit for each EV parking space, and the installation of raceways, both underground and surface mounted, to support the EVSE (charging stations). Sometimes called “Conduit Only.”

Electric vehicle infrastructure: Structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

Electric vehicle rapid charging station: See Rapid charging station.

Electric vehicle ready parking space or EV-Ready space: A parking space that is provided with a minimum 208/240-volt dedicated branch circuit for electric vehicle supply equipment that is terminated at a receptacle, junction box or electric vehicle supply equipment within the parking space in order to allow for future installation of electric vehicle supply equipment.

Electric Vehicle Supply Equipment or EVSE: The conductors, including the ungrounded, grounded, and equipment grounding conductors, and the electric vehicle connectors, attachment plugs, personnel protection system, and all other

fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and an electric vehicle.

Electric Vehicle Supply Equipment Parking Space or EVSE Parking Space: A parking space with electric vehicle supply equipment capable of supplying current at 208/240 volts.

Electric vehicle load management system: A system designed to optimize a property's charging loads so that electricity is equitably distributed among multiple electric vehicle supply equipment simultaneously.

Employee residential accommodations: Facilities, including apartments or condominiums, owned or operated by private businesses or subsidiaries thereof and designed to provide short-term lodging accommodations to employees and/or guests.

Environmental improvements: Improvements to community facilities open space or forest space that are primarily intended to improve the natural environment for native vegetation and animal life. For example, creek improvements intended to benefit salmon, hillside improvements intended to prevent landslides, or planting native plants and recreating native habitats, are all considered environmental improvements. Environmental improvements may include but are not limited to the restoration of riparian and upland vegetation, the installment of instream woody debris for fish habitat, or the removal of hardened stream banks or floodplain fill for floodplain or wetland restoration.

Environmental review: The procedures and requirements established by the State

Environmental Policy Act, Chapter 43.21C RCW and Chapter 18.10 IMC, as it now exists or is hereafter amended.

Environmentally fragile area: Areas of the exterior environment that may be easily destroyed or damaged.

Event, special: See Special event.

Section 2. Amending Requirements in IMC. Section 18.09.140, Electric vehicle charging parking provisions, of the Issaquah Municipal Code is amended to add electric vehicle charging requirements as follows:

18.09.140 Electric vehicle charging parking provisions.

Electric vehicle charging infrastructure. Off-street parking spaces shall be designed according to the following standards:

A. Electric vehicle (EV) charging infrastructure. Electric vehicle charging infrastructure shall be provided for new and substantially improved buildings, and new surface parking lots (not gravel) and parking garages as follows:

1. Electric vehicle charging infrastructure shall be provided according to Table A.1 and Table A.2. For developments that have mixed residential and nonresidential uses, parking associated with residential uses shall meet the requirements of Table A.1, and parking associated with nonresidential uses shall meet the requirements of Table A.2. Projects must meet both the Number of Electric Vehicle Supply Equipment (EVSE) Parking Spaces and the Number of EV-Ready Parking Spaces.

Table A.1 Residential Electric vehicle (EV) charging infrastructure

<u>Use¹</u>	<u>Number of EVSE Parking Spaces</u>	<u>Number of EV-Ready Parking Spaces</u>
<u>New Multifamily (R1 and R-2, & I-2 occupancies) and any other multi-unit residential building not meeting the definition of “multifamily residential building” under the state building code, RCW 19.27.015(4)</u>	<u>10% of total parking spaces</u>	<u>30% of total parking spaces</u>
<u>Existing multifamily buildings undergoing Substantial Improvement² (R1, R-2, & I-2 occupancies) and any other multi-unit residential building not meeting the definition of “multifamily residential building” under the state building code, RCW 19.27.015(4)</u>	<u>10% of total parking spaces</u>	<u>20% of total parking spaces</u>

1. Occupancies in the Use Column are as defined in the International Building Code and International Residential Code

2. “Substantial Improvement” is as defined by IMC 18.02.110

Table A.2 Nonresidential Electric vehicle (EV) charging infrastructure

<u>Use</u>	<u>Number of EVSE Parking Spaces</u>	<u>Number of EV-Ready Parking Spaces</u>
<u>New Nonresidential buildings</u>	<u>5% of total parking spaces</u>	<u>10% of total parking spaces</u>
<u>Existing nonresidential buildings undergoing Substantial Improvement¹</u>	<u>5% of total parking spaces</u>	<u>10% of total parking spaces</u>

New Surface Parking Lots (not gravel) and Parking Garage Uses	5% of total parking spaces	10% of total parking spaces
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¹. “Substantial improvement” is as defined by IMC 18.02.110

2. Rounding. When calculating the number of required EV-ready or EVSE parking spaces, any fraction or portion of an EV-ready or EVSE parking space required shall be to whole numbers per Section 18.01.070 of the Issaquah Municipal Code. Fractions which are less than one-half (0.5) shall be rounded down to the nearest whole number (example: three and three tenths (3.3) shall be rounded down to three (3.0)), and fractions which are one-half (0.5) and greater shall be rounded up to the nearest whole number (example: three and seven tenths (3.7) shall be rounded up to four (4.0)).

3. An electric-vehicle-supply-equipment (EVSE) parking space does not count as an electric-vehicle-ready parking space for the purposes of meeting the requirements of this section.

4. When EVSE parking spaces are required, 5 percent, but no less than one of the EVSE parking spaces shall be accessible. The electric vehicle charging infrastructure may also serve adjacent parking spaces not designated as accessible parking.

5. Where EV-ready exterior on-grade surface parking spaces are located more than 4 feet from a building, raceways shall be extended to a pull box or stub in the vicinity of the designated space and shall be protected from vehicles by a curb or other device.

6. Where an electric vehicle load management system is installed to fulfill the requirements of Table A.1 and Table A.2, the maximum number of EVSE that may be connected to the same electrical circuit in the building is as shown in Table A.3.

7. Nothing in this section shall be construed to modify the minimum number of off-street motor vehicle parking spaces required for specific uses or the maximum number of parking spaces allowed, as set forth in Chapter 18.09, Parking.

8. All EVSE parking spaces shall have designated signage and pavement markings per RCW 46.08.185.

9. All EV charging infrastructure shall be installed in accordance with the National Electrical Code (NFPA 70). For electric-vehicle-ready parking spaces, the branch circuit shall be identified as "Electric Vehicle Ready" in the service panel or subpanel directory, and the termination location shall be marked as "Electric Vehicle Ready".

10. Projects that fully or partially include affordable housing units at or below 80% AMI, and as defined in IMC Subsection 18.21.020, must meet 100% of the requirement for EVSE and EV-Ready in the project; however, the provision of EVSE and EV-Ready in the project associated with defined

affordable housing shall be cost neutral. To achieve cost neutrality, the applicant must demonstrate 1) how cost neutrality has been calculated in an objective and typical industry methodology and 2) that any changes to existing standards to achieve cost neutrality are the minimum necessary to achieve that. Methods to achieve cost neutrality include:

- a) Reduction in the minimum required percentage of structured parking
- b) Reduction in the minimum required parking (supported by a parking study as allowed by code)

If the above actions do not result in cost neutrality, then alternatively or additionally, the applicant may propose:

- c) Reduction in the amount of required parking lot landscaping
- d) Any combination of the above that ensures the provision of EVSE and EV-Ready infrastructure associated with affordable units is cost neutral.

In no case may the provision of EVSE and EV-Ready stalls associated with affordable housing units drop below 50% of the required EVSE and EV-Ready infrastructure.

Table A.3 Maximum Number of EVSE Per Circuit Breaker Rating

Minimum Circuit Breaker Rating (AMPS)	Maximum Number of EVSE Per Circuit
20	1
30	2
40	4
50	5
60	6
70	7
80	8
90	10
100	11
125	14
150	17

Section 3. Amending Central Issaquah Development & Design Standards. Section

8.12, Motorcycle Parking, of the Central Issaquah Development and Design Standards is amended to read as follows:

8.12 Motorcycle and Electric Vehicle Parking

A. Required Motorcycle Parking Spaces (including Scooters and similar vehicles)

- 1. All non-residential uses containing twenty (20) or more parking spaces and residential developments of six (6) or more dwellings shall provide parking spaces for motorcycles.

2. Motorcycle spaces shall be provided at one (1) per thirty-six (36) of the required automobile spaces with at least one (1) motorcycle space provided for uses meeting the threshold in 8.12.A.1.

3. The Director may exempt those non-residential uses that would not normally have motorcycle-riding clientele (such as warehouses, storage facilities, automobile services, etc.) from motorcycle parking.

B. Electric vehicle charging parking provisions. Electric Vehicle charging infrastructure shall be provided for new and substantially improved multifamily and nonresidential buildings, and new paved surface parking lots and parking garages according to Subsection 18.09.140(A) Electric vehicle charging parking provisions of the Issaquah Municipal Code.

Section 4. Notification. The ordinance will be distributed to the Washington State Department of Commerce as required for amendments to the Land Use Code.

Section 5. Ordinance to be Transmitted to Department. This Ordinance shall be transmitted to the Washington Department of Commerce as required by law.

Section 6. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 7. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

Passed by the City Council of the City of Issaquah, the 5th day of April, 2021.

Approved by the Mayor of the City of Issaquah, the 5th day of April, 2021.

DocuSigned by:
Mary Lou Pauly
CEFF9F862CD7468...
MARY LOU PAULY, MAYOR

ATTEST/AUTHENTICATED:

DocuSigned by:



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CHRISTINE L. EGGERS, CITY CLERK

APPROVED AS TO FORM:

DocuSigned by:



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JAMES E. HANEY, CITY ATTORNEY

PUBLISHED: April 8, 2021

EFFECTIVE DATE: April 13, 2021

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