

ORDINANCE NO. 523

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON CONCERNING AMENDMENTS TO THE MUNICIPAL CODE REGARDING ELECTRIC VEHICLE INFRASTRUCTURE, MAKING FINDINGS OF FACT; REVISING CHAPTER 14.04, ENVIRONMENTAL PROTECTION, REGARDING STATE ENVIRONMENTAL POLICY ACT (SEPA) EXEMPTIONS; REVISING CHAPTER 21.06, TECHNICAL TERMS AND LAND USE DEFINITIONS, TO ADD DEFINITIONS FOR ELECTRIC VEHICLE INFRASTRUCTURE; REVISING CHAPTER 21.08, PERMITTED USES, TO ADD ELECTRIC VEHICLE CHARGING STATIONS, RAPID CHARGING STATIONS, AND BATTERY EXCHANGE STATIONS TO THE PERMITTED USE TABLE AND PERMIT THESE USES WITHIN THE CITY; REVISING CHAPTER 21.18, DEVELOPMENT STANDARDS – PARKING AND CIRCULATION, TO ESTABLISH REGULATIONS FOR ELECTRIC VEHICLE INFRASTRUCTURE; ADOPTING FINDINGS FOR ZONING CODE AMENDMENTS; PROVIDING FOR SEVERABILITY; REQUIRING A COPY BE PROVIDED TO THE DEPARTMENT OF COMMERCE; PROVIDING FOR SUMMARY PUBLICATION BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, during the 2009 session the Washington State Legislature passed House Bill 1481 (HB 1481), an Act relating to electric vehicles. The Bill addressed electric vehicle infrastructure including the structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations; and

WHEREAS, the purpose of HB 1481 is to encourage the transition to electric vehicle use and to expedite the establishment of a convenient and cost-effective electric vehicle infrastructure that such a transition necessitates. The Legislature agreed that the development of a convenient infrastructure to recharge electric vehicles is essential to increase consumer acceptance of these vehicles. The State's success in encouraging this transition will serve as an economic stimulus to the creation of short-term and long-term jobs as the entire automobile industry and its associated direct and indirect jobs transform over time from combustion to electric vehicles; and

WHEREAS, pursuant to the requirements of the Washington State Growth Management Act, the City of Woodinville is required to develop and adopt development regulations implementing its Comprehensive Plan; and

WHEREAS, RCW 36.70A.130(4) requires that the City of Woodinville, a "fully planning" city within King County shall update its Comprehensive Plan and development regulations, as necessary to reflect local needs, new data, and current laws; and

WHEREAS, the Woodinville City Council has determined that certain amendments are necessary to keep the Zoning Code updated and to accommodate the needs of its citizens; and

WHEREAS, the Woodinville City Council has reviewed the amendments contained in this ordinance and finds that these amendments meet the required criteria in WMC 21.46.030; and

WHEREAS, a public hearing was held by the City of Woodinville Planning Commission on April 20, 2011; and

WHEREAS, a public hearing was held by the City of Woodinville City Council on May 17, 2011; and

WHEREAS, the requirements of the State Environmental Policy Act (SEPA) RCW 43.21C have been met; and

WHEREAS, adoption of this ordinance will promote the public health, safety, and general welfare within the City of Woodinville;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council hereby adopts the following findings in support of this ordinance, together with the recitals expressed herein.

1. The City Council initiated an amendment to establish electric vehicle infrastructure regulations on February 1, 2011. The proposed amendment would allow electric vehicle charging stations, rapid charging stations, and battery exchange stations within the City of Woodinville; and it would regulate the location and design of these types of infrastructure.
2. Pursuant to Woodinville Municipal Code (WMC) Chapter 17, the Planning Commission is required to hold a public hearing on the proposed amendments and make a recommendation to the City Council.
3. The City SEPA Official reviewed the amendments for environmental impacts under SEPA (RCW 43.21C), and issued a Determination of Nonsignificance (SEP11007) on April 4, 2011. The appeal period ended without any comments or appeals received.
4. Pursuant to the Growth Management Act, the proposed amendments were submitted to the Washington State Department of Commerce for review and comment. The state initiated the required 60-day state agency review period on March 31, 2011. No comments were received from any state agency regarding the amendments that are the subject of this ordinance.
5. The Planning Commission reviewed the proposed amendment during its March 16, 2011 and April 6, 2011 public meetings.
6. A public hearing was held by the Planning Commission on April 20, 2011. The public hearing was noticed in the Woodinville Weekly and posted on the City's web site.
7. The Planning Commission received written comments and public testimony; deliberated and produced a public record and recommendations on the amendments that are subject of this ordinance during the April 20, 2011 Planning Commission meeting.
8. The City Council considered the Planning Commission's public record and recommendations concerning the amendments that are subject of this ordinance at a public hearing on May 17, 2011. Listing of the Planning Commission records is included as Attachment F of this Ordinance.

9. The City Council held first reading of Ordinance No. 523 on May 17, 2011.
10. The City Council held second reading of Ordinance No. 523 on June 7, 2011.
11. The Zoning Code amendments that are the subject of this ordinance are consistent with the required decision criteria found in WMC 21.46.030 and WMC 21.44.070. Analysis of the proposed amendments and decision criteria is contained in Attachment E, which is incorporated herein by reference.

Section 2. Chapter 14.04 WMC, Environmental Protection, of the Woodinville Municipal Code is hereby amended to read as set forth in Attachment A. New text is shown by underline. Deletions of text are shown by strikethrough. All other provisions of Chapter 14.04 shall remain unchanged and in full force and effect.

Section 3. Chapter 21.06 WMC, Technical Terms and Land Use Definitions, of the Woodinville Municipal Code is hereby amended to read as set forth in Attachment B. New text is shown by underline. Deletions of text are shown by strikethrough. All other provisions of Chapter 21.06 shall remain unchanged and in full force and effect.

Section 4. Chapter 21.08 WMC, Permitted Uses, of the Woodinville Municipal Code is hereby amended to read as set forth in Attachment C. New text is shown by underline. Deletions of text are shown by strikethrough. All other provisions of Chapter 21.08 shall remain unchanged and in full force and effect.

Section 5. Chapter 21.18 WMC, Development Standards – Parking and Circulation, of the Woodinville Municipal Code is hereby amended to read as set forth in Attachment D. New text is shown by underline. Deletions of text are shown by strikethrough. All other provisions of Chapter 21.18 shall remain unchanged and in full force and effect.

Section 6. Findings for Zoning Code Amendment. The findings presented in Attachment E to this ordinance, regarding criteria for zoning code amendments, are hereby adopted.

Section 7. Severability. Should any section, paragraph, sentence, clause, or phrase of this Ordinance be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance. Provided, however, that if any section, sentence, clause, or phrase of this Ordinance, or any change in a land use designation is held to be invalid by a court of competent jurisdiction, or by the Growth Management Hearings Board, then the section, sentence, clause, phrase, or land use designation in effect prior to the effective date of this ordinance, shall be in full force and effect for that invalidated section, sentence, clause, phrase, or land use designation, as if this ordinance had never been adopted.

Section 8. Copy to Department of Commerce. Pursuant to RCW 36.70A.106(3), the City Clerk is directed to send a copy of the amendments to the State Department of Commerce for its files within ten (10) days after adoption of this Ordinance.

Section 9. Effective Date. This ordinance or a summary thereof shall be published in the City's official newspaper, and shall take effect five (5) days after passage and the publication of the ordinance or a summary thereof consisting of the title.

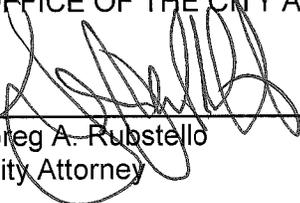
ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE
THIS 7th DAY OF JUNE 2011.


Charles E. Price, Mayor

ATTEST/AUTHENTICATED:


Jennifer Kuhn
City Clerk/CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY


Greg A. Rubstello
City Attorney

PASSED BY THE CITY COUNCIL: 6-7-2011
PUBLISHED: 6-13-2011
EFFECTIVE DATE: 6-20-2011
ORDINANCE NO. 523

Chapter 14.04 WMC, Environmental Protection

14.04.100 Thresholds for categorical exemptions.

The City hereby adopts the following thresholds for minor new construction under WAC 197-11-800(1)(b) and RCW 43.21C.410 based on local conditions:

- (1) For residential dwelling units in WAC 197-11-800(1)(b)(i): up to 4 dwelling units;
- (2) For agricultural structures in WAC 197-11-800(1)(b)(ii): up to 10,000 square feet;
- (3) For office, school, commercial, recreational services, or storage building in WAC 197-11-800(1)(b)(iii): up to 4,000 square feet and 20 parking spaces;
- (4) For parking lots in WAC 197-11-800(1)(b)(iv): up to 20 parking spaces; and
- (5) For landfills and excavations in WAC 197-11(1)(b)(v): up to 100 cubic yards; and
- (6) The construction of an individual battery charging station or an individual battery exchange station, as defined in Chapter 21.06 WMC.
- (7) Whenever the City establishes new exempt levels under this section, it shall send them to the Department of Ecology, Headquarters Office, Olympia, Washington, under WAC 197-11-800(1)(c).

Chapter 21.06 WMC, Technical Terms and Land Use Definitions

21.06.004 Accessible Electric Vehicle Charging Station.

Accessible Electric Vehicle Charging Station: an electric vehicle charging station where the battery charging station equipment is located within accessible reach of a barrier-free access aisle (minimum 44-inch width) and the electric vehicle.

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21.06.047 Battery charging station.

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 standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

21.06.048 Battery electric vehicle (BEV).

Battery electric vehicle (BEV): any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries, and produces zero tailpipe emissions or pollution when stationary or operating.

21.06.049 Battery exchange station.

Battery exchange station: a fully automated facility that will enable an electric vehicle with a swappable 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 by chapter 19.27 RCW and consistent with rules adopted under RCW 19.27.540.

21.06.04850 Bed and breakfast guesthouse.

Bed and breakfast guesthouse: a dwelling unit or accessory building within which bedrooms are available for paying guests.

21.06.0501 Beehive.

Beehive: a structure designed to contain one colony of honey bees (*Apis mellifera*).

21.06.0512 Best available science.

Best available science: current scientific information used in the process to designate, protect, or restore critical areas that is derived from a valid scientific process as defined by WAC 375-195-900 through 375-195-925. Sources of best available science are included in "Citations of Recommended Sources of Best Available Science for Designated and Protecting Critical Areas" published by the State Office of Community Development.

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21.06.099 Charging levels.

Charging levels: the standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged. The terms 1, 2, and 3 are the most common EV charging levels, and include the following specifications:

- (1) Level 1 is considered slow charging.
- (2) Level 2 is considered medium charging.
- (3) Level 3 is considered fast or rapid charging.

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21.06.152 Designated Accessible Space.

Designated Accessible Space: a required accessible parking space, per WAC 51-50-005, designated for the exclusive use of parking vehicles with a State Disabled Parking Permit.

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21.06.195~~4~~ Earth station.

Earth station: a communication facility which transmits and/or receives signals to and from an orbiting satellite using satellite dish antennas.

21.06.197~~5~~ Eaves.

Eaves: the lower border of a roof that overhangs the wall.

21.06.198~~6~~ Effective radiated power.

Effective radiated power: the product of the antenna power input and the numerical antenna power gain.

21.06.200~~197~~ Elderly.

Elderly: a person 62 years of age or older.

21.06.198 Electric scooters and motorcycles.

Electric scooters and motorcycles: any 2-wheel vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries and produces zero emissions or pollution when stationary or operating.

21.06.199 Electric vehicle.

Electric vehicle: any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. Electric vehicle includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle.

21.06.200 Electric vehicle charging station.

Electric vehicle charging station: a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. An electric vehicle charging station equipped with Level 1 or Level 2 charging equipment is permitted outright as an accessory use to any principal use.

21.06.201 Electric vehicle charging station — public.

Electric vehicle charging station — public: an electric vehicle charging station that is (1) publicly owned and publicly available (e.g., Park & Ride parking, public library parking lot, on-street parking) or (2) privately owned and publicly available (e.g., shopping center parking, non-reserved parking in multi-family parking lots).

21.06.202 Electric vehicle charging station — restricted.

Electric vehicle charging station — restricted: an electric vehicle charging station that is (1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking) or (2) publicly owned and restricted (e.g., fleet parking with no access to the general public).

21.06.203 Electric vehicle infrastructure.

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.

21.06.204 Electric vehicle parking space.

Electric vehicle parking space: any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

21.06.203~~5~~ Electrical conversion substation.

Electrical conversion substation: a site containing equipment for the conversion of high voltage electrical power transported through transmission lines into lower voltages transported through distribution lines and suitable for individual users.

21.06.205~~6~~ Energy resource recovery facility.

Energy resource recovery facility: an establishment for recovery of energy in a usable form from mass burning or refuse-derived fuel incineration, pyrolysis or any other means of using the heat of combustion of solid waste.

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21.06.382 Medium-Speed Electric Vehicle.

Medium-Speed Electric Vehicle: a self-propelled, electrically powered four-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one mile is more than 25 miles per hour but not more than 35 miles per hour and otherwise meets or exceeds the federal regulations set forth in 49 C.F.R. Sec. 571.500.

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21.06.409 Neighborhood Electric Vehicle.

Neighborhood Electric Vehicle: a self-propelled, electrically powered four-wheeled motor vehicle whose speed attainable in one mile is more than 20 miles per hour and not more than 25 miles per hour and conforms to federal regulations under Title 49 C.F.R. Part 571.500.

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21.06.411 Non-Electric Vehicle.

Non-Electric Vehicle: any motor vehicle that does not meet the definition of electric vehicle.

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21.06.460~~59~~ Plant associations of infrequent occurrence.

Plant associations of infrequent occurrence: one or more plant species of a landform type which does not often occur in the City of Woodinville because of the rarity of the habitat and/or the species involved or for other botanical or environmental reasons.

21.06.460 Plug-in hybrid electric vehicle (PHEV).

Plug-in hybrid electric vehicle (PHEV): an electric vehicle that (1) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; (2) charges its battery primarily by connecting to the grid or other off-board electrical source; (3) may additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and (4) has the ability to travel powered by electricity.

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21.06.487 Rapid charging stations.

Rapid charging stations: an industrial grade outlet that allows for faster charging of electrical vehicle batteries through higher power levels and that meets or exceeds any standard, codes, or regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

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Chapter 21.08 WMC, Permitted Uses

WMC 21.08.100 Regional Land Uses

A. REGIONAL LAND USES		Zone										
		Residential				Commercial/Industrial/Public						
		L o w	M o d e r a t e	M e d i u m	H i g h	N e i g h b o r h o o d	T o u r i s t B u s i n e s s	G e n e r a l B u s i n e s s	C e n t r a l B u s i n e s s	O f f i c e	I n d u s t r i a l	P u b l i c I n s t i t u t i o n a l
NAICS#	SPECIFIC LAND USE	R1 – 4	R5 – 8	R9 – 18	R19+	NB	TB	GB	CBD	O	I	P/I
*	Jail							S11				S11
*	Secure community transition facility							S16				
*	Work release facility							S11				
*	Public agency animal control facility							S11			P11	S11
*	Public agency training facility							S3, 11			C4, 11	S11
*	Hydroelectric generation facility	C11, 13, S11									S11	
*	Nonhydroelectric generation facility	C11, 12, S11						C11, 12, S11	C8, 18	C11, 12, S11, 15	P11, 12, S11	
*	Major communication facility										S6c, 11	
*	Personal wireless facilities (14)	14	14	14	14	14	14	14	14	14, 15	14	14
*	Electric Vehicle (EV) Charging Station (20)	<u>P19, 21, 23</u>	<u>P19, 21, 23</u>	<u>P19, 21, 23</u>	<u>P19, 21, 23</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
*	Rapid Charging Station (22)	<u>P23</u>	<u>P23</u>	<u>P23</u>	<u>P23</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
*	Battery Exchange Station										<u>P24</u>	

Ordinance 523 – Attachment C

*	Earth station	P6a	P6a	P6a	P6a		P6b, 11	P6b, 11	P6b, 11	P6b, 11, 15	P6b, 11	P6b, 11
21111	Oil and gas extraction	S11	S11	S11	S11			S11		S11, 15	C11	
*	Energy resource recovery facility										S11	
*	Soil recycling/incineration facility										C11	
*	Landfill										S11	S8, 11
*	Transfer station										S17	
*	Wastewater treatment facility							S11			C11	S11
*	Municipal water production	S11	S11	S11	S11			S11			S11	S11
*	Airport/Heliport	S11	S11	S11	S11			S11			S11	S8, 11
*	Landing field	S11	S11	S11	S11			S11			S11	S8, 11
*	Transit bus base							S11			P11	S11
*	Transit park and ride lot	S11	S11	S11	S11			P11	P11, 5		P11	S11
*	School bus base							S11	S11, 5		P11	S8, 11
711212	Racetrack	S7, 11	S11	S7, 11	S7, 11			S11	S7, 11, 5			
*	Fairground							S11	S11, 5			S8, 11
71213 71219	Zoo/Wildlife exhibit (2)						S	S11	S11, 5			S8, 11
71131	Stadium/Arena							S11	S11		P11	S8, 11
6113 6112	Junior college College/University	P9,11, C10,11, S11	P9,11, C10,11, S11	P9,11, C10,11, S11	P9,11, C10,11, S11				P11		P11	P11

GENERAL CROSS REFERENCES: Land Use Table Instructions, see WMC 21.02.070 and 21.08.020
 (*) Definition of this Specific Land Use, see Chapter 21.06 WMC
 Development Standards, see Chapters 21.12 through 21.30 WMC
 General Provisions, see Chapters 21.32 through 21.38 WMC
 R-48/O Regulations, see WMC 21.38.030
 Tourist District Overlay Regulations, see WMC 21.38.065
 Application and Review Procedures, see Chapters 21.40 through 21.44 WMC

B. DEVELOPMENT CONDITIONS

- (1) Except technical institutions. See vocational schools on General Services land use table, WMC 21.08.050.
- (2) Except arboretum. See WMC 21.08.040, Recreation/Cultural land use table.
- (3) Except weapons armories and outdoor shooting ranges.
- (4) Except outdoor shooting range.
- (5) Not permitted in the Pedestrian Core District or Civic/Gateway District; see WMC 21.14.310.
- (6)
 - (a) Limited to one receive-only satellite parabolic antenna not exceeding one meter in diameter in a residential zone and not exceeding two meters in diameter in all other zones.
 - (b) Limited to no more than three satellite parabolic antennas not exceeding one meter in diameter in a residential zone and not exceeding two meters in diameter in all other zones.
 - (c) Limited to tower consolidations.
- (7) Except racing of motorized vehicles.
- (8) Only as an accessory to a permitted use or if operated by a public agency.
- (9) Only as a re-use of a public school facility subject to the provisions of WMC 21.32.
- (10) Only as a re-use of surplus non-residential facility subject to the provisions of WMC 21.32.
- (11) If use abuts an agriculturally zoned property, the following conditions apply:
 - (a) Buildings and parking areas must be set back 50 feet from the property line abutting a agriculturally zoned parcel;
 - (b) 50 feet of Type II landscaping is required in the setback; and
 - (c) Non-emergency access through or to the agriculturally zoned parcel is prohibited.
- (12) Excluding impoundment of water using a dam.
- (13) Limited to facilities that comply with the following provisions:
 - (a) Any new diversion structure shall not:
 - (i) Exceed a height of eight feet as measured from the streambed; or
 - (ii) Impound more than three surface acres of water at the normal maximum surface level.
 - (b) There shall be no active storage.
 - (c) The maximum water surface area at any existing dam or diversion shall not be increased.
 - (d) An exceeding flow of no greater than 50 percent in mainstream reach shall be maintained.
 - (e) Any transmission line shall be limited to a:
 - (1) Right-of-way of five miles or less; and
 - (2) Capacity of 230 KV or less.
 - (f) Any new, permanent access road shall be limited to five miles or less.
 - (g) The facility shall be located above an anadromous fish barrier.
- (14) Personal wireless service facilities shall be regulated pursuant to WMC Chapter 21.26.
- (15) Not permitted on sites contiguous to property designated Low Density Residential or less by the City of Woodinville adopted Comprehensive Plan. This limitation also applies to sites in unincorporated King County with equivalent designations.
- (16) Secure Community Transition Facility (SCTF) shall in no case be sited adjacent to, immediately across a street or parking lot from, or within the line of sight of risk potential facilities defined in the law as schools, school bus stops, preschool facilities, day care facilities, public parks, publicly dedicated trails, sports fields, recreational and community centers, churches, synagogues, temples, mosques or public libraries.

- (17) Permitted only (1) within the North Industrial Neighborhood as illustrated by Figure 1-2 of the Woodinville Comprehensive Plan, (2) upon approval of a Special Use Permit, and (3) upon the Hearing Examiner's determination that appropriate measures have been or - prior to operation of the Transfer Station - will be implemented sufficient to mitigate the anticipated impacts of the Transfer Station. Such mitigation measures may include, but are not necessarily limited to, the following:
- (a) odor control
 - (b) vector control
 - (c) waste residency durational limitations
 - (d) containment and/or covering of waste transport vehicles
 - (e) operating hour limitations
 - (f) facility size limitations
 - (g) maximum weight limitations for waste transport vehicles
 - (h) noise control
 - (i) truck tip limitations
- (18) Fuel source limited to a renewable resource (i.e., solar or wind).
- (19) Level 1 and Level 2 charging stations only.
- (20) Level 1 and Level 2 charging stations are permitted in critical aquifer recharge areas and in other critical areas when serving an existing use.
- (21) Allowed only as an accessory use to a primary permitted use or permitted conditional use.
- (22) The term rapid is used interchangeable with Level 3 and rapid charging.
- (23) Only as an electrical vehicle charging station - restricted.
- (24) The battery exchange station work or service shall only be performed in an enclosed building, and no outdoor storage of materials.

Chapter 21.18 WMC, Development Standards – Parking and Circulation

WMC 21.18.105 Electric Vehicle Charging Stations

(1) Off-Street Electric Vehicle Charging Station Spaces

- (a) Purpose. For all parking lots or garages, except those that include restricted electric vehicle charging stations.
- (b) Number. No minimum number of charging station spaces is required.
- (c) Minimum Parking Requirements. An electric vehicle charging station space may be included in the calculation for minimum required parking spaces that are required pursuant to other provisions of code.
- (d) Location and Design Criteria. The provision of electric vehicle parking will vary based on the design and use of the primary parking lot. The following required and additional locational and design criteria are provided in recognition of the various parking lot layout options.
 - (i) Where provided, parking for electric vehicle charging purposes is required to include the following:
 - (A) Signage. Each charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. Days and hours of operations shall be included if time limits or tow away provisions are to be enforced. Examples of signage include:

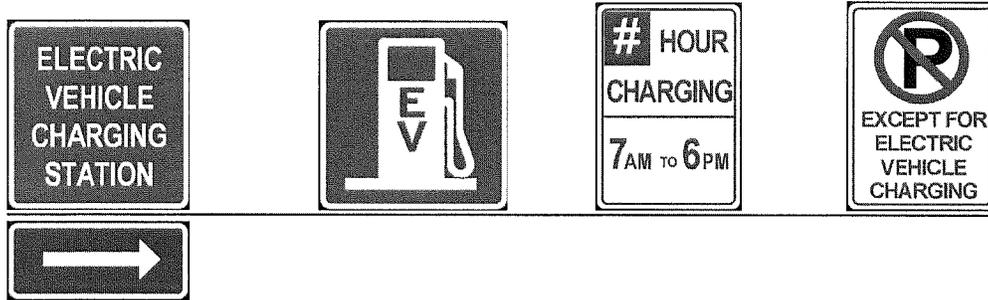


Figure 1. Electric Vehicle Infrastructure Signage Examples.

- (B) Maintenance. Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.
 - (C) Accessibility. Where charging station equipment is provided within an adjacent pedestrian circulation area, such as a sidewalk or accessible route to the building entrance, the charging equipment shall be located so as not to interfere with accessibility requirements of WAC 51-50-005.
 - (D) Lighting. Where charging station equipment is installed, adequate site lighting shall exist, unless charging is for daytime use only.
- (ii). Parking for electric vehicles should also consider the following:

(A) Notification. Information on the charging station, identifying voltage and amperage levels and any time of use, fees, or safety information.

(B) Signage. Installation of directional signs at the parking lot entrance and at appropriate decision points to effectively guide motorists to the charging station space(s).

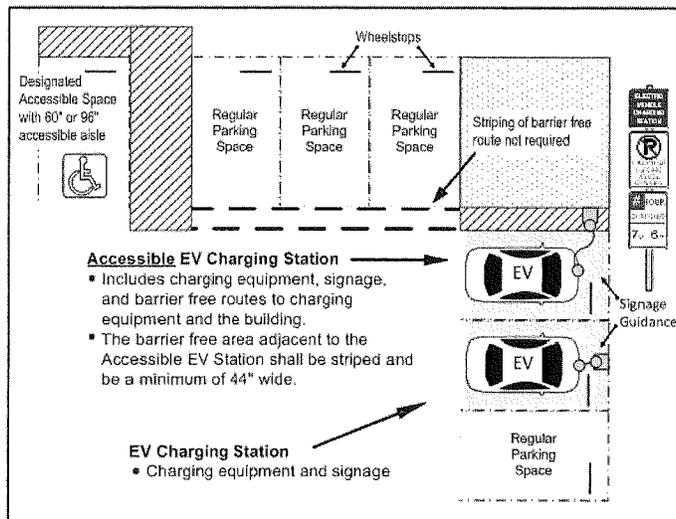
(e) Prohibited in critical areas. Electric vehicle charging stations shall be prohibited from being located within wetlands, streams, geologic hazard areas, flood plains, and any buffers associated with these identified critical areas.

(2) Accessible Electric Vehicle Charging Stations. Where electric vehicle charging stations are provided in parking lots or parking garages, accessible electric vehicle charging stations shall be provided as follows:

(a) Accessible electric vehicle charging stations shall be provided in the ratios shown on the following table.

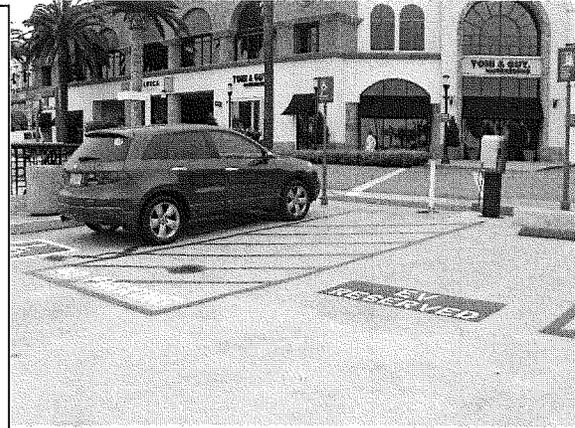
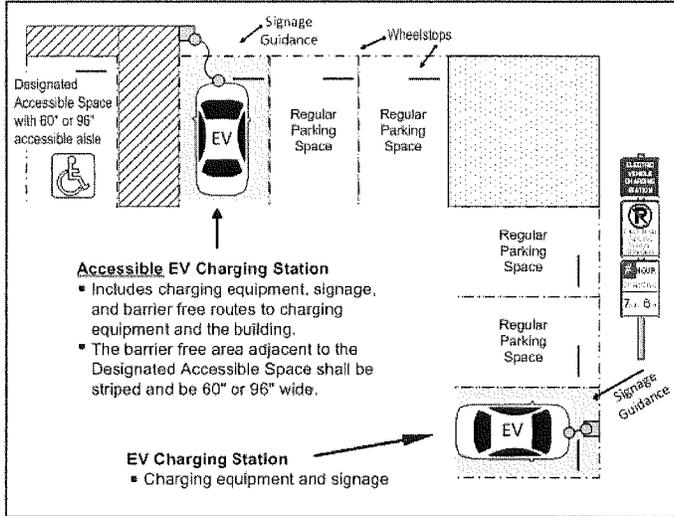
<i>Number of EV Charging Stations</i>	<i>Minimum Accessible EV Charging Stations</i>
<i>1-50</i>	<i>1</i>
<i>51-100</i>	<i>2</i>
<i>101-150</i>	<i>3</i>
<i>151-200</i>	<i>4</i>
<i>201-250</i>	<i>5</i>
<i>251-300</i>	<i>6</i>

(b) Accessible electric vehicle charging stations should be located in close proximity to the building or facility entrance and shall be connected to a barrier-free accessible route of travel. It is not necessary to designate the accessible electric vehicle charging station exclusively for the use of disabled persons. Below are two options for providing for accessible electric vehicle charging stations.



Puget Sound area parking garage. Photo by ECOTality North America.

Figure 2. Off-Street Accessible Electric Vehicle Charging Station – Option 1.



Fashion Island Shopping Mall, Newport Beach, CA.
Photo by LightMoves.

Figure 3. Off-Street Accessible Electric Vehicle Charging Station – Option 2.

(3) On-Street Electric Vehicle Charging Stations. On-street electric vehicle charging stations may be allowed as part of a development, subject to the City's Infrastructure Standards as adopted in WMC 12.09.010, and as approved by the Public Works Director.

WMC 21.46.030 Required Findings for Zoning Code Amendments

ZCA11005 – Electric Vehicle Infrastructure Zoning Code Amendment is consistent with the applicable criteria contained in WMC 21.46.030 pursuant to the following comments and findings:

1. The amendments are consistent with the purposes of the Comprehensive Plan.

Comment and Finding: The proposed Amendments are consistent with the purposes of the Comprehensive Plan by providing opportunities for alternative means of transportation, conservancy and efficiency of resources, reduction in energy use, and improvement in air quality. Applicable goals and policies methods include:

Environmental Element:

Goal ENV-2: To promote energy conservation.

Policy ENV – 2.1: Periodically review codes to improve efficiency, conservation and recycling of natural resources.

Policy ENV -2.2: Consider energy conservation technologies for energy use reduction.

Goal ENV-7: To protect and promote air quality.

Policy ENV-7.2: Encourage reduction of vehicle emissions.

Policy ENV-7.6: Promote public reduction of air pollutants such as carbon monoxide (CO); ozone (Hc and Nox); and particulate matter (PM10).

Utility Element:

Goal U-5: Encourage reduced energy consumption, conservation, the use of renewable technologies, and energy responsible land use decisions.

2. The (proposed) amendments are consistent with the purposes of this title (Zoning Code).

Comment and Finding: The amendments are consistent with the purposes of the Zoning Code. The amendments provides regulations for the safe installation, operation and maintenance of electric vehicle infrastructure.

3. The benefit or avoided cost to the public health, safety and welfare is sufficient to warrant the action (proposed amendments).

Comment and Finding: The proposed amendments are expected to have positive impacts on public health, safety, and welfare. The amendments would allow for expanded use of electric vehicles within the City of Woodinville. Allowing charging stations will allow for a legal, safe place for electric vehicles to be charged, instead of a current illegal and unsafe practice of extending extension cords from buildings to the vehicles, over pedestrian pathways. It will help to reduce vehicle emissions and improve air quality.

PLANNING COMMISSION PUBLIC HEARING EXHIBIT LISTApril 20, 2011

EXHIBIT NO.	EXHIBIT NAME
1	Staff Report dated April 20, 2011 Regarding Public Hearing – Electric Vehicle Infrastructure (ZCA11005)
2	April 20, 2011 Public Hearing Notice
3	SEPA Determination of Nonsignificance dated April 4, 2011
4	Proposed Electric Vehicle Infrastructure Ordinance 524
5	Powerpoint Presentation
6	Public Hearing Sign-in Sheet



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

June 16, 2011

Jennifer Kuhn
City Clerk
City of Woodinville
17301 - 133rd Avenue Northeast
Woodinville, Washington 98072

Dear Ms. Kuhn:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

City of Woodinville - Adopted Ordinance No. 523, amending the City of Woodinville Municipal Code, regarding electric vehicle infrastructure. These materials were received on June 09, 2011 and processed with the Material ID □ 17047.

We have forwarded a copy of this notice to other state agencies.

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment, then final adoption may occur no earlier than sixty days following the date of receipt by Commerce. Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please call me at 360.725.3056.

Sincerely,

Linda Weyl
for

Ike Nwankwo
Technical & Financial Assistance Manager
Growth Management Services