

STATE BUILDING CODE OPINION 23-xxx

CODE: 2021 International Building Code

SECTION: 429.1 and 429.2 (*effective July 1, 2023*)

QUESTION 1: Does the EV charging infrastructure requirement outlined in Sections 429.1 and 429.2 of the Washington State-amended 2021 International Building Code apply to an accessory dwelling unit designed under the 2021 International Residential Code which is proposed to be located on the same property as an existing primary dwelling and accessory thereto?

ANSWER 1: **No, the EV charging infrastructure requirement outlined in Sections 429.1 and 429.2 of the Washington State-amended 2021 International Building Code does not apply to an accessory dwelling unit designed under the 2021 International Residential Code. Section 429 applies only to buildings and structures constructed under the 2021 International Building Code.**

QUESTION 2: If an accessory dwelling unit designed under the 2021 International Residential Code is required to be provided with an EV-ready parking space but the only on-site parking provided for the accessory dwelling unit is an area which also serves the existing primary dwelling unit, would the new accessory dwelling unit be exempt from the requirement pursuant to Section 429.1 exception 2?

ANSWER 2: **A new ADU without new attached garage or attached carport would not trigger the requirements in Section R309.6. The requirements for EV charging in Section R309.6 of the Washington State-amended 2021 International Residential Code apply to the construction of new dwelling units with attached private garages or attached private carports.**

BACKGROUND: An accessory dwelling unit may be detached, attached, or even located wholly within a primary dwelling. It has become common for detached accessory dwelling units to be proposed on lots developed with existing primary dwelling units. Often the accessory dwelling unit is located in the back yard without direct vehicular access and existing parking areas which were previously developed in conjunction with the existing primary dwelling unit are identified as serving both the existing primary dwelling and the proposed accessory dwelling unit

SUPERSEDES: None

REQUESTED BY: City of Spokane Valley