



MEMORANDUM

DATE: April 22, 2010

TO: Chair Kasner, Members of the East Bellevue Community Council

FROM: Catherine A. Drews, Legal Planner, Development Services Department

SUBJECT: Electric Vehicle Infrastructure—Land Use Code Amendments

On May 4, 2010, the East Bellevue Community Council will consider the suggested Land Use Code (LUC) amendments related to allowing electric vehicle infrastructure. The proposed ordinance is attached as Attachment A.¹ A public hearing in front of the Planning Commission on this item is scheduled for May 26, 2010, with City Council action likely June 2010.

Background:

The proposal is to amend the LUC to allow electric vehicle infrastructure as a use in all land use zones except residential and critical areas, as required under Second Substitute House Bill 1481 (SSHB 1481). Electric vehicle infrastructure includes battery charging stations, rapid charging stations, and battery exchange stations. SSHB 1481 passed in 2009 and its purpose is “to encourage the transition to electric vehicle use and to expedite the establishment of a convenient, cost-effective, electric vehicle infrastructure” to support the transition. SSHB 1481, Section 1.

SSHB 1481 supports the Electric Vehicle (EV) Project, the purpose of which is to build and study mature electric vehicle charging infrastructure in five regions, including Bellevue. During this project, Nissan will provide for sale to a selected group of interested parties, the Nissan Leaf, an all electric vehicle. As part of the project, Leaf owners agree to participate in a study of their use of electric vehicles. Nissan will provide individual charging facilities in each Leaf owner’s home. The proposed LUCA only address the use of electric vehicle infrastructure outside the home. Examples of charging stations are depicted in Attachment B.

Also, SSHB 1481 requires jurisdictions bordering regional freeways and meeting a population threshold to amend their development regulations to allow electric vehicle infrastructure as a use in all zones except in residential zones and critical areas. These amendments must be effective by July 1, 2010. The bill also amends corresponding municipal and planning provisions, such as the Growth Management Act, chapter

¹ Only those provisions of the proposed ordinance that apply within the jurisdiction of the EBCC will be considered.

36.70A, and the Planning Enabling Act, chapter 36.70 RCW, to reflect these requirements.

SSHB 1481 also charges the Washington State Department of Commerce (formerly CTED) to prepare and distribute to local governments model ordinances, model development regulations, and guidance related to siting and installing electric vehicle infrastructure. Commerce has begun developing these documents, but it is unlikely they will be completed and distributed to local jurisdictions in time for jurisdictions to adopt the required codes before the July 1, 2010 deadline. Therefore, staff recommends that the City take action to comply with the July 1, 2010 deadline by amending the use charts and definitions consistent with the SSHB 1481.

Conclusion:

Following the courtesy hearing, the Planning Commission requests any feedback or comments you have on the proposed ordinance.

Please contact me if you have any questions before the May 4, 2010, meeting.

Attachment A: Proposed Ordinance
Attachment B: Photo of battery charging stations

**ATTACHMENT A:
Proposed Amendments to Land Use Code
Electric Vehicle Infrastructure**

1. Amendments to Land Use Charts (General)

Chart 20.10.440

Uses in land use districts

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											
641 19	Other Automobile Services (except repair and wash) (26)											
649	Repair Services: Watch, TV, Electrical, Upholstery											
	Professional Services: Medical Clinics and Other Health Care Related Services											
	Professional Services: Other											

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Services – Nonresidential Districts

STD LAND USE COD E REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/ Limited Business	Light Industry	General Commercial	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 (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				P	P		P	P		

	Maintenance and Pest Control Services										
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				P	P	A 19	P	P		
6419	<u>Other Automobile Services (except repair and wash) (26)</u>	<u>P (26)</u>	<u>P (26)</u>	<u>P (26)</u>	<u>P (26)</u>	<u>P (26)</u>	<u>P (26)</u>	<u>P (26)</u>	<u>P (26)</u>	<u>P (26)</u>	<u>P (26)</u>
649	Repair Services: Watch, TV, Electrical, Upholstery				P	P	P	P	P		

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Chart 20.10.440

Uses in land use districts

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			P 8			
6419	<u>Other Automobile Services (except repair and wash) (26)</u>	<u>P (26)</u>	<u>P (26)</u>	<u>P (26)</u>		<u>P (26)</u>	<u>P (26)</u>
649	Repair Services: Watch, TV, Electrical, Upholstery	P	P	P		P	

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Notes: Uses in land use districts – Services

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

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(26) Other Automotive Services is limited to only electric vehicle infrastructure as defined in LUC 20.25.018. Electric vehicle infrastructure is not allowed in Residential Land Use Districts (R-1, R-1.8, R-2.5, R-3.5, R-4, R-7.5, R-10, R-15, R-20, R-30 and DNTN-R), or critical areas as defined in LUC Part 20.25H. This provision is not intended to preclude charging stations for individual use.

2. Proposed Amendments to Bel-Red Definitions

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 and exchange the depleted battery with a fully charged battery through a fully-automated process, 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.

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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.

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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 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.

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B. General Definitions Not Applicable to Bel-Red.

General definitions not applicable to Bel-Red are noted in the text of the general definitions contained in Chapter 20.50 LUC. (Ord. 5874, 5-18-09, § 1)

3. Proposed Amendments to Bel-Red Land Use Charts

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.

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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		P/P 5	P 5		P	P	
6419	<u>Other Automobile Services (except repair and wash) (13).</u>	<u>P (13)</u>	<u>P(13)</u>	<u>P (13)</u>		<u>P (13)</u>	<u>P (13)</u>	<u>P (13)</u>
649	Repair Services: Watch, TV, Electrical, Computer, Upholstery					P	P 6	

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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.

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(13) Other Automotive Services is limited to allowing only electric vehicle infrastructure as defined in LUC 20.25D.020. Electric vehicle infrastructure is not permitted in the Bel-Red Residential Land Use District (BR-R) or critical areas as defined in LUC Part 20.25H. This provision is not intended to preclude charging stations for individual use.

4. Proposed Amendments to Chapter 20.50 (Definitions)

20.50.012 B definitions.

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 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 and exchange the depleted battery with a fully charged battery through a fully-automated process, 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.

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20.50.018 E definitions.

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. (Ord. 3937, 7-18-88, § 5)

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.

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20.50.044 R definitions.

Rapid charging station. An industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels, which meet or

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| 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.

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PUBLIC CHARGING STATIONS

- Provides charging away from home
- Research suggests drivers of BEVs are not willing to travel more than half the car's range without recharging



Level II



Level III Fast Charge