



## Legislation Text

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**File #:** 61929, **Version:** 3

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### **Fiscal Note**

No City appropriation required.

### **Title**

2<sup>nd</sup> SUBSTITUTE - Amending Sections 28.211, 28.061, 28.072, 28.082 and 28.091 and Creating Section 28.141(8)(e) of the Madison General Ordinances to create a new use, Electric Vehicle Charging Facility, and to require that certain parking facilities are constructed or reconstructed to include a specified amount of Electric Vehicle Ready Spaces and Electric Vehicle Installed Spaces.

### **Body**

DRAFTER'S ANALYSIS: This ordinance addresses charging stations and charging facilities for electric cars. Because of the different needs associated with them, this ordinance does not address electric bicycles, which will have to be addressed in a separate ordinance. That is consistent with recent state law changes that exclude electric bicycles from the definition of "motor vehicle".

This ordinance would create a new use in the Zoning Code, Electric Vehicle Charging Facility. This would be a stand-alone facility existing for the purpose of providing electric vehicle charging on a retail basis-like a gas station. These facilities may not also sell other types of vehicle fuel, such as gasoline. Under this ordinance, these facilities would be permitted uses in the Neighborhood Mixed-Use (NMX), the Traditional Shopping Street (TSS), Mixed-Use Center (MXC), Commercial Center Transitional (CC-T), Commercial Center (CC), Downtown Core (DC), Urban Office Residential (UOR), Urban Mixed Use (UMX), Traditional Employment (TE), Suburban Employment (SE), Suburban Employment Center (SEC), Employment Campus (EC), Parks and Recreation (PR), and Airport (AP) districts.

This ordinance also creates a requirement that certain commercial and residential parking facilities of a certain size and constructed after the effective date of this ordinance be constructed so that up to 50% of all spaces are electric vehicle ready (served with conduit/raceways and panel capacity to allow for the future installation of an EV charging station) and up to 10% of all spaces be served by at least a Level II electric vehicle charging station. These EV ready and EV installed requirements will phase in 5-year increments, beginning on January 1, 2021, to account for current and future market needs.

The purpose of this amendment is to ensure and encourage the present and future availability of electric vehicle charging stations in parking facilities throughout the City. Future projections are that by 2038, EV sales nationwide will eclipse internal combustion engine vehicle sales and that by 2040 over 57% of the total new car market will be for EVs. In Madison, recent data showed that 1.9% of new vehicles sold were electric vehicles-the highest such rate in the Midwest. Additionally, EV sales in Wisconsin increased by 24% from 2017 to 2018. As electric vehicles see greater adoption by the market, and to meet the projected increased future demand for charging infrastructure, it will be necessary to retrofit older parking facilities. This ordinance ensures that not only will current and near-term charging station demand be met, but that future charging station demand can be cost-effectively provided. It is far cheaper and more efficient to build EV ready and EV installed spaces at the time of new construction than to retrofit parking facilities in the future.

The substitute and second substitute clarifies the definitions used to make it clear that an EV ready space is a parking space that has the existing infrastructure capacity to be served with EVSE in the future, while an EV installed space is a space that is actually served by an electric vehicle charging station. In addition this substitute makes it clear that these requirements apply to new parking lots, or existing parking lots where significant additions occur (50% or more new spaces added) or where significant reconstruction occurs (50%

or more than 10,000 square feet of the existing paving and base is removed and replaced).

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The Common Council of the City of Madison do hereby ordain as follows:

Please see "61929 Body 2<sup>nd</sup> SUBSTITUTE" in Attachments.