

ORDINANCE NO. 597

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE AMENDING TITLE 19 OF THE UNIVERSITY PLACE MUNICIPAL CODE "ZONING", CHAPTERS 19.10 DEFINITIONS, 19.25 USES AND CLASSIFICATION TABLES, AND 19.30 ACCESSORY USES AND STRUCTURES TO ENCOURAGE THE TRANSITION TO ELECTRIC VEHICLE USE AND TO EXPEDITE THE ESTABLISHMENT OF A CONVENIENT AND COST-EFFECTIVE ELECTRIC VEHICLE INFRASTRUCTURE

WHEREAS, in accordance with the State Growth Management Act the University Place City Council adopted a Comprehensive Plan on July 6, 1998 which became effective July 13, 1998 with amendments on May 1, 2000 and August 4, 2003; and

WHEREAS, the Growth Management Act requires the City to adopt development regulations which are consistent with and implement the Comprehensive Plan and the Act; and

WHEREAS, in 2009 the Washington State Legislature amended the Growth Management Act which required the City of University Place and others to adopt development regulations that allow battery charging stations as a use in all areas except those zoned for residential or resource use or critical areas; and

WHEREAS, the City consulted the Washington State Department of Commerce's *Electric Vehicle Infrastructure, A Guide for Local Governments in Washington State* which includes a model ordinance, model development regulations and other related resources; and

WHEREAS, the Planning Commission held public meetings on January 12, and April 6, 2011 to discuss amendments to University Place Municipal Code Title 19 Zoning to allow electric vehicle infrastructure in accordance with the requirements of the Growth Management Act; and

WHEREAS, the Planning Commission held a public hearing on April 20, 2011 after which the Planning Commission voted unanimously to recommend that the City Council adopt provisions to promote the use of electrical vehicles in the City and in accordance with the requirements of the Growth Management Act; and

WHEREAS, the City's Environmental Official issued a Determination of Non-Significance (DNS) on May 12, 2011 with a comment period ending on May 26, 2011; and

WHEREAS, the required State agency 14-day expedited review period on the proposed Zoning Code amendments began on May 12, 2011 and concluded on May 26, 2011; and

WHEREAS, the University Place City Council held a study session on June 13, 2011, to study and discuss the recommended amendments; and

WHEREAS, the University Place City Council finds the amendments are consistent with the goals, objectives and policies of the Comprehensive Plan; the proposed amendments are in the best interest of the citizens and property owners of the City; and the proposed amendments enhance the public health, safety, comfort, convenience, and general welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Title 19 Zoning -- Chapters 19.10, 19.25, and 19.30 -- Amendments. University Place Municipal Code Chapters 19.10, 19.25 and 19.30 are hereby amended as set forth in Exhibit "A" attached.

Section 2. Copy to be Available. One copy of this Ordinance shall be available in the office of the City Clerk for use and examination by the public.

Section 3. Severability. If any section, sentence, clause, or phrase of this Ordinance shall be held to be 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.

Section 4. Publication and Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON JULY 18, 2011.


Debbie Klosowski, Mayor

ATTEST:


Erinna, City Clerk

APPROVED AS TO FORM:


Steve Victor, City Attorney

Published: 07/21/11
Effective Date: 07/26/11

EXHIBIT A - PROPOSED CODE AMENDMENTS

CHAPTER 19.10 DEFINITIONS:

Add the following definitions:

“Battery charging station” means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles. There are three levels of battery charging stations based on the electrical force, or voltage, at which an electric vehicle’s battery is recharged.

Level 1 is considered slow charging and typically operates on a 15- or 20-amp breaker on a 120-volt Alternating Current (AC) circuit and standard outlet.

Level 2 is considered medium charging and typically operates on a 40-amp to 100-amp breaker on a 208 or 240-volt AC circuit.

Level 3 is considered fast or rapid charging primarily for commercial and public applications and typically operates on a 60-amp or higher dedicated breaker on a 480-volt or higher three-phase circuit with special grounding equipment.

“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.

“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.

“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: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle.

“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. There are three levels of battery charging stations based on the electrical force, or voltage, at which an electric vehicle’s battery is recharged.

Level 1 is considered slow charging and typically operates on a 15- or 20-amp breaker on a 120-volt Alternating Current (AC) circuit and standard outlet.

Level 2 is considered medium charging and typically operates on a 40-amp to 100-amp breaker on a 208 or 240-volt AC circuit.

Level 3 is considered fast or rapid charging primarily for commercial and public applications and typically operates on a 60-amp or higher dedicated breaker on a 480-volt or higher three-phase circuit with special grounding equipment.

“Electric vehicle charging station — restricted” means an electric vehicle charging station that is (1) privately owned and restricted access (e.g., dwelling unit, executive parking, designated employee only parking) or (2) publicly owned and restricted (e.g., fleet parking with no access to the general public).

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

CHAPTER 19.25 USES AND ZONE CLASSIFICATION TABLES

Amend the following use type:

T. Motor Vehicles and Related Equipment Sales/Rental/Repair and Services. Motor vehicles and related equipment sales/rental/repair and services use type refers to establishments or places of business engaged in the sales, leasing or service of automobiles, trucks, motorcycles, recreational vehicles, and boats; or heavy equipment and supplies related to motor vehicles; and self-moving or commercial moving services.

Level 1. Gasoline service stations, Battery exchange stations and Level 3 Electric vehicle charging stations together with accessory automobile repair and convenience shopping, and car wash with a one- car capacity.

CHAPTER 19.30 ACCESSORY USES AND STRUCTURES:

Add provisions to allow Level 1 and 2 Battery Charging Stations and Level 1 and 2 Electric Vehicle Charging Stations as accessory uses in residential and non-residential zones as follows:

19.30.040 Accessory use list.

A. Residential. The following accessory uses are customarily incidental to residential uses:

10. Level 1 and 2 Battery and electric vehicle charging station —restricted. Privately owned and restricted to the non-commercial use by the residents of the dwelling unit where the station is located,

19.30.050 Accessory uses applicable to principal uses in more than one zone.

A. The following accessory uses are customarily incidental to uses in more than one zone:

13. Level 1 and 2 Battery and electric vehicle charging stations in non-residential zones.