



# Kitsap County Department of Community Development

## Staff Report and Recommendation Kitsap County Code Bicycle Parking and Electric Vehicle Charging Code Update

<b>Report Date</b>	September 1, 2022
<b>Hearing Date</b>	October 18, 2022
<b>Amendment Type</b>	Kitsap County Development Regulation Update
<b>Description</b>	<p>The proposed amendments:</p> <ul style="list-style-type: none"> <li>• Expands the requirements for bicycle parking standards and adds incentives to encourage bicycle parking.</li> <li>• Adds requirements and incentives for electric vehicle charging.</li> </ul> <p>The proposed amendments do not:</p> <ul style="list-style-type: none"> <li>• Have any impact on bicycle lanes.</li> </ul>
<b>Geographic Area Affected</b>	Unincorporated Kitsap County
<b>SEPA</b>	Determination – in process
<b>Department Recommendation</b>	Adopt as proposed

This report and recommendation are based on information available at the time of publication. If new relevant and material facts are discovered through the public comment process before the Planning Commission and Board of County Commissioners (Board) as outlined in Chapter 21.08, this staff report may be revised, and the department recommendation may be modified.

### 1. BACKGROUND

The Kitsap County Department of Community Development (Department or DCD) proposes to amend certain elements of Kitsap County Code Title 17 'Zoning'. The Zoning Code is one of the County's key tools for implementing the goals and policies of the Kitsap County Comprehensive Plan consistent with the Washington State Growth Management Act and Kitsap Countywide Planning Policies. It governs what can be built, where it can be built, how it can be built, and what processes must be followed to obtain approval.

The primary goal of the Bicycle Parking and Electric Vehicle Charging Code Update is to increase non-motorized and low/no emission transportation options; reduce greenhouse gas emissions and help support PSRC's Vision 2050, Countywide Planning Policies, and Kitsap County Climate Change Resiliency Assessment goals and outcomes; improve public health

outcomes via cleaner air and active transportation; and implement the goals and policies of the County's 2016 Comprehensive Plan.

**A. Authority**

The Growth Management Act (GMA) mandates that Kitsap County's Comprehensive Plan and development regulations be reviewed and, if needed, revised at least every 10 years [RCW 36.70A.130(5)]. The most recent Kitsap County periodic update concluded with the adoption of the 2016 Kitsap County Comprehensive Plan on June 27, 2016 by Ordinance 534-2016. The GMA also mandates that Kitsap County's Comprehensive Plan and development regulations be subject to continuing review and evaluation, allowing for annual amendments to the Comprehensive Plan [RCW 36.70A.130(1)] and as-needed updates to development regulations to ensure consistency with desired development outcomes.

**B. Proposed Amendment**

Strikes existing bicycle parking requirements from Kitsap County Code (KCC) 17.490.020. Adds expanded bicycle parking requirements including number, location, material, and dimensions to a new section 17.490.070. Adds a vehicle charging requirements including number and operational standards to a new section 17.490.080. Both sections also include incentives for additional provision of bicycle parking and electric vehicle charging.

**C. Geographic Description**

The bicycle parking requirements apply in the urban areas of Unincorporated Kitsap County, in the Rural Commercial and Rural Industrial zones, and in LAMIRDS. Vehicle charging requirements apply throughout Unincorporated Kitsap County.

**2. DEPARTMENT RECOMMENDATION**

Having analyzed the proposed amendment and other alternatives, if applicable, the Department recommends:

- Adoption of the amendment:
  - as proposed above
  - as described in Alternative \_\_\_ below
  - with revisions described below
  - with conditions described below
- Deferral of the amendment to a future docket
- Denial of the amendment

**A. Rationale**

Substantive Findings:

- Kitsap County is subject to the requirements of the Washington State Growth Management Act (GMA), Chapter 36.70A RCW.
- The GMA, at RCW 36.70A.130(5), mandates that Kitsap County's Comprehensive Plan and development regulations be reviewed and, if needed, revised at least every 10 years. The most recent Kitsap County periodic update concluded with the adoption of the 2016 Kitsap County Comprehensive Plan on June 27, 2016 by Ordinance 534-2016.
- The GMA, at RCW 36.70A.130(1), also mandates that Kitsap County's Comprehensive Plan and development regulations be subject to continuing review and evaluation which includes the adoption of the 2018 Kitsap County Comprehensive Plan Update on December 10, 2018 by Ordinance 565-2018 and 2019 Kitsap County Comprehensive Plan Update on April 27, 2020 by Ordinance 587-2020.
- RCW 36.32.120(7) provides that county legislative authorities shall make and enforce, by appropriate resolutions or ordinances, all such police and sanitary regulations as are not in conflict with state law.
- After review of the Kitsap County Code, the Department identified code amendments that align with Kitsap County Comprehensive Plan policies, including land use, economic development, environment, and transportation and sub-area plans.
- The proposed code amendments were developed according to, and are compliant with, the requirements of GMA, Chapter 36.70A RCW, the Kitsap County Countywide Planning Polices, the Kitsap County Comprehensive Plan, and other applicable laws and policies including WAC 51-50-0429.
- The proposal is consistent with the Comprehensive Plan by:
  - Promoting health via cleaner air and active transportation
  - Reducing greenhouse gas emissions
  - Accommodating emerging technology
- Public participation including public review of the proposed code amendments as required by GMA, the State Environmental Policy Act, and Kitsap County Code took place throughout the process. Public participation is detailed in Section Two of the Draft Ordinance.
- The proposed code amendments reflect the local circumstances within Kitsap County. The Non-Motorized Facilities Committee initially raised the bicycle parking issue in early 2021 as a way to help increase the number of trips Kitsap County residents take by bicycle. As of August 11, 2022, Kitsap County had 3,692 registered electric vehicles. That number can be expected to rise significantly over the coming years, as Washington State adopted a target that all model year 2030 or newer vehicles in the state be electric.

- The proposed code amendments promote the public interest and welfare of the citizens of Kitsap County.

Procedural Findings:

- See Section Two of the Draft Ordinance.

### **3. OTHER ALTERNATIVES CONSIDERED**

The Department prepared a preliminary draft for initial discussions. No official alternatives are considered as part of this staff report.

### **4. COMPREHENSIVE PLAN CONSISTENCY**

A. The proposed amendments are consistent with the following goals and policies in the Kitsap County Comprehensive Plan, adopted June 30, 2016 and in the Subarea plans.

- Land Use Goal 2. Promote health in the built environment.
- Land Use Policy 15. Link non-motorized planning requirements to land use planning decisions.
- Economic Development Policy 24. Support plans that evaluate and recommend changes that accommodate technology infrastructure for business growth.
- Environment Policy 5. Support projects that increase air quality, reduce carbon emissions, or reduce climate change impacts.
- Environment Goal 3. Reduce the risk of damage to life, property and the natural environment through appropriate regulatory and incentive-based approaches in land use, transportation and development engineering programs.
- Transportation Goal 1. Provide a safe and reliable multi-modal transportation system for people of all ages and abilities.
- Transportation Policy 27. Encourage use of innovative fuel systems.
- Suquamish Goal 2. Provide Transportation Improvements that Enhance Economic Development.
- Kingston Parks, Trails and Open Space Goal 8. Create bicycle routes, multiuse pathways, and bike storage facilities to provide safe, secure and efficient bicycle connections for commuter, visitor, fitness and recreational riders.
- Silverdale Policy 11. Facilitate the diversification and growth of the Silverdale area economic base through a range of appropriate commercial land use designations, adequate land supply, improved transportation infrastructure, active business recruitment, and business friendly policies and regulations.
- Silverdale Goal 12. Ensure that transportation facilities necessary for future growth are provided concurrent with growth and coordinated with the overall land use plan for Silverdale.

- Silverdale Regional Center Policy 6. Incorporate pedestrian, bicycle, and gathering space amenities into both site and building design elements.
- Silverdale Regional Center Connectivity and Mobility Goal 5. Reduce the share of trips made by single occupancy vehicles (SOV).
- Silverdale Regional Center Environment Goal 13. Develop greenhouse gas emissions reduction ratio targets and achieve them through land use, transportation, and commercial and residential building construction and site development strategies.
- Silverdale Regional Center Policy 59. Support a multi-modal transportation system so that all people who live and work in the SRC have a variety of convenient low- or no-emission transportation options.
- Keyport Goal 9. Encourage development of an efficient multimodal transportation system and develop a funding strategy and financing plan to meet its needs.
- Keyport Goal 22. Encourage sustainable practices and green building in Keyport.

## 5. DEPARTMENT ANALYSIS:

As further explained below, the Department recommends approval of the proposed amendments because they:

- 1) increase non-motorized and low/no emission transportation options
- 2) reduce greenhouse gas emissions and help support PSRC's Vision 2050, Countywide Planning Policies, and Kitsap County Climate Change Resiliency Assessment goals and outcomes
- 3) improve public health outcomes via cleaner air and active transportation
- 4) implement the goals and policies of the County's 2016 Comprehensive Plan.

### **Increase non-motorized and low/no emission transportation options.**

As of August 11, 2022, Kitsap County had 3,692 registered electric vehicles. Both a Consumer Reports survey (Consumer Reports, July 7, 2022)<sup>1</sup> and the Kitsap County community survey from the beginning of 2022 indicate that the biggest barrier to wider adoption of electric vehicles are concerns about charging. Requiring new and redeveloped projects to include charging spaces should help alleviate concerns about charging and increase electric vehicle adoption.

In the Kitsap County community survey, approximately two-thirds of respondents indicated that bicycle parking was an important consideration for whether they took a trip by bicycle rather than vehicle. Requiring more stringent bicycle parking standards for new and redeveloped projects should help increase the number of bicycle trips.

- Land Use Policy 15. Link non-motorized planning requirements to land use planning decisions.

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<sup>1</sup> [https://advocacy.consumerreports.org/press\\_release/more-americans-would-definitely-get-electric-vehicles/](https://advocacy.consumerreports.org/press_release/more-americans-would-definitely-get-electric-vehicles/)

- Transportation Goal 1. Provide a safe and reliable multi-modal transportation system for people of all ages and abilities.
- Transportation Policy 27. Encourage use of innovative fuel systems.

**Reduce greenhouse gas emissions.**

Electric vehicles are more efficient at using energy than internal combustion engines. Only about 20% of the energy in a tank of gasoline is used to propel the vehicle forward. About 89% of the energy used by an electric vehicle moves it forward. Even with an electric grid powered solely by coal, electric power plants are about 33% efficient and powering electric vehicles via an electric grid powered solely by coal reduces energy consumption by about 31% (Yale Climate Connections, August 7, 2022)<sup>2</sup>.

- Environment Policy 5. Support projects that increase air quality, reduce carbon emissions, or reduce climate change impacts.

**Improve public health outcomes via cleaner air and active transportation.**

Increased energy efficiency in vehicles translates to fewer emissions of not only greenhouse gases, but other pollutants including nitrogen oxide, carbon monoxide, formaldehyde, and particulates (smog). Bicycles create no emissions and higher rates of cycling for transportation are linked with lower rates of obesity and diabetes.<sup>3</sup>

- Land Use Goal 2. Promote health in the built environment.
- Environment Policy 5. Support projects that increase air quality, reduce carbon emissions, or reduce climate change impacts.

**Implement the goals and policies of the County's 2016 Comprehensive Plan.**

The USA has surpassed the 5% adoption threshold for electric vehicles, where 5% of all new vehicles are electric. Once past this threshold, accelerated demand is expected based on other countries. Based on the demand curve, it is expected that a quarter of all new vehicles sold by the end of 2025 will be electric (Bloomberg, July 9, 2022)<sup>4</sup>. Additionally, Washington state passed a law this year that creates a target to have all public and private vehicles of model year 2030 or later sold, purchased, or registered in Washington to be electric (SB 5974, section 415)<sup>5</sup>.

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<sup>2</sup> <https://yaleclimateconnections.org/2022/08/electrifying-transportation-reduces-emissions-and-saves-massive-amounts-of-energy/>

<sup>3</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2937005/>

<sup>4</sup> <https://www.bloomberg.com/news/articles/2022-07-09/us-electric-car-sales-reach-key-milestone>

<sup>5</sup> <https://lawfilesexternal.wa.gov/biennium/2021-22/Pdf/Bills/Session%20Laws/Senate/5974-S.SL.pdf?q=20220831145201>

This code includes base levels of requirements as well as incentives to add additional capacity for both bicycle parking and electric vehicle charging.

- Environment Goal 3. Reduce the risk of damage to life, property, and the natural environment through appropriate regulatory and incentive-based approaches in land use, transportation and development engineering programs.

**6. STATE ENVIRONMENTAL POLICY ACT (SEPA)**

The Kitsap County’s SEPA Official has reviewed the SEPA checklist prepared for this amendment and will expect to issue a SEPA threshold determination soon and is in process. Notice of this SEPA threshold determination will be:

- Filed with the Washington State Department of Ecology SEPA Register;
- Published in the Kitsap Sun newspaper.

**7. PUBLIC INVOLVEMENT AND OUTREACH**

Kitsap County’s public involvement and outreach for this amendment exceeds the requirements of the Growth Management Act (RCW 36.70A) of early and continuous involvement, as well as the procedures outlined in Kitsap County Code (KCC 21.08). The Department conducted early and often public outreach as shown below. The outreach provided preliminary feedback to staff, including suggestions for revisions to an early version of the draft code.

Past outreach:

Schedule	Methods	Audience	Location
January 4, 2022	Virtual meeting	Manchester CAC	Online
January 6, 2022	Virtual meeting	Suquamish CAC	Online
January 11, 2022	Virtual meeting	Tribal coordination meeting members	Online
January 12, 2022	Virtual meeting	Kingston CAC	Online
February 2, 2022	Virtual meeting	Central Kitsap CC	Online
February 7, 2022	Email	PEP outreach letter mailing list	Various
February 8, 2022	Email	Subscribers to DCD GovDelivery “Code Update” list	Various
February 7 – February 23, 2022	Online Survey	Email lists above, Facebook, project website visitors	Various
April 25, 2022	In person	Kitsap All Ports members	Brownsville
June 22, 2022	Virtual meeting	Workshop group members	Online

## Bicycle Parking and Electric Vehicle Charging Staff Report

July 14, 2022	In person/hybrid	Kitsap Building Association	Silverdale
July 26, 2022	Virtual meeting	DCD Department Advisory Group	Online
August 2, 2022	In person	Manchester CAC	Manchester

### Future outreach:

- A project website with information about previous, current, and upcoming phases of the code project continues to be provided:  
<https://www.kitsapgov.com/dcd/Pages/Bicycle-and-Electric-Vehicle-Code.aspx>.
- DCD staff will be presenting at the Suquamish CAC on September 1, 2022.
- There will be a virtual open house on September 7, 2022 to review the documents on the website prior to the public comment period opening and to answer questions about the documents/code.
- DCD staff will be presenting at the Kingston CAC on September 14, 2022.
- The Department will open a 30-day public comment period regarding the proposal on September 15, 2022. During this public comment period, the public may learn more about this amendment by:
  - Attending applicable Planning Commission meetings;
  - Participating in a virtual open house on October 6, 2022; or
  - Contacting the staff listed in Section 8 below to request a consultation for a group or to have a one-on-one conversation.
- To be included in the official record, written comments must be submitted to the Department of Community Development before 11:59 PM on Monday, October 17, 2022 using one of the following methods:
  - Entered online via through the project website comment form;
  - Emailed to [mshumake@kitsap.gov](mailto:mshumake@kitsap.gov);
  - Mailed to 614 Division Street - MS36, Port Orchard, WA 98366; or
  - Dropped off at the Permit Center at 619 Division Street, Port Orchard, WA.
- Oral and written testimony may also be made to the Kitsap County Planning Commission at the public hearing scheduled at 5:30 PM on Tuesday, October 18, 2022 in the Commissioner’s Chambers on the 3<sup>rd</sup> Floor of the Kitsap County Administration Building (619 Division Street, Port Orchard, WA). Due to COVID-19, a zoom meeting may provide the opportunity to provide testimony remotely. The planning commission webpage will provide the necessary information for this meeting.
- Notifications and announcements regarding this comment period and public hearing include the following:
  - Legal notice published in the Kitsap Sun newspaper;
  - Electronic announcements via GovDelivery;
  - Email notification letters sent to Tribes with usual and accustomed area in Kitsap County, other local government and state agencies, and other interested groups.



**8. STAFF CONTACT**

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