

**City Of Woodland**  
**City Council Meeting Agenda Summary Sheet**

**Agenda Item:**

Final Reading of Ordinance 1257, Amending  
WMC to Allow Electric Vehicle Infrastructure  
( FINAL READING )

**Agenda Item #:** ( E ) Action

**For Agenda of:** January 7, 2013

**Department:** Planning

**Date Submitted:** December 18, 2012

**Cost of Item:** 0

**Amount Budgeted:** \_\_\_\_\_

**Unexpended Balance:** \_\_\_\_\_

**BARS #:**

**Description:**

**Department Supervisor Approval:** Carolyn Johnson, Community Development Planner

**Committee Recommendation:**

On November 15, 2012 the Planning Commission made an  
Affirmative recommendation to the City Council for the  
approval of the proposed ordinance.

**Agenda Item Supporting Narrative (list attachments, supporting documents):**

1. Staff Report
2. Ordinance
3. Minutes from November 15, 2012 Public Hearing
4. RCW 36.70A.695, Development Regulations for Electric Vehicle Infrastructure

**Summary Statement:**

Please see staff report.

**ORDINANCE NO. 1257**

**THE CITY OF WOODLAND, WASHINGTON**

AN ORDINANCE AMENDING WMC TITLE 17 FOR THE PURPOSE OF COMPLIANCE WITH RCW 36.70A.695(2) AND THE DEVELOPMENT OF ELECTRIC VEHICLE INFRASTRUCTURE.

FINDINGS OF FACT

The City Council of the City of Woodland finds as follows:

**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.

**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.

**WHEREAS**, with the potential emerging market for plug-in electric vehicles, new industry standards have been adopted to ensure universal compatibility between vehicle manufacturers. Broad-based installation of new universally compatible charging stations is intended to ensure that plug-in electric vehicles will be a viable alternative to gasoline-powered vehicles.

**WHEREAS**, RCW 36.70A.695(2) requires that the City of Woodland must allow electric vehicle infrastructure as a use in all areas except those zoned for residential or resource use or critical areas by July 1, 2011.

**WHEREAS**, because most of the recharging for private electric vehicles will be done in residential settings, which includes residences in residential as well as some resource areas or critical areas, and therefore allowing electric vehicle infrastructure in these areas is in the public interest.

**WHEREAS**, pursuant to RCW 36.70A.695(2), this ordinance proposes to amend development regulations found in WMC 17.16, 17.20, 17.24, 17.32, 17.36, 17.40, 17.44, and 17.56 to allow electric vehicle infrastructure as a use in residential districts; commercial districts; industrial districts; and the public, quasi-public, institutional district.

## ORDINANCE

**NOW THEREFORE**, be it hereby ordained by the City Council of the City of Woodland:

Based on the foregoing Findings, the Woodland City Council Ordains that Title 17 (Zoning) and Title 15 (Environment) of the Woodland Municipal Code shall be amended to read as follows:

***1. Amend WMC 17.08 to include the following definitions:***

17.08.\_\_\_\_ “Battery charging station” means a public or private 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 19.27 RCW, as amended, and consistent with rules adopted under RCW 19.27.540, as amended.

17.08.\_\_\_\_ “Battery exchange station” means 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.

17.08.\_\_\_\_ “Charging levels” means 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: Level 1 is considered slow charging, Level 2 is considered medium charging, and Level 3 is considered fast or rapid charging.

17.08.\_\_\_\_ “Electric vehicle” means 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 the following:

- a. “Battery electric vehicle (BEV)” means 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.
- b. “Plug-in hybrid electric vehicle (PHEV)” means 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.

- c. “Neighborhood electric vehicle” means 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.
- d. “Medium-speed electric vehicle” means 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 other wise meets or exceeds the federal regulations set forth in 49 C.F.R. Sec.571.500.

17.08.\_\_\_\_ “Electric vehicle charging station” means 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.

17.08.\_\_\_\_ “Electric vehicle charging station — public” means 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).

17.08.\_\_\_\_ “Electric vehicle charging station — restricted” means 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).

17.08.\_\_\_\_ “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.

17.08.\_\_\_\_ “Rapid charging station” means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels and that meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

**2. Amend WMC 17.16.020 related to principal uses in the low density residential zoning districts to add the following use:**

H. Rapid charging station meeting the definition of “electric vehicle charging station — restricted”.

**3. Amend WMC 17.16.030 related to accessory uses allowed in the low density residential zoning district to add the following use:**

N. Electric vehicle charging stations for Level 1 and Level 2 charging are allowed as accessory to a principal outright permitted use or permitted conditional use.

**4. Amend WMC 17.20.020 related to principal permitted uses in multifamily residential districts to add the following use:**

J. Rapid charging stations meeting the definition of “electric vehicle charging station — restricted”.

**5. Amend WMC 17.20.030 related to accessory uses in the multifamily residential districts to add the following use:**

F. Electric vehicle charging stations for Level 1 and Level 2 charging are allowed as accessory to a principal outright permitted use or permitted conditional use.

**6. Amend WMC 17.24.020 related to principal uses in the public/quasi-public/institutional district to add the following use:**

H. Electric vehicle infrastructure.

**7. Amend WMC 17.32.020 related to permitted uses in the central business district to add the following use.**

24. Electric vehicle infrastructure.

**8. Amend WMC 17.36.020 related to permitted uses in the highway commercial district to add the following use:**

36. Electric vehicle infrastructure.

**9. Amend WMC 17.40.020 related to permitted uses in the neighborhood commercial district to add the following use:**

4. Electric vehicle infrastructure.

**10. Amend WMC 17.44.020 related to permitted uses in the light industrial district to add the following use:**

30. Electric vehicle infrastructure.

**11. Amend WMC 17.56, Off-street Parking and Loading Requirements, to add the following section:**

17.56.160 Electric Vehicle Charging Station Spaces

A. Purpose. For all parking lots or garages.

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.

1. 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.

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 purposes only.
2. 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. Data Collection. To allow for maintenance and notification, the local permitting agency will require the owners of any private new electric vehicle infrastructure station that will be publicly available (see definition “electric vehicle charging station — public”) to provide information on the station’s geographic location, date of installation, equipment type and model, and owner contact information.

**12. Repeal and replace WMC 15.04, Environmental Policy, Section 15.04.100, Purpose and adoption by reference.**

**The existing code section to be repealed reads as follows:**

15.04.100 - Purpose and adoption by reference.

This article contains the rules for deciding whether a proposal has a "probably significant, adverse environmental impact" requiring an environmental impact statement (EIS) to be prepared. It also contains rules for categorical exemptions and rules for evaluating the impacts of proposals not requiring an EIS as well as the application of exemptions and flexible thresholds. The city adopts the following sections of the WAC by reference, as supplemented in this article.

197-11-300	Purpose of this part.
305	Categorical exemptions.
310	Threshold determination required.
315	Environmental checklist.
330	Threshold determination process.
335	Additional information.
340	Determination of nonsignificance (DNS)

350	Mitigated DNS.
197-11-360	Determination of significance (DS)/ initiation of scoping.
390	Effect of threshold determination.
800	Categorical exemptions.
880	Emergencies.
890	Petitioning DOE to change exemptions.

***Replacement text to be added reads as follows:***

15.04.100 - Purpose and adoption by reference.

This article contains the rules for deciding whether a proposal has a "probably significant, adverse environmental impact" requiring an environmental impact statement (EIS) to be prepared. It also contains rules for categorical exemptions and rules for evaluating the impacts of proposals not requiring an EIS as well as the application of exemptions and flexible thresholds. The city adopts the following sections of the WAC by reference, as supplemented in this article:

RCW 43.21C.410	Battery charging and exchange station installation.
197-11-300	Purpose of this part.
305	Categorical exemptions.
310	Threshold determination required.
315	Environmental checklist.
330	Threshold determination process.
335	Additional information.
340	Determination of nonsignificance (DNS)
350	Mitigated DNS.
197-11-360	Determination of significance (DS)/ initiation of scoping.
390	Effect of threshold determination.
800	Categorical exemptions.
880	Emergencies.
890	Petitioning DOE to change exemptions.

**13. Severability**

If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or constitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**14. Effective Date**

This ordinance shall become effective five (5) days after its publication in the media or paper of record as required by law.

**15. Publishing**

A Summary of this Ordinance shall be published.

This ordinance shall be in full force and effect five days after publication as required by law.

**ADOPTED IN OPEN MEETING \_\_\_ day of \_\_\_\_\_, 2012.**

CITY OF WOODLAND, WASHINGTON

Approved:

\_\_\_\_\_  
Grover Laseke, Mayor

Attest:

\_\_\_\_\_  
Mari E. Ripp, Clerk / Treasurer

Approved as to form:

\_\_\_\_\_  
William J. Eling, City Attorney

## NOVEMBER 15, 2012 PUBLIC HEARING MINUTING MINUTES

1. Electric Vehicle Infrastructure, LU #212-921 [8:55:29 PM](#)

Staff report given by Carolyn Johnson. The ordinance makes electric vehicle charging stations an outright permitted use in some zones, and integrates electric vehicle infrastructure into the parking requirements of the WMC. The Ordinance includes definitions related to electric vehicle infrastructure.

### Discussion:

- Commissioner Trevena pointed out a section of the proposed ordinance that did not make sense. The definition for “electric vehicle charging station—public” included several examples, one of them being multi-family apartment lots. The example was confusing because generally, if not always, these would be restricted to apartment residents and their guests. The decision was made to strike that specific example from the definition.

Open Public Comment: [9:03:02 PM](#)

Close Public Comments. [9:03:14 PM](#)

Commissioner Trevena moved to send the Electric Vehicle Infrastructure ordinance to City Council deleting the “non-reserved parking in multi-family parking lots” from the definition for Electric Vehicle Charging Station –Public section. Commissioner Watt seconded the motion. Passed unanimously.

## RCW 36.70A.695

### Development regulations — Jurisdictions specified — Electric vehicle infrastructure.

(1) By July 1, 2010, the development regulations of any jurisdiction:

(a) Adjacent to Interstate 5, Interstate 90, Interstate 405, or state route number 520, with a population over twenty thousand, and located in a county with a population over one million five hundred thousand; or

(b) Adjacent to Interstate 5 and located in a county with a population greater than six hundred thousand; or

(c) Adjacent to Interstate 5 and located in a county with a state capitol within its borders;

planning under this chapter must allow electric vehicle infrastructure as a use in all areas except those zoned for residential or resource use or critical areas. A jurisdiction may adopt and apply other development regulations that do not have the effect of precluding the siting of electric vehicle infrastructure in areas where that use is allowed.

(2) By July 1, 2011, or six months after the distribution required under RCW [43.31.970](#) occurs, whichever is later, the development regulations of any jurisdiction adjacent to Interstate 5, Interstate 90, Interstate 405, or state route number 520 planning under this chapter must allow electric vehicle infrastructure as a use in all areas except those zoned for residential or resource use or critical areas. A jurisdiction may adopt and apply other development regulations that do not have the effect of precluding the siting of electric vehicle infrastructure in areas where that use is allowed.

(3) By July 1, 2011, or six months after the distribution required under RCW [43.31.970](#) occurs, whichever is later, the development regulations of any jurisdiction planning under this chapter must allow battery charging stations as a use in all areas except those zoned for residential or resource use or critical areas. A jurisdiction may adopt and apply other development regulations that do not have the effect of precluding the siting of electric vehicle infrastructure in areas where that use is allowed.

(4) Cities are authorized to adopt incentive programs to encourage the retrofitting of existing structures with the electrical outlets capable of charging electric vehicles. Incentives may include bonus height, site coverage, floor area ratio, and transferable development rights for use in urban growth areas.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(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 by chapter [19.28](#) RCW and consistent with rules adopted under RCW [19.27.540](#).

(b) "Battery exchange station" means 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 [19.28](#) RCW and consistent with rules adopted under RCW [19.27.540](#).

(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 meets or exceeds any standards, codes, and regulations set forth by chapter [19.28](#) RCW and consistent with rules adopted under RCW [19.27.540](#).

(6) If federal funding for public investment in electric vehicles, electric vehicle infrastructure, or alternative fuel distribution infrastructure is not provided by February 1, 2010, subsection (1) of this section is null and void.

[2009 c 459 § 12.]

#### Notes:

**Finding -- Purpose -- 2009 c 459:** See note following RCW [47.80.090](#).

Regional transportation planning organizations -- Electric vehicle infrastructure: RCW [47.80.090](#).