



# MEMORANDUM

DATE: February 17, 2011  
TO: Chair Kasner and Members of the East Bellevue Community Council  
FROM: Catherine A. Drews, Legal Planner, 425-452-6134  
SUBJECT: Electric Vehicle Infrastructure Amendment to the Land Use Code  
(Bellevue File No. 10-106985-AD)

On March 1, the East Bellevue Community Council (EBCC) will be holding a Public Hearing on the Electric Vehicle Infrastructure amendment to the Land Use Code (LUC). This code amendment was adopted by City Council on February 7, 2011, by Ordinance No. 5989. This ordinance now comes before the Community Council pursuant to LUC 20.35.365 for approval to make the ordinance effective within the EBCC jurisdiction.

A Courtesy Hearing was previously held before the Community Council on December 1, 2010. The Planning Commission recommended the Electric Vehicle Land Use Code Amendment to the Council in substantially the same form that was previously reviewed by the Community Council. The City Council subsequently approved the ordinance in the form recommended by the Planning Commission, after discussing concerns raised by the EBCC about the possibility of traffic being blocked while people wait in line to exchange batteries. Staff responded that this situation will be monitored and impacts associated with the use will be addressed.

## Adopted Ordinance

Ordinance No. 5989 amended LUC sections 20.10.440 (Use Charts); 20.25D.020 (Bel-Red Definitions); 20.25D.070 (Bel-Red Use Charts); 20.50.012 (B Definitions); 20.50.018 (E Definitions); and 20.50.044 (R Definitions). Specifically, Ordinance No. 5989 amends permits electric vehicle charging stations in all land use districts associated with accessory and auto parking, park and rides, and street and highway parking. Battery exchange stations are allowed in land use districts where gas stations and auto repair is allowed, and as a subordinate use to vehicle maintenance yards. These allowances are identified in footnotes contained in the land use charts.

Ordinance No. 5989 includes four new definitions:

A. "Battery charging station" means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth in Chapter 19.28 RCW and consistent with the rules adopted by the building code council for electric vehicle infrastructure requirements.

B. "Battery exchange station" means a fully automated facility that will enable an electric vehicle with an interchangeable battery to enter and exchange the depleted battery with a fully charged battery through a fully-automated process, which meet or exceed any standards, codes, and regulations set forth in Chapter 19.28 RCW and consistent with the rules adopted by the building code council for electric vehicle infrastructure requirements.

C. "Electric vehicle infrastructure," means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

D. "Rapid charging station" means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels, which meet or exceed any standards, codes, and regulations set forth in Chapter 19.28 RCW and consistent with the rules adopted by the building code council for electric vehicle infrastructure requirements.

Action Requested of the East Bellevue Community Council

Following review of Ordinance No. 5989, vote to approve the ordinance so it will become effective within the jurisdiction of the EBCC. Staff will be present at the March 1, 2011 hearing to answer any questions you may have.

Attachment: Ordinance No. 5989.

**ORIGINAL**

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5989

AN ORDINANCE amending the Bellevue Land Use Code allowing electric vehicle infrastructure as a use in all land use districts where accessory parking, auto parking, park and rides, street and highway rights-of-way parking, gasoline service stations, auto repair, or vehicle maintenance is allowed, specifically amending sections 20.10.440, 20.25D.020, 20.25D.070, 20.50.012, 20.50.018, 20.50.044 of the Bellevue Land Use Code; providing for severability and establishing an effective date.

WHEREAS, the Washington State Legislature passed, and the Governor subsequently signed, Second Substitute House Bill 1481 (SSHB 1481), which became effective July 26, 2009; and

WHEREAS, SSHB 1481 requires in relevant part that jurisdictions along the major regional freeways and meeting population thresholds to allow electric vehicle infrastructure as a use in all land use zones except residential and critical areas by July 1, 2010; and

WHEREAS, the City of Bellevue's Land Use Code does not allow electric vehicle infrastructure as a use; and

WHEREAS, the Environmental Coordinator for the City of Bellevue determined that this proposal will not result in any probable, significant, adverse impacts and as such a final threshold determination of non-significance (DNS) was issued on May 13, 2010; and

WHEREAS, the Planning Commission held public hearings on May 26, 2010 and December 1, 2010, about the proposed Land Use Code amendments contained herein; and

WHEREAS, the Planning Commission recommends that the City Council approve such proposed amendments, now, therefore;

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 20.10.440 (Transportation and Utilities) is hereby amended to add two new footnotes, 23 and 24, to the land use charts as shown below:

Chart 20.10.440 Uses in land use districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Transportation and Utilities – Residential Districts										
		R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
4	Transportation, Communications and Utilities											
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops	C	C	C	C	C	C	C	C	C	C	C
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters											
4214 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services (23)											
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	C 11	C 11	C 11	C 11	C 11	C 11	C 11	C 11	C 11	C 11	C 11
	Accessory Parking (6) (24)	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3
46	Auto Parking: Commercial Lots and Garages (24)											
	Park and Ride (5) (24)	C	C	C	C	C	C	C	C	C	C	C
475	Radio and Television Broadcasting Studios											
485	Solid Waste Disposal (19)											
	Highway and Street Right-of-Way (24)	P	P	P	P	P	P	P	P	P	P	P
	Utility Facility	C	C	C	C	C	C	C	C	C	C	C
	Local Utility System	P	P	P	P	P	P	P	P	P	P	P
	Regional Utility System	C	C	C	C	C	C	C	C	C	C	C

	On-Site Hazardous Waste Treatment and Storage Facility (7)											
	Off-Site Hazardous Waste Treatment and Storage Facility (8)											
	Essential Public Facility (20)	C	C	C	C	C	C	C	C	C	C	C
	Wireless Communication Facility (WCF): (without WCF Support Structures)	14, 16, 21										
	Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)	14, 16										
	Satellite Dishes (18)	P	P	P	P	P	P	P	P	P	P	P
	Electrical Utility Facility (22)	A/C 22										

**Transportation and Utilities – Nonresidential Districts**

STD LAN D USE CO DE REF	LAND USE CLASSIFICATION	Professi onal Office	Offi ce	Office/Lim ited Business	Light Indus try	General Commer cial	Neighborh ood Business	Commu nity Busines s	Facto ria Land Use Distri ct 1	Facto ria Land Use Distri ct 2	Facto ria Land Use Distri ct 3
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3
4	Transportation, Communications and Utilities										
41	Rail Transportation: Right-of- Way, Yards,	C	C	C	C	C	C	C	C	C	C

	Terminals, Maintenance Shops										
42 429 1	Motor Vehicle Transportatio n: Bus Terminals, Taxi Headquarters				P	P		P	P		
421 4 422	Motor Vehicle Transportatio n: Maintenance Garages and Motor Freight Services (23)				P	C					
43	Aircraft Transportatio n: Airports, Fields, Terminals, Heliports, Storage and Maintenance	C 11	C	C	C	C	C 11	C	C	C	C
	Accessory Parking (6)(24)	P	P	P	P	P	P	P	P	P	P
46	Auto Parking: Commercial Lots and Garages (24)			C	C	C		C	C	C	C
	Park and Ride (5) (24)	C	C	C	C	C	C	C	C	C	C
475	Radio and Television Broadcasting Studios	P	P	P	P 10	P 10		P	P	P	P

485	Solid Waste Disposal (19)				C						
	Highway and Street Right-of-Way (24)	P	P	P	P	P	P	P	P	P	P
	Utility Facility	C	C	C	C	C	C	C	C	C	C
	Local Utility System	P	P	P	P	P	P	P	P	P	P
	Regional Utility System	C	C	C	C	C	C	C	C	C	C
	On-Site Hazardous Waste Treatment and Storage Facility (7)			A	A	A	A	A	A	A	A
	Off-Site Hazardous Waste Treatment and Storage Facility (8)				C						
	Essential Public Facility (20)	C	C	C	C	C	C	C	C	C	C
	Wireless Communication Facility (WCF): (without WCF Support Structures)	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21
	Communication, Broadcast and Relay Towers	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16

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	Including WCF Support Structures (Freestanding )										
	Satellite Dishes (18)	P	P	P	P	P	P	P	P	P	P
	Electrical Utility Facility (22)	A/C 22									

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Transportation and Utilities – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
4	Transportation, Communications and Utilities						
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops						
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters	A	A	A			A
4214 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services (23)	S	S	S			S
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	A/C 2,12	A/C 2,12	A/C 12			A/C 2,12
	Accessory Parking (6)(24)	P 4	P 4	P 4	P 4	P 4	P 4

46	Auto Parking: Commercial Lots and Garages (24)	P 13	P 13	P 13	A	P 13	P 13
	Park and Ride (5)(24)			A			A
475	Radio and Television Broadcasting Studios	P	P	P		P	P
485	Solid Waste Disposal (19)						
	Highway and Street Right-of-Way (24))	P	P	P	P	P	P
	Utility Facility	C	C	C	C	C	C
	Local Utility System	P	P	P	P	P	P
	Regional Utility System	C	C	C	C	C	C
	On-Site Hazardous Waste Treatment and Storage Facility (7)	A	A	A	A	A	A
	Off-Site Hazardous Waste Treatment and Storage Facility (8)						
	Essential Public Facility (20)	C	C	C	C	C	C
	Wireless Communication Facility (WCF): (without WCF Support Structures)	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21
	Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16
	Satellite Dishes (18)	P	P	P	P	P	P
	Electrical Utility Facility (22)	A/C 22					

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**Notes: Uses in land use districts – Transportation and Utilities**

(1) (Deleted by Ord. 5086).

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(23) Battery Exchange Stations are ancillary to Motor Vehicle Transportation, and are permitted through the applicable review process as a component of that use. Operators of Battery Exchange Stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

(24) Electric Vehicle Infrastructure, excluding Battery Exchange Stations, is ancillary to motor vehicle parking and highways and rights of way, and is permitted through the applicable review process as a component of that use.

Section 2. Section 20.10.440 (Land Use Charts, Wholesale and Retail) is hereby amended to add a new footnote 40 to the land use charts as shown below:

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Wholesale and Retail – Residential Districts											
		R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30	
5	Trade (Wholesale and Retail) (39)												
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following: (1)												
5111 5156 5157 5191 5192	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum (2)												
5193	Scrap Waste Materials, Livestock												
	Recycling Centers	C	C	C	C	C	C	C	C	C	C	C	C
521 522 523 524	Lumber and Other Bulky Building Materials Including Preassembled Products (3)												

5251	Hardware Paint, Tile and Wallpaper (Retail)																			
5252	Farm Equipment																			
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)																			
54	Food and Convenience Store (Retail) (27)																			
5511	Autos (Retail)																			
	Trucks, Motorcycles, Recreational Vehicles (Retail)																			
	Boats (Retail)																			
552	Automotive and Marine Accessories (Retail)																			
553	Gasoline Service Stations (40)																			
56	Apparel and Accessories (Retail)																			
57	Furniture, Home Furnishing (Retail)																			
58	Eating and Drinking Establishments (37)																			
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies																			
	Adult Retail Establishments (31)																			
5961	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)																			
596	Retail Fuel Yards																			
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools																			
5999	Pet Shop (Retail and Grooming)																			
	Computers and Electronics (Retail)																			

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Wholesale and Retail – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/ Limited Business	Light Industry	General Commer- cial	Neighbor- hood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	LI	GC	NB (5)	CB (36*)	F1	F2	F3
5	Trade (Wholesale and Retail) (39)										
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following: (1)				P	P					
5111 5156 5157 5191 5192	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum (2)				P	C					
5193	Scrap Waste Materials, Livestock										
	Recycling Centers				P	P	P	P	P		
521 522 523 524	Lumber and Other Bulky Building Materials Including Preassembled Products (3)				P 35	P		P	P		
5251	Hardware Paint, Tile and Wallpaper (Retail)				S 35	P	P	P	P		
5252	Farm Equipment				P 35						

53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)							P	P		
54	Food and Convenience Store (Retail) (27)					P	P	P	P		
5511	Autos (Retail)			P 6	A 4, 35	P		C	C		
	Trucks, Motorcycles, Recreational Vehicles (Retail)			P 25	P 7, 35	P					
	Boats (Retail)				P 35	P					
552	Automotive and Marine Accessories (Retail)				P 35	P		P	P		
553	Gasoline Service Stations (40)			A 34	P 34, 35	P	P	P	P	A 34	A 34
56	Apparel and Accessories (Retail)			S		P		P	P	S	S
57	Furniture, Home Furnishing (Retail)				P 11, 35	P		P	P		
58	Eating and Drinking Establishments (37)		P 13	P 14	P 15, 29, 35	P	P 16, 28	P	P	P 14	P 14

59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies		P 17	S		P	P 19	P	P	S	S
	Adult Retail Establishments (31)			S				P	P	S	S
5961	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)				P 35	P					
596	Retail Fuel Yards				P 35	P					
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools				P 35	P	P 20	P 20	P 20		
5999	Pet Shop (Retail and Grooming)				P 26, 35	P 26	P	P	P		
	Computers and Electronics (Retail)				P 12, 35	P 12		P	P		

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Wholesale and Retail – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
5	Trade (Wholesale and Retail) (39)						
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following: (1)						
5111 5156 5157 5191 5192	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum (2)						
5193	Scrap Waste Materials, Livestock						
	Recycling Centers	P	P	P	C	C	
521 522 523 524	Lumber and Other Bulky Building Materials Including Preassembled Products (3)						
5251	Hardware Paint, Tile and Wallpaper (Retail)	P	P	P	P 21, 23	P 30	
5252	Farm Equipment						
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)	P	P	P	P 22, 23	P 30	
54	Food and Convenience Store (Retail) (27)	P	P	P	P 22, 23	P 30	P 38
5511	Autos (Retail)	P 24	P 24	P			

	Trucks, Motorcycles, Recreational Vehicles (Retail)	P 24, 25	P 24, 25	P			
	Boats (Retail)	P 24	P 24	P			
552	Automotive and Marine Accessories (Retail)			P			
553	Gasoline Service Stations (40)	A, S	A, S	P			A 34, S 38
56	Apparel and Accessories (Retail)	P	P	P	P 21, 23	P 30	P 38
57	Furniture, Home Furnishing (Retail)	P	P	P	P 21, 23	P 30	
58	Eating and Drinking Establishments (37)	P 28	P 28	P 28	P 23, 28	P 28	P 28, 38
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies	P	P	P	P 21, 23	P 30	P 38
	Adult Retail Establishments (31)	P	P	P		P	S
5961	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)						
596	Retail Fuel Yards						
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools			P 20			
5999	Pet Shop (Retail and Grooming)	P	P	P	P 21, 23	P 30	P 38
	Computers and Electronics (Retail)	P	P	P	P 21, 23	P 30	

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**Notes: Uses in land use districts – Wholesale and Retail**

(1) Wholesale trade includes sales offices for these goods.

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(40) Battery Exchange Stations are ancillary to Gasoline Service Stations, and are permitted through the applicable review process as a component of that use. Operators of Battery Exchange Stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

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Section 3. Section 20.10.440 (Land Use Charts, Services) is hereby amended to add a new footnote 26 to the land use charts, as shown below:

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Services – Residential Districts										
		R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
6	Services											
61	Finance, Insurance, Real Estate Services											
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair											
6241	Funeral and Crematory Services											
6262	Cemeteries	C	C	C	C	C	C	C	C	C	C	C
629	Child Care Services (3,4)											
	Family Child Care Home in Residence	P	P	P	P	P	P	P	P	P	P	P
	Child Day Care Center							C	C	P	P	
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment											
634	Building Maintenance and Pest Control Services											
637	Warehousing and Storage Services, Excluding Stockyards											
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools											
641	Auto Repair and Washing Services (26)											

649	Repair Services: Watch, TV, Electrical, Upholstery											
	Professional Services: Medical Clinics and Other Health Care Related Services											
	Professional Services: Other											
6513	Hospitals											
66	Contract Construction Services: Building Construction, Plumbing, Paving and Landscape											
671	Governmental Services: Executive, Legislative, Administrative and Judicial Functions					C 15						
672 673	Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops	C	C	C	C	C	C	C	C	C	C	C
	Limited Governmental Services: Protective Functions (21)								P	P	P	P
	Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions (22)											
674 675	Military and Correctional Institutions	C	C	C	C	C	C	C	C	C	C	C
	Secure Community Transition Facility (23,24)											
681	Education: Primary and Secondary (25)	A/C										
682	Universities and Colleges	C	C	C	C	C	C	C	C	C	C	C
683	Special Schools: Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools											
691	Religious Activities	C	C	C	C	C	C	C	C	C	C	C
692 (A)	Professional and Labor Organizations Fraternal Lodge											
692 (B)	Social Service Providers	A 14										
	Administrative Office – General											
	Computer Program, Data Processing and Other Computer-Related Services											
	Research, Development and Testing Services											

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Services – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/ Limited Business	Light Industry	General Commer cial	Neighor- hood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	LI	GC	NB (16)	CB	F1	F2	F3
6	Services										
61	Finance, Insurance, Real Estate Services	P	P	P	P 1	P	P	P	P	P	P
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair			S	P 2	P	P	P	P	S	S
6241	Funeral and Crematory Services	C	C	C						C	C
6262	Cemeteries	C	C	C	C	C	C	C	C	C	C
629	Child Care Services (3,4)										
	Family Child Care Home in Residence	P	P	P	P	P	P	P	P	P	P
	Child Day Care Center	P	P	P	P	P	P	P	P	P	P

63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment	P	P	P	P 5	P	P 17	P	P	P	P
634	Building Maintenance and Pest Control Services				P	P		P	P		
637	Warehousing and Storage Services, Excluding Stockyards				P	P		S	S		
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools			S	P 6	P	A 18	P 7	P 7	S	S
641	Auto Repair and Washing Services (26)				P	P	A 19	P	P		
649	Repair Services: Watch, TV, Electrical, Upholstery				P	P	P	P	P		
	Professional Services: Medical Clinics and Other Health Care Related Services	P	P	P		P	P	P	P	P	P
	Professional Services: Other	P	P	P	P.9	P		P	P	P	P
6513	Hospitals	C	C	C	C	C		C	C	C	C

66	Contract Construction Services: Building Construction, Plumbing, Paving and Landscape				P	P					
671	Governmental Services: Executive, Legislative, Administrative and Judicial Functions	C	C	C				C	C	C	C
672 673	Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops	C	C	C	C 10	C 10	C	C	C	C	C
	Limited Governmental Services: Protective Functions (21)										
	Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions (22)	P	P	P		P	P	P	P	P	P
674 675	Military and Correctional Institutions	C	C	C	C	C	C	C	C	C	C

	Secure Community Transition Facility (23,24)				C	C					
681	Education: Primary and Secondary (25)	A	A	A	A	A	A	A	A	A	A
682	Universities and Colleges	P	P	P	P	P	C	P	P	P	P
683	Special Schools: Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools	P	P	P	P	P		P	P	P	P
691	Religious Activities	P	P	P	P	P	C	P	P	P	P
692 (A)	Professional and Labor Organizations Fraternal Lodge	C	C	P		P		P	P	P	P
692 (B)	Social Service Providers	C	C	P	P	P	P	P	P	P	P
	Administrative Office – General	P	P	P	P 5	P	P	P	P	P	P
	Computer Program, Data Processing and Other Computer-Related Services	P	P	P	P 5	P				P	P
	Research, Development and Testing Services	P	P	P	P 5	P				P	P

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Services – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
6	Services						
61	Finance, Insurance, Real Estate Services	P 13	P 13	P	P 11, 12	P	P
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair	P	P	P	P 11, 12	P	P 11, 20
6241	Funeral and Crematory Services						
6262	Cemeteries						
629	Child Care Services (3,4)						
	Family Child Care Home in Residence	P	P	P	P	P	P
	Child Day Care Center	P	P	P	P	P	P

63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment	P	P	P	P 11, 12	P	P
634	Building Maintenance and Pest Control Services						
637	Warehousing and Storage Services, Excluding Stockyards						
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools			P			S
641	Auto Repair and Washing Services (26)			P 8			
649	Repair Services: Watch, TV, Electrical, Upholstery	P	P	P		P	
	Professional Services: Medical Clinics and Other Health Care Related Services	P	P	P	P 11, 12	P 11	P
	Professional Services: Other	P	P	P	P 11, 12	P 11	P
6513	Hospitals			C	C		

66	Contract Construction Services: Building Construction, Plumbing, Paving and Landscape						
671	Governmental Services: Executive, Legislative, Administrative and Judicial Functions	P	P	P	P 11, 12	P 11	A
672 673	Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops			P	C	C	A
	Limited Governmental Services: Protective Functions (21)						
	Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions (22)	P	P	P	P 12	P	P
674 675	Military and Correctional Institutions						

	Secure Community Transition Facility (23,24)						
681	Education: Primary and Secondary (25)	A	A	A	A/C	A	A
682	Universities and Colleges	P	P	P			
683	Special Schools: Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools			P	P 11, 12	P 11	P
691	Religious Activities	P	P	P	C	C	P
692 (A)	Professional and Labor Organizations Fraternal Lodge	P	P	P	C	C	P
692 (B)	Social Service Providers	P	P	P	C	C	P
	Administrative Office – General	P	P	P	P 11, 12	P	P
	Computer Program, Data Processing and Other Computer- Related Services	P	P	P	P 11, 12	P	P
	Research, Development and Testing Services	P	P	P	P 11, 12	P	P

....

**Notes: Uses in land use districts – Services**

(1) Finance, insurance, real estate services are permitted only if commercially or industrially related in LI Districts.

....

(26) Battery Exchange Stations are ancillary to Auto Repair and Washing Services, and are permitted through the applicable review process as a component of that use. Operators of Battery Exchange Stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

....

Section 4. Section 20.25D.020.A is hereby amended as follows:

**20.25D.020 Definitions Specific to Bel-Red.**

**A. Bel-Red Definitions.**

The following definitions are specific to the Bel-Red land use districts and shall have the following meanings:

**Average Finished Grade Along Facade.** Proposed grade after development as measured along a building facade from perpendicular wall to perpendicular wall including offsets, bays, and other minor modulating treatments not more than five feet deep.

**Battery charging station.** An electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standard, codes, and regulations set forth in chapter 19.28 RCW and consistent with the rules adopted by the building code council for electric vehicle infrastructure requirements.

**Battery exchange station.** A fully automated facility that will enable an electric vehicle with an interchangeable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth in chapter 19.28 RCW and consistent with the rules adopted by the building code council for electric vehicle infrastructure requirements. Operators of battery exchange stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

....

**Electric vehicle infrastructure.** Structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

....

Rapid charging station. An industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels, which meet or exceed any standards, codes, and regulations set forth in chapter 19.28 RCW and consistent with the rules adopted by the building code council for electric vehicle infrastructure requirements.

....

Section 5. Chart 20.25D.070 (Transportation and Utility Uses in the Bel-Red Land Use Districts) is hereby amended to add two new footnotes 15 and 16 to the land use chart as shown below:

**20.25D.070 Land Use Charts.**

The following charts apply to Bel-Red. The use charts contained in LUC 20.10.440 do not apply within the Bel-Red land use districts.

....

Chart 20.25D.070

Transportation and Utilities Uses in Bel-Red Land Use Districts.

STD LAND USE CODE REF		Transportation and Utilities – Bel-Red Districts						
		Bel-Red Medical Office/Node	Bel-Red Office Residential/Nodes	Bel-Red Residential Commercial Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR-MO/ MO-1	BR-OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR-R	BR-GC	BR-CR	BR-ORT
LAND USE CLASSIFICATION								
4	Transportation, Communications and Utilities							
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops	C/C	C/C	C	C	C	C	C



Regional Utility System	C	C/C	C	C	C	C	C
On and Off-Site Hazardous Waste Treatment and Storage Facilities							
Essential Public Facility (9)	C	C/C	C	C	C	C	C
Wireless Communication Facility (WCF): (without WCF Support Structures)	10, 11, and 12						
Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)	10, 11	10, 11	10, 11	10, 11	10, 11	10, 11	10, 11
Satellite Dishes (13)	P	P/P	P	P	P	P	P
Electrical Utility Facility (14)	A C/A C	A C/A C	A C	A C	A C	A C	A C

....

Notes: Uses in land use districts – Transportation and Utilities.

(1) Aircraft transportation is limited to only heliports and is regulated under the terms of LUC 20.20.450.

....

(15) Battery Exchange Stations are ancillary to Motor Vehicle Transportation, and are permitted through the applicable review process as a component of that use. Operators of Battery Exchange Stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

(16) Electric Vehicle Infrastructure, excluding Battery Exchange Stations, is ancillary to motor vehicle parking and highways and rights of way, and is permitted through the applicable review process as a component of that use.

Section 6. Chart 20.25D.070 (Wholesale and Retail Uses in the Bel-Red Land Use Districts) is hereby amended to add a new footnote 16 to the land use chart as follows:

Chart 20.25D.070

Wholesale and Retail Uses in Bel-Red Land Use Districts.

STD LAND USE CODE		LAND USE CLASSIFICATION	Wholesale and Retail – Bel-Red Districts						
			Bel-Red Medical Office/ Node	Bel-Red Office Residential/ Nodes	Bel-Red Residential Commercial Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
			BR-MO/ MO-1	BR-OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR-R	BR-GC	BR-CR	BR-ORT
5	Trade (Wholesale and Retail) (1, 7, 15)								
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following:					P 2			
5111 5156 5157 5191 5192	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum								

5193	Scrap Waste Materials, Livestock							
	Recycling Centers		P/			P	P	
521 522 523 524	Lumber and Other Bulky Building Materials Including Preassembled Products		P 3/			P	P 3	
5251	Hardware, Paint, Tile and Wallpaper (Retail)		P 3/	P 3	P 4	P	P 3	
5252	Farm Equipment							
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)		P/P 2	P 2	P 4	P	P	
54	Food and Convenience Store (Retail) (5,6)	P/P	P/P	P	P 4	P	P	P4
5511	Autos, Motorcycles (Retail)					P	A 7	
	Trucks, Recreational Vehicles (Retail)					P 2		
	Boats (Retail)					P 2		
552	Automotive and Marine Accessories (Retail)					P 2		
553	Gasoline Service Stations (8,16)		P/			P	P	

56	Apparel and Accessories (Retail)	P/P 2	P/P	P	P 4, 13, 14	P 2	P	
57	Furniture, Home Furnishing (Retail)		P/P	P	P 4, 13, 14	P	P	
58	Eating and Drinking Establishments (3, 6)		P/P 9	P 9	P 4, 13, 14	P	P	P
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies		P/P 3	P 3	P 4, 13, 14	P	P 2	P
	Adult Retail Establishments (10)		P/P			P	P	
5961	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)					P 2		
596	Retail Fuel Yards							
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools (11)		P/P 3	P 3	P 4, 13, 14	P	P	
5999	Pet Shop (Retail, Pet Day Care, and Grooming) (12)			P 3	P 4, 13, 14	P	P	

	Computers and Electronics (Retail)		P/P 3	P 3		P	P	
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Notes: Uses in land use districts – Wholesale and Retail.

(1) Wholesale trade excludes tank farms.

....

(16) Battery Exchange Stations are ancillary to Gasoline Service Stations, and are permitted through the applicable review process as a component of that use. Operators of Battery Exchange Stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

....

Section 7. Chart 20.25D.070 (Services Uses in the Bel-Red Land Use Districts) is hereby amended to add a new a new footnote 13 to the land use chart as shown below:

Chart 20.25D.070

Services Uses in Bel-Red Land Use Districts.

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Services – Bel-Red Districts						
		Bel-Red Medical Office/ Node	Bel-Red Office Residential/ Nodes	Bel-Red Residential Commercial Nodes	Bel-Red Residential	Bel-Red General Commercial	Bel-Red Commercial Residential	Bel-Red Office Residential Transition
		BR-MO/ MO-1	BR-OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR-R	BR-GC	BR-CR	BR-ORT
6	Services							
61	Finance, Insurance, Real Estate Services (10)	P 9/P 9	P/P	P	P 1, 11, 12	P	P	P
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair	P/P	P/P	P	P1, 11, 12	P	P	P
6241	Funeral and Crematory Services	C/C				C		
6262	Cemeteries							
629	Child Care Services (2, 3)							
	Family Child Care Home in Single-Family Residence	P/			P	P	P	P

	Child Day Care Center	P/P	P/P	P	A 1	P	P	
	Adult Day Care	P/P	P/P	P	A 1	P	P	
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment (10)	P/P	P/P	P		P	P	P
634	Building Maintenance and Pest Control Services					P	P	
637	Warehousing and Storage Services, Excluding Stockyards		P/			P		
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools (4)					P		
641	Auto Repair and Washing Services (13)		P/P 5	P 5		P	P	

649	Repair Services: Watch, TV, Electrical, Computer, Upholstery					P	P 6	
	Professional Services: Medical Clinics and Other Health Care Related Services (10)	P/P	P/P	P 4		P	P 6	P
	Professional Services: Other (10)		P/P			P	P 6	P
6513	Hospitals (10)	/C						
66	Contract Construction Services: Building Construction, Plumbing, Paving and Landscape					P		
671	Governmental Services: Executive, Legislative, Administrative and Judicial Functions (10)	A/A	A/A				A	A

672 673	Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops (10)	A/A	A/A	A	A	A	A	A
	Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions (10)	P/P	P/P	P	P 7	P	P	P
674 675	Military and Correctional Institutions	/C				C		
	Secure Community Transition Facility							
681	Education: Primary and Secondary (8, 10)	/A	A/A	A	A	A	A	A
682	Universities and Colleges (10)	A/P	A/P	P		A	A	

683	Special Schools: (10) Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools	P/P	P/P	P	P 6	P	P	P 6
691	Religious Activities	P/P	P/P	P	A	P	A	A
692 (A)	Professional and Labor Organizations, Fraternal Lodge	A/A	A/A	A		P	A	A
692 (B)	Social Service Providers	P/P	P/P	P	P	P	P 6	P
	Administrative Office – General (10)	P 9 / P 9	P/P	P 9		P	P 9	P
	Computer Programming, Data Processing and Other Computer Related Services			P 9		P 9	P	P
	Research, Development and Testing Services			P 9		P 9	P	P

.....

Notes: Uses in land use districts – Services.

(1) All permitted retail, service, and recreation uses combined shall not exceed 10,000 square feet, except as provided for in Notes (11) and (12) below.

....

(13) Battery Exchange Stations are ancillary to Auto Repair and Washing services, and are permitted through the applicable review process as a component of that use. Operators of Battery Exchange Stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

....

Section 8. Section 20.50.012 (B definitions) is hereby amended as follows:

**Basement.** That portion of a story partly or totally underground and having at least one-half of its height more than five feet below the adjoining finished grade.

**Battery charging station.** An electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meets or exceeds any standards, codes, and regulations set forth in chapter 19.28 RCW and consistent with the rules adopted by the building code council for electric vehicle infrastructure requirements.

**Battery exchange station.** A fully automated facility that will enable an electric vehicle with an interchangeable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth in chapter 19.28 RCW and consistent with the rules adopted by the building code council for electric vehicle infrastructure requirements. Operators of Battery exchange stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

....

Section 9. Section 20.50.018 (E definitions) is hereby amended as follows:

**Easement.** A grant or authorization by a property owner of the use of any designated portion of land by the public generally or by a corporation, or persons for specified purposes.

**Electric vehicle infrastructure.** Structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

**ORIGINAL**

1208-ORD  
02/03/11

.....

Section 10. Section 20.50.044 (E definitions) is hereby amended as follows:

Rapid charging station. An industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels, which meets or exceeds any standards, codes, and regulations set forth in chapter 19.28 RCW and consistent with the rules adopted by the building code council for electric vehicle infrastructure requirements.

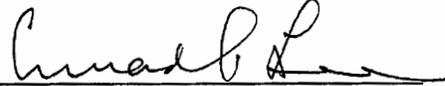
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Section 11. If any provision of this ordinance or its application to any person or circumstance be held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 12. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this 7<sup>th</sup> day of February, 2011 and signed in authentication of its passage this 7<sup>th</sup> day of February, 2011.

(SEAL)



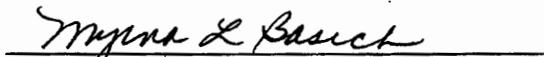
Don Davidson, DDS  
Mayor

Approved as to form:

Lori M. Riordan, City Attorney

  
Lacey Madche, Assistant City Attorney

Attest:

  
Myrna L. Basich, City Clerk

Published February 10, 2011

Ms. Lui questioned if the purpose of the new facility was to cover dropped calls or increase Verizon's customer base.

Chair Kasner asked if there was further public testimony and, hearing none, closed the courtesy public hearing. He thanked staff, the applicant, and participants.

- (c) Land Use Code Amendment to allow electric vehicle infrastructure as a use in all appropriate land use zones except in critical areas.

Chair Kasner opened the courtesy public hearing, asking first for the staff presentation.

Catherine Drews provided the staff overview and a brief history of the proposed amendment. The revised proposal associates, using footnotes, the permitted use of electric vehicle infrastructure with the appropriate land use category. Electric vehicle charging stations are allowed in all land use districts that allow accessory parking, auto parking, park and ride lots, and street and highway right-of-way use. Likewise, battery exchange stations are allowed in areas where gas stations or auto repair is permitted and also as a subordinate use to vehicle maintenance yards.

There was Council discussion with staff related to infrastructure needs, payment options for charging stations and future growth of this technology.

Mr. Capron stated concerns with siting battery charging stations and questioned if parking with available charging stations would be restricted to electric car parking only.

Ms. Drews responded that many regulatory questions are still in need of answers.

Chair Kasner asked if there was further public testimony and, hearing none, closed the courtesy public hearing. He thanked staff and participants.

- 6. **RESOLUTIONS:** None.
- 7. **REPORTS OF CITY COUNCIL, BOARDS, AND COMMISSIONS:** None.
- 8. **DEPARTMENT REPORTS:**

Mr. Jackson provided a review of the Home Occupation Permit list mailed earlier to Council. He explained the cost of the permit and process by which a permit is issued.

Chair Kasner requested a staff presentation on the permitting process for peddlers and door to door sales.