



# MEMORANDUM

DATE: November 8, 2010

TO: Chair Ferris, Members of the Planning Commission

FROM: Catherine A. Drews, Legal Planner, 425-452-6134  
Carol V. Helland, Land Use Director, 425-452-2724  
Development Services Department

SUBJECT: Revised Staff Recommendation-Electric Vehicle Charging Station LUCA,  
File No. 10-106985 AD

This memorandum presents the revised report and recommendation of the Development Services Department (DSD) on the proposal to allow electric vehicle infrastructure as a use in the City. Staff has revised the proposed Land Use Code (LUC) amendment presented to the Planning Commission on April 14 and May 26, 2010, in response to direction from the City Council. The revised proposed Land Use Code (LUC) amendment also implements provisions passed by the Washington State Legislature to facilitate the use of electric vehicles throughout the state. A copy of the revised proposed Land Use Code amendment ordinance is included with this memorandum as Attachment A.

Following the second public hearing scheduled for December 1, 2010, and consideration of public comment, staff requests the Planning Commission prepare a recommendation to the City Council to adopt the revised proposed code amendments included in Attachment A.

## **I. Background**

### Procedural Background

On April 14, 2010, staff sought and received concurrence from the Planning Commission to initiate amendments to the LUC that would allow electric vehicle infrastructure as a use in all land use districts, except those zoned 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. The Planning Commission held a public hearing on the proposed code amendments on May 26, 2010. After the public hearing on June 7, 2010, the Planning Commission prepared a transmittal to the City Council unanimously recommending approval of the proposed code package.

Staff presented the proposed code amendments to the City Council on June 14, 2010. During the study session, Council raised questions regarding the location and regulation of electric vehicle infrastructure and directed staff to return with a revised proposal. Attachment A contains the revised proposal. In the original proposal, staff recommended adding a new category to the land use chart, Other Automotive Services, and limiting its application to only electric vehicle infrastructure using footnotes.

In response to Council questions and direction, staff has taken a different approach to allowing electric vehicle infrastructure in the revised code proposal. Instead of amending all the use charts as in the original proposal, 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 rides, 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. The proposed amendments to the general definition and Bel-Red definitions remain unchanged.

### Background on Electric Vehicle Regulation

In 2009, the Legislature found that development of electric vehicle infrastructure would lead to the creation of jobs, foster economic growth, and reduce greenhouse gas emissions and other pollutants attributable to the operation of petroleum-based vehicles. Electric vehicle infrastructure includes battery charging stations, rapid charging stations, and battery exchange stations. Second Substitute House Bill 1481 was signed into law 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. The Legislature found that development of electric vehicle infrastructure would lead to the creation of jobs, foster economic growth, and reduce greenhouse gas emissions and other pollutants attributable to the operation of petroleum-based vehicles.

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 residential and critical areas. SSHB required the amendments be effective by July 1, 2010. The bill also amends corresponding municipal and planning provisions, such as the Growth Management Act, chapter 36.70A, and the Planning Enabling Act, chapter 36.70 RCW, to reflect these requirements. Although the adoption date has passed, it is important to note that currently there is no land use code provision that prohibits these uses. An amendment is proposed now to identify the use specifically, and to make clear that the use is allowed without the need for any administrative code interpretation. As discussed at the April 19 meeting, the new provision makes clear that installation of electric vehicle charging units in individual homes or parking associated with multifamily units is permitted outright.

SSHB 1481 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 completed and distributed the guidelines on August 5, 2010.

Staff recommends the City take action by amending the use charts and definitions as set forth in Attachment A, and seeks Planning Commission recommendation to forward the revised proposed amendments to the City Council.

## **II. PROPOSAL**

The proposed ordinance was prepared after review of SSHB 1481 and relevant provisions of the LUC. Based on this review, staff recommends approval of proposed code amendments allowing electric vehicle infrastructure as a use in all land use districts, except critical areas. Specifically, staff recommends the following code amendments:

### **1. Use Charts: LUC 20.10.440 and LUC 20.25D.070 (Bel-Red).**

Both the general use charts (LUC 20.10.440) and the Bel-Red Land Use Charts require amendment. As discussed above, electric vehicle charging stations will be permitted in all land use districts associated with accessory and auto parking, park and rides, and street and highway parking. Battery exchange stations will be 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 contained in corresponding footnotes in three land use charts: (1) Transportation and Utilities; (2) Wholesale/Retail; and (3) Services.

### **2. Definitions: Chapter 20.50 LUC**

SSHB 1481 includes four new definitions<sup>1</sup> that staff recommends the LUC be amended to include:

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

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<sup>1</sup> Staff has revised the definitions from the statute where necessary to improve clarity without altering the substance of the definition.

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.

### **III. STATE ENVIRONMENTAL POLICY ACT**

The Environmental Coordinator for the City of Bellevue determined that this proposal would not result in any probable, significant, adverse environmental impacts. The Environmental Coordinator issued a threshold determination of nonsignificance (DNS) on May 13, 2010. The final threshold determination is attached to this memorandum as Attachment B.

### **IV. PUBLIC NOTICE, PARTICIPATION, COMMENT AND RESPONSE**

Notice for the second public hearing on the revised code amendment proposal is scheduled for publication in the Weekly Permit Bulletin on November 18, 2010.

The Electric Vehicle Land Use Code amendment was introduced at a study session with the Planning Commission on April 14, 2010. During that study session, the Planning Commission gave staff direction to proceed to a public hearing on the proposed amendment, scheduled for May 26, 2010. Notice of the Public Hearing before the Planning Commission was published in the Weekly Permit Bulletin on May 6, 2010.

The proposed amendments to the LUC are within the jurisdiction of the East Bellevue Community Council. A courtesy hearing was held before EBCC at their regular meeting on May 4, 2010. Notice of the courtesy hearing was published on April 27, 2010. Staff will return to the EBCC for a second courtesy hearing on December 7, 2010, and for a final hearing on the revised proposed code amendments in March 2011.

Under the requirements of the Growth Management Act, state agencies must be given an opportunity to review and comment on proposed amendments to the LUC. Copies of the draft Electric Vehicle Infrastructure LUC amendment ordinance were provided to the state agencies for review on April 15, 2010. Copies of the revised draft code amendment were provided to the state agencies on November 8, 2010. No comment letters were received by DSD before release of this revised staff report. Comments

received after release of the staff report will be forwarded to the Planning Commission before to the public hearing.

## **V. APPLICABLE DECISION CRITERIA – LAND USE CODE PART 20.30J**

The Planning Commission may recommend and the City Council may approve or approve with modifications an amendment to the text of the Land Use Code if:

### **A. The amendment is in accord with the Comprehensive Plan; and**

The proposed amendment is consistent with the Comprehensive Plan. The proposed amendments promote the use of electric vehicle infrastructure while preserving the character of residential neighborhoods, and reducing the amount of carbon associated with motor vehicle use.

Several Comprehensive Plan policies support the proposed amendment:

**Policy LU-8.** Ensure that commercial land uses are contained within carefully delineated areas

**Policy LU-22.** Protect residential areas from the impact of non-residential uses of a scale not appropriate for a neighborhood.

The proposed amendment focuses electric vehicle infrastructure away from residential area and into areas of more intense uses.

**POLICY EN-3.** Minimize, and where practicable, eliminate the release of substances into the air, water, and soil that may degrade the quality of these resources or contribute to global atmospheric changes.

**Policy En-78.** Support federal, state, and regional policies intended to protect clean air in Bellevue.

**Policy EN-79.** Work with the private sector to reduce growth in vehicle trips as a key strategy for reducing automobile-related air pollutants.

**Policy EN-83.** Promote the use of alternative fuels such as electricity and compressed natural gas and investigate the use of such fuels for the city's vehicles.

The proposed amendment, which supports electric vehicles, will initially reduce carbon emissions by only minimal amounts; however, the potential for long-term acceptance and use of electric vehicles should have a corresponding increase in the reduction of carbon emissions and other pollutants associated with petroleum-based vehicles.

**B. The amendment bears a substantial relationship to the public health, safety or welfare; and**

The proposed amendment serves the public health, safety and welfare by addressing issues related to clean air, alternative fuels, and protecting residential neighborhoods from incompatible uses.

**C. The amendment is not contrary to the best interest of the citizens and property owners of the City of Bellevue.**

As described above, the proposed amendments serve to provide alternative fuels for transportation, while enhancing the environment and protecting residential neighborhoods. The public interest is advanced through this proposal.

**VI. RECOMMENDATION**

Recommend the revised Electric Vehicle Land Use Code amendment as drafted in Attachment A and transmit the ordinance the City Council for final approval. Below is sample motion language for the recommendation:

I move that the Planning Commission recommend to the Bellevue City Council adoption of the proposed and revised Electric Vehicle Infrastructure code amendments.

**ATTACHMENTS**

- A. Draft Electric Vehicle Infrastructure Ordinance
- B. Final DNS published on May 13, 2010.

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

**1. Proposed Amendments to Land Use Charts (General)**

**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 <u>(23)</u>											
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) <u>(24)</u>	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 <u>(24)</u>											
	Park and Ride (5) <u>(24)</u>	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 <u>(24)</u>	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										

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**Transportation and Utilities – Nonresidential Districts**

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professi onal Office	Offi ce	Office/Lim ited Business	Light Indus try	General Commer cial	Neighborh ood Business	Communi ty 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	Transportatio n, Communicati ons and										

	Utilities										
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops	C	C	C	C	C	C	C	C	C	C
42 429 1	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters				P	P		P	P		
421 4 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services (23)				P	C					
43	Aircraft Transportation: 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	C	C	C	C	C	C	C	C	C	C

	Ride (5) (24)											
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	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)			A	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	C
	Wireless Communication Facility (WCF): (without WCF Support)	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	14, 16, 21

	Structures)										
	Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16
	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	S	S	S			S

	Freight Services <u>(23)</u>						
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) <u>(24)</u>	P 4	P 4	P 4	P 4	P 4	P 4
46	Auto Parking: Commercial Lots and Garages <u>(24)</u>	P 13	P 13	P 13	A	P 13	P 13
	Park and Ride (5) <u>(24)</u>			A			A
475	Radio and Television Broadcasting Studios	P	P	P		P	P
485	Solid Waste Disposal (19)						
	Highway and Street Right-of-Way <u>(24)</u>	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	A/C 22	A/C 22	A/C 22	A/C 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.

**STD  
LAND  
USE  
CODE  
REF**

**Wholesale and Retail – Residential  
Districts**

**LAND USE CLASSIFICATION**

		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
521 522 523 524	Lumber and Other Bulky Building Materials Including Preassembled Products (3)											
5251	Hardware Paint, Tile and Wallpaper (Retail)											
5252	Farm Equipment											



REF	LAND USE CLASSIFICATION	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					
511 1 515 6 515 7 519 1 519 2	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum (2)				P	C					
519 3	Scrap Waste Materials, Livestock										
	Recycling Centers				P	P	P	P	P		
521 522 523 524	Lumber and Other Bulky Building Materials Including Preassemble				P 35	P		P	P		

	d Products (3)										
525 1	Hardware Paint, Tile and Wallpaper (Retail)				S 35	P	P	P	P		
525 2	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		
551 1	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		S			P		P	P	S	S

	(Retail)										
57	Furniture, Home Furnishing (Retail)				P 11, 35	P		P	P		
58	Eating and Drinking Establishmen ts (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 Establishmen ts (31)		S					P	P	S	S
596 1	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)				P 35	P					
596	Retail Fuel Yards				P 35	P					
599 6	Garden Supplies, Small Trees,				P 35	P	P 20	P 20	P 20		

	Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools										
599 9	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	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum (2)						

5191							
5192							
5193	Scrap Waste Materials, Livestock						
	Recycling Centers	P	P	P	C	C	
521	Lumber and Other Bulky Building Materials Including Preassembled Products (3)						
522							
523							
524							
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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**Services – Residential 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 (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	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	Military and Correctional Institutions	C	C	C	C	C	C	C	C	C	C	C
675	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	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 (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			S	P 2	P	P	P	P	S	S

	Beauty, Photography Studio and Shoe Repair										
624 1	Funeral and Crematory Services	C	C	C						C	C
626 2	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				P	P		S	S		

	Stockyards										
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
651 3	Hospitals	C	C	C	C	C		C	C	C	C
66	Contract Construction Services: Building Construction, Plumbing, Paving and Landscape				P	P					
671	Governmenta	C	C	C				C	C	C	C

	I Services: Executive, Legislative, Administrative and Judicial Functions										
672 673	Governmental I Services: Protective Functions and Related Activities Excluding Maintenance Shops	C	C	C	C 10	C 10	C	C	C	C	C
	Limited Governmental I Services: Protective Functions (21)										
	Limited Governmental I 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				C	C					

	Facility (23,24)											
681	Education: Primary and Secondary (25)	A	A	A	A	A	A	A	A	A	A	A
682	Universities and Colleges	P	P	P	P	P	C	P	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	P
691	Religious Activities	P	P	P	P	P	C	P	P	P	P	P
692 (A)	Professional and Labor Organizations Fraternal Lodge	C	C	P		P		P	P	P	P	P
692 (B)	Social Service Providers	C	C	P	P	P	P	P	P	P	P	P
	Administrativ e Office – General	P	P	P	P 5	P	P	P	P	P	P	P
	Computer Program, Data Processing and Other Computer- Related	P	P	P	P 5	P					P	P

	Services										
	Research, Development and Testing Services	P	P	P	P 5	P				P	P
.....											

**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.

....

**2. Proposed Amendments to Definitions Specific to Bel-Red**

**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.

....

### **3. Proposed Amendments to Bel-Red 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.

.....

Chart 20.25D.070

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

STD LAND USE CODE LAND USE REF CLASSIFICATION		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
4	Transportation, Communications and Utilities							
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops	C/C	C/C	C	C	C	C	C
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters					C		
4214 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services (15)	C/	C/			C		
43	Aircraft Transportation: Airports, Fields,	C 1	C 1					

	Terminals, Heliports, Storage and Maintenance							
	Accessory Parking (2,3,16)	P/P	P/P	P	P 4	P	P	P
46	Auto Parking Commercial Lots and Garages (5, 16)	/P	/P	P				
	Park and Ride (6, 16)		C/C	C				
475	Radio and Television Broadcasting Studios							
485	Solid Waste Disposal (7)							
	Highway and Street Right-of-Way (8, 16)	P	P/P	P	P	P	P	P
	Utility Facility	C	C/C	C	C	C	C	C
	Local Utility System	P	P/P	P	P	P	P	P
	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	10, 11, and 12						

	Support Structures)							
	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.

Chart 20.25D.070

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

		Wholesale and Retail – Bel-Red Districts						
<b>STD</b>	<b>Bel-Red</b>	<b>Bel-Red Office</b>	<b>Bel-Red</b>	<b>Bel-Red</b>	<b>Bel-Red</b>	<b>Bel-Red</b>	<b>Bel-Red</b>	<b>Bel-Red</b>
<b>LAN</b>	<b>Medical</b>	<b>Residential/No</b>	<b>Residenti</b>	<b>Residenti</b>	<b>General</b>	<b>Commerci</b>	<b>Office</b>	

D USE CODE REF	LAND USE CLASSIFICATION	Office/Node	des	al Commerci al Nodes	al	Commerci al	al Residenti al	Residenti al Transitio n
		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		P 3/			P	P 3	

	Preassembled Products							
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	

....

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.

....

		<b>Services – Bel-Red Districts</b>						
<b>STD LAN D USE COD E REF</b>	<b>LAND USE CLASSIFICATI ON</b>	<b>Bel-Red Medical Office/No de</b>	<b>Bel-Red Office Residential/No des</b>	<b>Bel-Red Residenti al Commerci al Nodes</b>	<b>Bel-Red Residenti al</b>	<b>Bel-Red General Commerci al</b>	<b>Bel-Red Commerci al Residenti al</b>	<b>Bel-Red Office Residenti al Transitio n</b>
		<b>BR-MO/ MO-1</b>	<b>BR-OR/ OR-1 OR-2</b>	<b>BR- RC-1 RC- 2 RC-3</b>	<b>BR-R</b>	<b>BR-GC</b>	<b>BR-CR</b>	<b>BR-ORT</b>
6	Services							
61	Finance, Insurance, Real Estate Services	P 9/P 9	P/P	P	P 1, 11, 12	P	P	P

	(10)							
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					P	P	

	Maintenance and Pest Control Services							
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					P		

	Services: Building Construction, Plumbing, Paving and Landscape							
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:	/A	A/A	A	A	A	A	A

	Primary and Secondary (8, 10)							
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.

....

#### **4. Proposed Amendments to General LUC 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 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.

....

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.

.....

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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DRAFT



DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL COORDINATOR  
450 110<sup>th</sup> Ave NE., P.O. BOX 90012  
BELLEVUE, WA 98009-9012

## DETERMINATION OF NON-SIGNIFICANCE

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**PROPONENT:** City of Bellevue Development Services Department

**LOCATION OF PROPOSAL:** City-wide

**DESCRIPTION OF PROPOSAL:** The proposal amends the Bellevue Land Use Code to allow electrical vehicle infrastructure as a use in all land use zones except residential and critical areas. The proposal includes amending the General and Bel-Red use charts and corresponding definition sections. The proposed amendment is necessary to meet the requirements of SSHB 1481.

**FILE NUMBER:** 10-106985 AD, Electric Vehicle Charging Stations--Citywide

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The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with Land Use Division. This information is available to the public on request.

- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.
- This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on \_\_\_\_\_.

This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information indicating, or on, a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project), or if the DNS was procured by misrepresentation or lack of material disclosure.

This DNS is only appealable as part of the City's action on the amendment to the Land Use Code. In order to comply with requirements of SEPA and the State of Washington Growth Management Act for coordination of hearings, any appeal of the SEPA threshold determination herein will be considered by the Growth Management Hearings Board along with an appeal of the City Council's action. See LUC 20.35.250C.

Carol V. Holland  
Environmental Coordinator

May 13, 2010  
Date

OTHERS TO RECEIVE THIS DOCUMENT:  
State Department of Fish and Wildlife  
U.S. Army Corps of Engineers  
Attorney General  
King County

M. Jackson  
5/4/10

**CITY OF BELLEVUE  
ENVIRONMENTAL CHECKLIST  
(Integrated SEPA/GMA Process)**

**A. BACKGROUND INFORMATION**

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**PROPOSAL TITLE:** Consistency with SSHB 1481-Electric Vehicle Infrastructure Land Use Code Amendment (File No. 10-106985-AD).

**PROPERTY OWNERS' NAME:** N/A; applies City-wide

**PROPOSAL LOCATION:** Applies City-wide

**PROPONENT'S NAME:** City of Bellevue

**CONTACT PERSON'S NAME:** Catherine A. Drews, Legal Planner

**CONTACT PERSON'S ADDRESS:** Development Services Department  
City of Bellevue  
P.O. Box 90012  
Bellevue, WA 98009-9012

**CONTACT PERSON'S PHONE:** 425-452-6134

**BRIEF DESCRIPTION OF THE PROPOSAL'S SCOPE AND NATURE:**

1. **General description:** The proposal is to amend the Bellevue Land Use Code (LUC) to allow electric vehicle infrastructure as a use in all land use zones except residential and critical areas. The proposal includes amending the General and Bel-Red use charts and corresponding definition sections. The proposed amendment is necessary to meet the requirements of SSHB 1481.
2. **Site acreage:** Applies City-wide
3. **Number of dwelling units/buildings to be demolished:** N/A
4. **Number of dwelling units/buildings to be constructed:** N/A
5. **Square footage of buildings to be demolished:** N/A
6. **Square footage of buildings to be constructed:** N/A
7. **Quantity of earth movement (in cubic yards):** N/A

8. **Proposed land use:** This proposal adds electric vehicle infrastructure (battery charging stations, rapid charging stations, and battery exchange stations) as an allowed use in all land use zones except residential zones and critical areas.
9. **Design features, including building height, number of stories and proposed exterior materials:** N/A
10. **Other:** N/A

**Proposed timing or schedule (including phasing, if applicable):**

A public hearing on the proposal is anticipated in May of 2010. City Council final action on the proposal will follow that public hearing.

**Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**

If the proposal is adopted by the City Council, development of electric vehicle infrastructure may occur in allowed land use zones.

**List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**

SEPA checklist and threshold determination for this proposed Land Use Code amendment.

**Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. List dates applied for and file numbers, if known.**

N/A

**List any government approvals or permits that will be needed for your proposal, if known. If permits have been applied for, list application date and file numbers, if known.**

Ordinance adoption by the City Council.

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**B. Environmental Elements**

No discussion of the individual Environmental Elements is required for GMA actions per WAC 197-11-235.3.b.

**C. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (do not use this sheet for project actions)**

**SUMMARY**

**Project Summary:** The proposal is to amend the Bellevue Land Use Code (LUC) to allow electric vehicle infrastructure as a use in all land use zones except residential and critical areas. The proposal includes amending the General and Bel-Red uses charts and corresponding definition sections. The proposed amendment is necessary to meet the requirements of SSHB 1481.

**Environmental Summary per WAC 197-11-235(3)(b):**

**State the proposal's objectives:** To comply with the requirements of the SSHB 1481 by adopting development regulations that implement and are consistent with the bill.

**Specify the purpose and need to which the proposal is responding:** The proposal is to amend the Bellevue Land Use Code (LUC) to allow electric vehicle infrastructure as a use in all land use zones except residential and critical areas. The infrastructure will support the Electric Vehicle Project that tracks and studies the use of battery-powered vehicles. The proposal includes amending the General and Bel-Red uses charts and corresponding definition sections. The proposed amendment is necessary to meet the requirements of SSHB 1481.

**State the major conclusions, significant areas of controversy and uncertainty:** Little controversy exists related to this proposal.

**State the issues to be resolved, including the environmental choices to be made among alternative courses of action:** No issues to be resolved. Alternative courses of action include: not amending the LUC for consistency with, and to meet the deadlines of, SSHB 1481. In terms of environmental impacts, the two alternatives are not significantly different. Amending the LUC to allow electric vehicle infrastructure, may over time, reduce carbon loading in the atmosphere by allowing the increased use of battery-powered vehicles.

**State the impacts of the proposal, including any significant adverse impacts that cannot be mitigated:** The proposal is a nonproject action to allow electric vehicle infrastructure as a use in all land use zones except residential and critical areas. There are no significant adverse impacts resulting from that action. The charging stations will be installed in existing parking lots and the use is not expected to have significant impacts. Any specific proposal to construct electric vehicle infrastructure would require project level review. Adoption of the proposed regulations will ensure that the City is in compliance with SSHB 1481.

Describe any proposed mitigation measures and their effectiveness: No specific development is being approved with this proposal. No significant environmental impacts have been identified, therefore no mitigation measures are proposed.

1. **How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

The proposed code amendment will not increase the potential impacts to water, air and earth resources or noise production.

**Proposed measures to avoid or reduce such increases are: N/A**

2. **How would the proposal be likely to affect plants, animals, fish or marine life?**

The proposed code amendment will not increase the potential impacts to plants and animals.

**Proposed measures to protect or conserve plants, animals, fish or marine life are: N/A**

3. **How would the proposal be likely to deplete energy or natural resources?**

No adverse impacts to energy or natural resources are anticipated.

**Proposed measures to protect or conserve energy and natural resources are: N/A**

4. **How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

The proposal will not directly affect any environmentally sensitive areas because electric vehicle infrastructure is not allowed in critical areas.

**Proposed measures to protect such resources or to avoid or reduce impacts are: N/A**

5. **How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

The proposal will not affect any shoreline areas. The same shoreline overlay regulations will continue to apply to development and redevelopment. The proposal will not affect allowed land and shoreline uses.

**Proposed measures to avoid or reduce shoreline and land use impacts are: N/A**

6. **How would the proposal be likely to increase demands on transportation or public services and utilities?**

None of the proposed amendments to the Land Use Code are likely to change the demands on the transportation system. Electric vehicles are intended to replace gasoline-powered vehicles, so the proposed amendment is not likely to significantly change the traffic patterns or volumes into or from the city or the demand on the transportation system. No impacts to electrical utilities is anticipated.

**Proposed measures to reduce or respond to such demand(s) are:** N/A

7. **Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

No conflicts are known or anticipated.

- D. **The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.**

Signature

*Catherine A. Drews*

Date Submitted

4/19/2010