



Staff Report

ENERGY & ENVIRONMENT DIVISION
DEPARTMENT of SUSTAINABILITY

To: Salt Lake City Planning Commission
From: Peter Nelson, peter.nelson@slcgov.com, 801-535-6477
Date: July 13, 2022
Re: PLNPCM2022-00374- Electrical Vehicle Readiness Ordinance

Zoning Text Amendment

IMPACTED CODE SECTION (S): 21A.44.040
APPLICABLE ADOPTED POLICY DOCUMENTS: Plan Salt Lake
ZONING DISTRICT: All Zoning Districts that Allow Multi-family Uses

REQUEST:

This is a request by Mayor Erin Mendenhall to amend the zoning ordinance regulations (Chapter 21A.44.040) to require a minimum of 20% of on-site parking spaces be constructed electric vehicle ready (EV-ready) for multi-family new-construction properties, meaning that they will have electrical conduit and sufficient electrical capacity for the future use of a minimum 200-volt electric vehicle charging station. EV-ready parking spaces do not require an installed charging station. The proposed EV-ready requirement is in addition to the existing EVSE-related requirement of 1 electric vehicle charging station per 25 required parking spaces for multi-family new-construction properties.

RECOMMENDATION:

Based on the information in this staff report and the standards to consider for zoning text amendments, Sustainability Staff recommends that the Planning Commission forward a positive recommendation to the City Council regarding this proposal.

ATTACHMENTS:

- A. Proposed Code Text
- B. Existing Code Text
- C. Analysis of Standards – Zoning Text Amendment
- D. Public Process and Comments
- E. Department Review Comments

PETITION DESCRIPTION AND BACKGROUND:

The proposed ordinance is in response to the changing dynamics of the City and in effort to improve air quality. More and more of the City's residents are living in multi-family dwellings. At the same time, demand for electric vehicles has continued to rise. This ordinance proactively prepares for these changing dynamics by providing EV-ready infrastructure within new multi-family developments, in the most economical way possible. It also seeks to help accomplish goals of Plan Salt Lake and the Electrified Transportation Resolution.

Quick Facts

1. Adds EV-ready requirements for multi-family new construction projects.
2. EV-ready requirements pertain to a minimum of 20% of off-street parking.
3. EV-ready parking spaces will include sufficient electrical capacity and conduit to support future use of 200-volt EV charging station.
4. EV-ready parking spaces do not require installation of an EV charging station.

Vehicles currently account for 42% of contributions to poor air quality along the Wasatch Front, and 18% of greenhouse gas (ghg) emissions in Salt Lake City. Given Salt Lake City's priorities of improving air quality and reducing our community-wide ghg emissions by 80% by 2040, adoption of electric vehicles (EVs) represent a significant pathway for achieving these targets. Electric vehicles produce no direct tailpipe emissions, and the electricity they utilize will be increasingly generated by emissions-free sources as the electrical grid in Utah transitions to renewable energy sources.

EV registrations in Utah have increased by more than 152% since 2017 and are expected to increase as many major car manufacturers continue to meet ambitious commitments to future EV production in the coming decade and beyond.

Access to charging is a major factor of EV adoption, and surveys have found that the majority of electric vehicle charging takes place at home. Given the pronounced growth in multi-family housing occurring in Salt Lake City, new projects should be equipped with the necessary electrical capacity and conduit such that a Level II EV charging station can be installed on 20% of off-street parking associated with the project. Including this infrastructure at the time of construction is significantly more economical, with studies suggesting that it is four times more expensive to add this infrastructure in a retrofit scenario.

Applicable Review Processes and Standards

Review Processes: Zoning Text Amendment

Zoning text amendments are reviewed against a set of considerations from the Zoning Code. The considerations are listed in Attachment C. Staff is required by ordinance to analyze proposed zoning text amendments against existing adopted City policies and other related adopted City regulations. However, ultimately, a decision to amend the Zoning Code is up to the discretion of the City Council.

KEY CONSIDERATIONS:

The key considerations and concerns below have been identified through the analysis of the project, community input, Planning Commission input, and department reviews:

- 1. Future Demand**
- 2. Equitable Access & Charging Behavior**
- 3. Economics of New-Construction & Retrofit Scenarios**
- 4. Air Quality & Greenhouse Gas Emissions**

Consideration 1. Future Demand

When Salt Lake City developed the first iteration of the electric vehicle charging ordinance, available Utah State Tax Commission data demonstrated a near doubling of EV ownership year-over-year. Since the adoption of the 2017 EV charging station ordinance requirement, EV registrations have increased statewide by 152%.

Consideration 2: Equitable Access & Charging Behavior

Access to residential charging is critical to EV adoption, with approximately 80% of charging events taking place at home. The proposed EV readiness ordinance supports the City's joint Electrified Transportation Resolution of expanding EV charging infrastructure by creating home-based charging opportunities for residents that live in multi-family dwellings.

Consideration 3: Economics of New-Construction & Retrofit Scenarios

Research gathered by the Sustainability Department suggests that the cost of adding EV-ready infrastructure in a retrofit scenario would be four-times greater than if included at the time of construction. As EV adoption expands in the coming decade, multi-family residential properties not equipped to accommodate EV charging will bear the risk of expensive retrofits or devaluation in the market.

Consideration 4: Air Quality & Greenhouse Gas Emissions

In January 2021, the City Council and Mayor Mendenhall adopted the joint Electrified Transportation Resolution, establishing a commitment to incorporate and promote clean energy transportation technologies as an important solution to reduce carbon emissions and pollutants that impact air quality. The proposed ordinance aligns directly with the resolution by expanding EV charging infrastructure, accelerating EV adoption rates, and supporting the inclusive development of clean transportation options for community members.

DISCUSSION:

The proposed text amendment will further the goals set forth by the City Council and Mayor's joint Electrified Transportation Resolution to promote clean energy transportation technologies as a means of reducing carbon emissions and pollutants harmful to our regional air quality. It will also help accomplish multiple goals and objectives from Plan Salt Lake.

Electric Vehicle (EV) adoption has grown significantly over the last decade and is expected to continue into the future. Because the majority of EV charging takes place at home, access to residential charging, including in multi-family dwellings, is a necessity for EV ownership. Including EV-ready infrastructure at the time of construction of multi-family projects not only promotes access to charging as the EV market expands but ensures that it is implemented economically.

NEXT STEPS:

The City Council has the final authority to make changes to the text of the Zoning Ordinance. The recommendation of the Planning Commission for this petition will be forwarded to the City Council for their final review and decision.

ATTACHMENT A: Proposed Code

This attachment includes a version of the code that identifies proposed deletions and new text with strikethroughs and underlines.

21A.44.040: REQUIRED OFF STREET PARKING:

B. Electric Vehicle Parking:

1. Each multi-family use shall provide a minimum of one (1) parking space dedicated to electric vehicles for every twenty-five (25) parking spaces provided on-site. Electric vehicle parking spaces shall count toward the minimum required number of parking spaces. The electric vehicle parking space shall be:
 - a. ~~1.~~ Located in the same lot as the principal use;
 - b. ~~2.~~ Located as close to a primary entrance of the principal building as possible;
 - c. ~~3.~~ Signed in a clear and conspicuous manner, such as special pavement marking or signage, indicating exclusive availability to electric vehicles; and
 - d. ~~4.~~ Outfitted with a standard electric vehicle charging station.

2. In addition to Electric Vehicle Parking requirements, each multi-family use shall provide a minimum of 20% electric vehicle ready (EV-ready) parking spaces of required parking spaces provided on-site. EV-ready parking spaces are parking spaces that are equipped with electrical conduit and sufficient electrical capacity for the future use of a minimum 200-volt electric vehicle charging station. The location of proposed EV-ready parking spaces shall be indicated on submitted site plans.
 - a. EV-ready parking requirements shall count toward the minimum required and maximum allowed number of parking spaces.
 - b. Parking areas with four or fewer vehicle parking spaces are not required to identify an EV-ready parking space.
 - c. Where no minimum parking is required, the 20% EV-ready parking space requirement will be based on provided parking.
 - d. For new multi-family uses, a minimum of 20% of required Accessible (ADA) parking spaces shall be constructed as EV-ready.
 - e. Electric vehicle parking spaces provided in accordance with Subsection B.1 that exceed the minimum number of required spaces established in that subsection shall count towards the required number of EV-ready parking spaces required in this Subsection B.2.

ATTACHMENT B: Existing Code Text

21A.44.050: TRANSPORTATION DEMAND MANAGEMENT:

B. Generally Applicable Transportation Demand Management Standards:

1. **Applicability:** The following standards shall be applicable to all new buildings that exceed five thousand (5,000) square feet in floor area or a major expansion of an existing building. For this subsection, a "major expansion" is defined as any alteration or modification to a building that increases the building's gross floor area by twenty five percent (25%) or five thousand (5,000) square feet, whichever is less.
2. **Electric Vehicle Parking:** The following standards shall only apply to multi-family uses. At least one (1) parking space dedicated to electric vehicles shall be provided for every twenty-five (25) parking spaces provided. Electric vehicle parking spaces shall count toward the required number of parking spaces. The electric vehicle parking space shall be:
 - a. Located in the same lot as the principal use;
 - b. Located as close to a primary building entrance as possible;
 - c. Signed in a clear and conspicuous manner, such as special pavement marking or signage, indicating exclusive availability to electric vehicles; and
 - d. Outfitted with a standard electric vehicle charging station.

ATTACHMENT C: Analysis Of Zoning Text Amendment Standards

ZONING TEXT AMENDMENT

21A.50.050: A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. In making a decision to amend the zoning map, the City Council should consider the following:

CONSIDERATION	FINDING	RATIONALE
<p>1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;</p>	<p>Complies</p>	<p>The proposed amendment is consistent with the goals and policies of the City.</p> <p>In 2016, the City Council and Mayor adopted a joint resolution that established renewable energy and carbon emission goals for Salt Lake City, including an 80% reduction in carbon emissions community-wide by 2040. Reductions in emissions from energy use and transportation are specifically cited in the resolution, which includes on-road emissions from private vehicles.</p> <p>In 2018, the City created the Electrified Transportation Roadmap that established best practices for electrified transportation initiatives. The roadmap includes “EV Ready New Construction” as a strategy that local governments can use to support smart, EV-ready new development.</p> <p>On January 12, 2021, City Council and Mayor Mendenhall adopted the joint Electrified Transportation Resolution, establishing a commitment to incorporate and promote clean energy transportation technologies as an important solution to reduce carbon emissions and pollutants that impact air quality. The proposed ordinance aligns directly with the resolution by expanding greater adoption of electric vehicle technology, expanding EV charging infrastructure, accelerating EV adoption rates, and supporting the inclusive development of clean transportation options for community members.</p> <p>Additionally, the proposed text amendment is consistent with the goals and objectives outline in Plan Salt Lake. The inclusion of EV ready infrastructure at multi-family properties will provide future opportunity for individuals to charge vehicles where they live. It provides more equitable access to EV infrastructure for individuals and families in a wider array of</p>

		<p>circumstances. Installing EV infrastructure upfront will significantly reduce the overall cost, thereby reducing the roadblock to additional EV usage. Additional EV usage will have an impact on Salt Lake’s air quality.</p> <p>The specific goals of Plan Salt Lake that this text amendment will help to accomplish are:</p> <p><u>Neighborhoods</u></p> <ul style="list-style-type: none"> • Create a safe and convenient place for people to carry out their daily lives. <p><u>Growth</u></p> <ul style="list-style-type: none"> • Reduce consumption of natural resources. <p><u>Housing</u></p> <ul style="list-style-type: none"> • Encourage housing options that accommodate aging in place. <p><u>Air Quality</u></p> <ul style="list-style-type: none"> • Reduce greenhouse gas emissions. • Reduce individual and citywide energy consumption. • Minimize impact of car emissions. <p><u>Equity</u></p> <ul style="list-style-type: none"> • Recognize and advocate for the rights of all residents and visitors. • Pursue equitable access to privately provided services and amenities across the City.
<p>2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;</p>	<p>Complies</p>	<p>The purpose of the zoning ordinance is to: <i>“promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Salt Lake City”</i>: and to <i>“implement the adopted plans of the City”</i>.</p> <p>This proposal promotes the health of all residents by facilitating a more rapid transition to electric vehicle usage. It puts infrastructure in place at the time of initial development, which is the most economical and convenient time to do so. It will provide additional choice for property owners and tenants alike. It also helps fulfill the specific goal to protect the environment.</p> <p>The requirement for EV-ready infrastructure is in response to, and in anticipation of, an increase in electric vehicle usage.</p>
<p>3. Whether a proposed text amendment is</p>	<p>Complies</p>	<p>The proposal does not impact any zoning overlays.</p>

<p>consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and</p>		
<p>4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.</p>	<p>Complies</p>	<p>The proposed text amendment contributes to planning practices of:</p> <ul style="list-style-type: none"> • Sustainability • Equity • Growth • Opportunity <p>Additional infrastructure for electric vehicles encourages a more rapid transition away from vehicles that produce harmful emissions and contribute to declining air quality. Providing EV-ready infrastructure at multi-family properties creates a more equitable situation for renters and those that may not otherwise have the option to install EV equipment. Requiring an additional 20% of the parking stalls to be EV-ready will help developments accommodate the transition to electric vehicles in the most flexible and economical way.</p>

ATTACHMENT D: Public Process And Comments

Public Notice, Meetings, Comments:

The following is a list of public meetings and other public input opportunities that have been held related to the proposed ordinance. All written comments that were received throughout this process are included within this attachment.

- October 2020- Present
 - A project webpage with information about the proposed EV Readiness ordinance has been hosted on Salt Lake City Sustainability's website, which includes a comment form submission feature or alternatively an email address for the project administrator.
- October 14, 2020
 - A virtual presentation of the proposed EV Readiness language was hosted by Sustainability Department staff, with notices of the event emailed to a list of 230 developers and design professionals.
- December 15, 2020 and February 9, 2021
 - Sustainability staff presented information about the EV Readiness ordinance to industry groups representing commercial real estate managers.
- June 22, 2021 and April 19, 2022
 - Notices were emailed to all recognized community organizations (community councils) per City Code 2.60 containing a fact sheet about the proposed EV Readiness ordinance, and requesting public comment.

Notice of the public hearing for the proposal included:

- June 30, 2022
 - Public hearing notice mailed
 - Public hearing notice posted
 - Public notice posted on City and State websites and Planning Division list serve

Public Input:

The following comments were received from the public on the project webpage:

	Feedback, Comments, and Questions	Date
1	This ordinance is a bit pre-mature, especially for multi- family projects. Most apartment owners cannot afford an electric vehicle and the EV stations installed don't get used. While I like the concept, the ordinance will increase costs for housing at a time when we need to make housing more affordable.	9/23/2020 21:05
2	I certainly appreciate the need to move things in a clean energy direction, however, I cannot support pushing such a high percentage of required EV stalls. Electric vehicles are not a fully viable means of transportation at this point, and won't be for some time. Until owning an electric vehicle makes practical and economic sense, 20% of the population will not be driving these types of vehicles. Implementing reasonable EV station requirements, providing incentives for developers that go beyond the requirements, and/or stepping up requirements over time, all prove that the city is thoughtful on both sides of the situation. It is important to stay ahead of demand, however, having managed properties with EV stations, we are very far from a 20% use of these stations.	1/6/2021 21:25
3	We appreciate the City working to push forward sustainability ordinances, as we all are stewards of our cities. However, requiring 20% of residential parking to cater to electric vehicles appears quite high in relation to the actual users. We do live in an area where ownership of an electric vehicle is a luxury. In addition to being economically prohibitive, residents live in Utah in order to enjoy a state full of natural wonders, in which the current electric vehicle options are not viable. We recognize that this need is forthcoming, however, recommend an incentive program, rather than a % requirement, be initiated. If an EV station requirement ordinance is inevitable, we suggest that the % is substantially reduced and applied to only specific types/sizes of multi-family, matching the actual needs of the potential residents/general public. These requirements could then step as demand increases.	1/7/2021 19:26
4	Hello, I have a question about this ordinance. Is this only applicable to new build? Or does it apply to existing multi-family dwellings? I live in an existing building and would love to push our HOA to install charging stations, two of us own electric vehicles.	1/22/2021 16:03

The following emails were received as part of the public outreach efforts:

Williams, Shannon

From:
Sent: Wednesday, November 18, 2020 9:05 AM
To: Williams, Shannon
Subject: (EXTERNAL) EV Stall Readiness Ordinance -

Ms. Williams,

As both a Salt Lake City resident and someone who develops multi-family projects in SLC, let me start by saying I am a huge proponent of SLC, and Electric Vehicles. I absolutely support Electric Vehicles and I support the Cities current requirements for projects to provide 1 EV stall per 25 Stalls the project provides (required or not).

However, I have concerns about this new proposed ordinance. While it may not seem like a big deal, in a recent 100 unit Multi-Family project, we priced running conduit, upsizing power panels and up-sizing transformers / generators, so that each parking stall could accommodate an EV stall in the future. I can share with you that our findings were in excess of \$3,000 per stall just in infrastructure cost. The exact infrastructure this ordinance is proposing. By the time you purchase the EV charging station itself, this could add \$6-10K per STALL - depending on which EV station one goes with. Ultimately in a time when affordability is of major concern, having a required burden of an additional \$6,000 per unit will force someone looking for a 5-6% return on investment (ROI) to increase rents by \$250-300 / yr. While this "MIGHT" promote more EV cars / EV usage in the City, it "WILL" impact affordability.

I am not in support of this change as a requirement. Thanks.

Williams, Shannon

From:
Sent: Wednesday, November 18, 2020 9:36 AM
To: Williams, Shannon
Subject: (EXTERNAL) RE: Reminder: SLC Electric Vehicle Readiness Ordinance Presentation - October 14th

Shannon,

Thanks for sending this over. I sent a comment previously but thought I should correspond directly. As someone who builds affordable housing, I have never seen anyone use our EV charging stations that we have installed. I have never actually seen any electric vehicles at our buildings. While I am a big fan of the conversion to electric vehicles, I think requiring additional infrastructure for EV charging stations is probably premature for affordable housing projects. I think that they should be exempted from the proposed ordinance. This adds an additional cost when it is already difficult to make these projects pencil financially.

Sincerely,

Williams, Shannon

From:
Sent: Wednesday, December 9, 2020 11:02 AM
To: Williams, Shannon
Cc: Otto, Rachel
Subject: (EXTERNAL) RE: Salt Lake City Proposed EV Readiness Ordinance

Shannon –

Thank you so much for reaching out. I missed your first email in November,

Our position on this issue will be similar to the legislature's position several years ago when a similar thing was tried by Salt Lake City:

- It is inappropriate for any municipality to mandate this (the market should guide if there is demand and feasibility for electric charging stations in multi-family)
- In an affordable housing crisis it is a particularly bad time to mandate anything that

increases cost of housing Even if there is political will in the city, I think the legislature might overrule such a policy, should you put it in effect. What is your timeline here?

Thanks again for including us as a stakeholder. We really appreciate it and to the extent we could work together to educate owners about environmentally friendly policies and electric vehicle charging station issues, we would love to help. Perhaps through education and persuasion we could effect more change than a doomed ordinance would bring.

Williams, Shannon

From:
Sent: Wednesday, February 17, 2021 12:10 PM
To: Williams, Shannon
Subject: (EXTERNAL) Question about EV Ordinance

Hi Shannon,

I attended the UCRE workshop yesterday about the proposed EV ordinance. I had to leave the call early, but I was wondering if this ordinance will just apply to Salt Lake City or beyond that? I think it is a great initiative and excited to do my part to help.

Thank you,

August 23, 2021

TO: Salt Lake City Planning Commission
FROM: Judi Short, First Vice Chair and Land Use Chair
Sugar House Community Council
RE: 21A.44.050.B.3 Electric Vehicle Ready Parking Text Amendment

We received notification of this proposed Text Amendment, and it was put on our website and in the Sugar House Community Council Newsletter for August. It is also in the newsletter going out tomorrow for September. We have received no written comments, but everyone seems to agree with this concept. If electric vehicles are the wave of the future, we need to make sure that our parking garages are welcoming, and there is no better way to do that than to have charging stations available.

We approve of the idea that requiring a minimum of 20% of on-site parking spaces be constructed EV ready, including electrical conduit and sufficient electrical capacity for the future use of a minimum 200-volt electric vehicle charging station. And, that the requirement is in addition to the existing EVSE-related requirement of one electric vehicle charging station per 25 required parking spaces for multi-family properties.

The only negative comment came from a developer who complained about the huge expense this would add to the cost of his buildings, but then said it was the right thing to do.

From:

To: Nelson, Peter

Subject: (EXTERNAL) I am against increasing cost of housing for EV charging

Date: Thursday, May 19, 2022 3:41:29 PM

The text amendment PLNPCM2022-00374 will significantly increase costs of housing in SLC. EV penetration is not close to 5% and Utah is not getting many more EV. The cost almost requires so much money that they buy a home. Don't increase housing costs for a questionable dream of having everyone drive EVs.

From:

To: Nelson, Peter

Subject: (EXTERNAL) Comment against 20% EV infrastructure

Date: Monday, June 13, 2022 12:20:15 PM

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Since EVs in Utah are still around 4%, adding this requirement now will significantly increase the cost of housing without benefits. Maybe in 10 years it may make sense but we can't even buy an EV in Utah (easily).

ATTACHMENT E: City Department Review Comments

In general, the proposed changes do not directly impact most other City departments.

Transportation: No concerns.

Engineering: No concerns.

Public Utilities: No comments provided.

Building Services (Zoning): No concerns.

Building Services (Fire): No concerns.