1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

KING COUNTY

Signature Report

Ordinance

Proposed No. 2020-0417.2

Sponsors Kohl-Welles, Dunn and Dembowski

AN ORDINANCE relating to electric vehicle parking regulations in residential and nonresidential development in unincorporated King County; adding new sections to K.C.C. chapter 21A.06 and adding a new section to K.C.C. chapter 21A.18.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. **Findings:**

A. A 2020 report from the American Lung Association found that "widespread transition to zero-emission transportation technologies could produce emission reductions in 2050 that could add up to $72 billion in avoided health harms, saving approximately 6,300 lives and avoiding more than 93,000 asthma attacks and 416,000 lost work days annually due to significant reductions in transportation-related pollution."

B. King County's 2015 Strategic Climate Action Plan highlights the importance of reducing transportation emissions, identifying increased electric vehicle charging as a strategy that could yield a notable greenhouse gas reduction and upon which local government could have a strong direct influence.

C. The King County executive has proposed a goal that every passenger-class vehicle sold in King County be electric by 2035.

D. King County is working to reduce transportation-related emissions with a

broad coalition of stakeholders including King County cities, utilities, businesses, labor and those communities most disproportionately impacted by climate change and poor air quality.

E. The 2019-2020 Biennial Budget Ordinance, Ordinance 18835, Section 84, as amended by Ordinance 19021, Section 46, Proviso P8, requires that $100,000 of the appropriation shall not be expended or encumbered until the King County executive transmits a report on options to require, incentivize or otherwise ensure electric-vehicle-charging infrastructure in new multifamily construction and other development proposals that include expansion of parking areas in the unincorporated area and an ordinance that would establish requirements to ensure that new parking areas are designed to include some amount of electric vehicle charging infrastructure to account for increased use of electric vehicles in the future. The report and ordinance are also required to be developed in consultation with stakeholder groups, including representatives of the building and electric vehicle industries and utilities. The requirement to transmit the report and ordinance as outlined in the proviso is also codified in K.C.C. 18.22.010.

F. The executive transmitted to the council a report on options to require, incentivize or otherwise ensure electric-vehicle-charging infrastructure in new multifamily construction and other development proposals that include expansion of parking areas in the unincorporated area.

G. This ordinance establishes requirements to ensure that new parking areas are designed to include some amount of electric-vehicle-charging infrastructure to account for increased use of electric vehicles in the future.

H. During development of the report and ordinance, stakeholder groups were

consulted, including representatives of the building and electric vehicle industries and utilities.

NEW SECTION. SECTION 2. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Electric vehicle: A vehicle registered for on-road use, primarily powered by an electric motor that draws current from a rechargeable storage source that is charged by being plugged into an electrical current source.

NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Electric-vehicle load management system: A system designed to allocate charging capacity among multiple electric vehicle supply equipment.

NEW SECTION. SECTION 4. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Electric-vehicle-ready parking 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.

NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Electric-vehicle supply equipment: 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.

NEW SECTION. SECTION 6. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Electric-vehicle-supply-equipment parking space: A parking space with electric-vehicle supply equipment capable of supplying current at a minimum of 208/240 volts, either by electric-vehicle supply equipment that directly serves the parking space or by adjacent electric-vehicle supply equipment capable of serving multiple parking spaces simultaneously.

NEW SECTION. SECTION 7. There is hereby added to K.C.C. chapter 21A.18 a new section to read as follows:

If this title requires a use to provide off-street parking, the parking area, whether provided on-site or off-site, shall include electric-vehicle-charging infrastructure as follows:

A.1. New townhouses shall provide one electric-vehicle-ready parking space per dwelling unit.

2. For new or substantially improved buildings for apartment dwelling units, or if paved surface parking area for such buildings is expanded by fifty percent or more, ten percent of total parking spaces shall be electric-vehicle-supply-equipment parking spaces and twenty-five percent of total parking spaces shall be electric-vehicle-ready parking spaces.

3. For the following development activities, five percent of total parking spaces shall be electric-vehicle-supply-equipment parking spaces and ten percent of total parking

spaces shall be electric-vehicle-ready parking spaces:

a. new or substantially improved buildings for group residential or temporary lodging uses in K.C.C. 21A.08.030, or expansion of paved surface parking area for one of these uses by fifty percent or more;

b. new or substantially improved buildings for nonresidential uses, or expansion of paved surface parking area for one of these uses by fifty percent or more; and

c. new commuter parking lot or automotive parking, or expansion of paved surface parking area for one of these uses by fifty percent or more.

4. The electric-vehicle-charging infrastructure requirements in this section do not apply to common-wall residential buildings that serve townhouse, apartment, group residential or temporary lodging uses and that consist of four or fewer units, do not exceed two stories in height, are less than five thousand square feet in area and have a one-hour fire-resistive occupancy separation between units. New construction of such buildings that serve Group B, Group R-1 hotel and motel only and Group R-2 occupancies as defined in the Washington State Building Code are required to meet the provisions of Section 429 of the Washington State Building Code.

5. For developments subject to subsections A.2., A.3.a. or A.3.b. of this ordinance, if the total number of parking spaces required by this title is six or fewer, the required electric-vehicle-supply-equipment parking spaces may be replaced by electric-vehicle-ready parking spaces. However, if such a parking area voluntarily exceeds the minimum required number of parking spaces, the parking area shall include the number of electric-vehicle-supply-equipment parking spaces required by this subsection A.

6. When electric-vehicle-charging infrastructure is required for new buildings or substantial improvements to existing buildings, the parking area shall meet the requirements of this section even if construction of additional off-street parking is not required elsewhere in this title.

7. For developments that have both residential and nonresidential uses, parking associated with residential uses shall meet the applicable requirements of subsection A.1., A.2. or A.3.a. of this section, and parking associated with nonresidential uses shall meet the requirements of subsection A.3.b. of this section.

8. If a parking reduction is granted as allowed by this title, the required number of electric-vehicle-supply-equipment parking spaces and electric-vehicle-ready parking spaces shall be calculated based on the final total number of parking spaces to be provided.

9. An electric-vehicle-supply-equipment parking space required by this section shall not count as an electric-vehicle-ready parking space for the purposes of meeting the electric-vehicle-ready requirements of this section. Each additional electric-vehicle-supply-equipment parking space installed beyond the minimum requirements of this section may count as one electric-vehicle-ready parking space for the purposes of meeting the electric-vehicle-ready requirements of this section.

10. When calculating the number of required electric-vehicle-supply-equipment parking spaces and electric-vehicle-ready parking spaces, any fraction or portion of a required electric-vehicle-supply-equipment parking space or a required electric-vehicle-ready parking space shall be rounded up to the nearest whole number.

11. When electric-vehicle-supply-equipment parking spaces are required, at

least five percent of the electric-vehicle-supply-equipment parking spaces, but no less than one electric-vehicle-supply-equipment parking space, shall be accessible. The accessible electric-vehicle-supply-equipment parking spaces shall be in addition to any accessible parking spaces required by the Washington state building code. The electric-vehicle-supply-equipment charger serving accessible spaces may include multiple attachment plugs in order to serve adjacent parking spaces not designated as accessible parking.

12. 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";

B. For townhouse developments containing nine or fewer dwelling units, the director may reduce the requirements of subsection A. of this section where the applicant can prove that the added electrical load to meet the requirements will require an on-site transformer that is pole-mounted, on a slab or in an underground vault. The reductions shall occur as follows:

1. The maximum quantity of electric-vehicle-charging infrastructure required to be installed shall be reduced to the maximum service size that would not require the changes to transformation or electrical service in subsection B. of this section; and

2. The director may first reduce the number of required electric-vehicle-ready parking spaces at electric-vehicle-ready parking spaces. If this is not sufficient, the director may also then reduce the required level of electric-vehicle-charging infrastructure at electric-vehicle-ready parking spaces from 208/240 volt to 120 volt circuits;

C. Electric-vehicle load management system technology is permitted to be used to support electric-vehicle-supply-equipment parking spaces. Applicants may also use electric-vehicle load management system assumptions in calculating the number of minimum 208/240-volt dedicated branch circuits needed to support electric-vehicle-ready parking spaces required by this section;

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

E. 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 K.C.C. chapter 21A.18 or elsewhere in K.C.C. Title 21A; and

F. All electric-vehicle-supply-equipment parking spaces shall have designated signage and pavement markings as required under RCW 46.08.185.

SECTION 8. **Severability.** If any provision of this ordinance or its application to

any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

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ATTEST:

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Attachments: None