

**CITY OF SAMMAMISH
WASHINGTON**

ORDINANCE NO. O2011 - 300

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, ADOPTING ELECTRICAL VEHICLE INFRASTRUCTURE REGULATIONS AND AMENDING CHAPTERS 20.15, 21B.20, 21A.15, 21A.20 and 21A.40 OF THE SAMMAMISH MUNICIPAL CODE

WHEREAS, the City incorporated in August of 1999; and

WHEREAS, the City Council adopted the City's Comprehensive Plan on September 16, 2003, and the City has enacted zoning consistent with the comprehensive plan; and

WHEREAS, the City Council adopted the Sammamish Municipal Code on October 7, 2003 and subsequent revisions have been made since that time; and

WHEREAS, during the 2009 session the Washington State Legislature passed House Bill 1481 (HB 1481), an Act relating to electric vehicles; and

WHEREAS, the House 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; and

WHEREAS, the Legislature agreed that the development of a convenient infrastructure to recharge electric vehicles is essential to increase consumer acceptance of these vehicles and 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 automobile industry transforms, over time, from combustion to electric vehicles; and

WHEREAS, greenhouse gas emissions related to transportation constitute more than fifty percent of all greenhouse gas emissions in the State of Washington; and

WHEREAS, the use of electricity from the Northwest as a transportation fuel instead of petroleum fuels results in significant reductions in the emissions of pollutants, including greenhouse gases, and reduces the reliance of the state on imported sources of energy for transportation; and

WHEREAS, with the potential emerging market for plug-in electric vehicles, new industry standards have been adopted to ensure universal compatibility between vehicle manufacturers; And

WHEREAS, 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; and

WHEREAS, a State Environmental Policy Act Determination of Non Significance for the proposed Electric Vehicle Infrastructure code amendments was issued on December 9, 2010; and

WHEREAS, in accordance with RCW 36.70A, a request for expedited review was received by the State of Washington Department of Commerce on December 2, 2010 and was granted expedited review on December 16, 2010; and

WHEREAS, the Planning Commission held public meetings on December 2, 2010 and January 20, 2011, and public hearings on December 16, 2010 and January 6, 2011 and forwarded a recommendation to the City Council on February 8, 2011; and

WHEREAS, the City Council considered the proposed Electrical Vehicle Infrastructure code amendments at a City Council public hearing on March 1, 2011; and

WHEREAS, the City Council considered the Planning Commission's recommendation, public comment, and other available information;

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

SECTION 1. The Electrical Infrastructure Regulations incorporated into the amendments to Title 20, 21A and 21B are adopted as set forth in Attachment "A" to this Ordinance.

SECTION 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

SECTION 3. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 21st DAY OF MARCH 2011.

CITY OF SAMMAMISH



Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:



Melonie Anderson, City Clerk

Approved as to form:



Bruce L. Disend, City Attorney

Filed with the City Clerk:	February 23, 2011
Public Hearing:	March 1, 2011
First Reading:	March 1, 2011
Public Hearing:	March 21, 2011
Passed by the City Council:	March 21, 2011
Date of Publication:	March 24, 2011
Effective Date:	March 29, 2011

Attachment “A”

Electric Vehicle Infrastructure draft code elements

20.15.040 Categorical exemptions and threshold determinations.

(1) The City of Sammamish adopts the standards and procedures specified in WAC 197-11-300 through 197-11-390 and 197-11-800 through 197-11-890 for determining categorical exemptions and making threshold determinations subject to the following:

(a) The following exempt threshold levels are hereby established pursuant to WAC 197-11-800(1)(c) for the exemptions in WAC 197-11-800(1)(b):

- (i) The construction or location of any residential structures of up to 20 dwelling units;
- (ii) The construction of an office, school, commercial, recreational, service, or storage building with up to 12,000 square feet of gross floor area, and with associated parking facilities designed for up to 40 automobiles;
- (iii) The construction of a parking lot designed for up to 40 automobiles;
- (iv) Any fill or excavation of up to 500 cubic yards throughout the total lifetime of the fill or excavation.

(b) The determination of whether a proposal is categorically exempt shall be made by the department.

(c) The construction of an individual battery charging station or an individual battery exchange station.

(2) The mitigated DNS provision of WAC 197-11-350 shall be enforced as follows:

(a) If the department issues a mitigated DNS, conditions requiring compliance with the mitigation measures that were specified in the application and environmental checklist shall be deemed conditions of any decision or recommendation of approval of the action.

(b) If at any time the proposed mitigation measures are withdrawn or substantially changed, the responsible official shall review the threshold determination and, if necessary, may withdraw the mitigated DNS and issue a DS. (Ord. O2009-251 § 1; Ord. O2003-132 § 9)

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21A.15. Definitions.

1. **21A.15.009. Accessible Electric Vehicle Charging Station.** An electric vehicle charging station where the battery charging station equipment is located within accessible reach of the barrier free access aisle (minimum 36 inch width) and the electric vehicle.
2. **21A.15.087. Battery Charging Station.** An electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed applicable state and federal standards.
3. **21A.15.088. Battery Electric Vehicle (BEV).** Any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicles batteries, and produces zero tailpipe emissions or pollution when stationary or operating (see Electric Vehicles).
4. **21A.15.089. 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 applicable state and federal standards.
5. **21A.15.183. Charging Levels.** Means the standardized indicators of electrical force or voltage, at which an electric vehicle’s battery is recharged. Levels 1, 2, and 3 are the most common EV charging levels, and include the following specifications. A. Level 1 is considered slow charging. B. Level 2 is considered medium charging. C. Level 3 is considered fast or rapid charging.
6. **21A.15.287. Designated Accessible Space.** A WAC 51-50-005 required accessible parking space designated for the exclusive use of parking vehicles with a State Disabled Parking Permit.
7. **21A.15.283. Electric scooters and motorcycles.** Any 2 or 3 wheeled 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.
8. **21A.15.284. 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 purposes. Electric vehicle includes (but is not limited to): (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle.
9. **21A.15.285. Electric Vehicle Charging Station.** A public or private parking space located together with battery charging station equipment that has as its purpose the transfer of electric energy (by conductive or inductive means) to a battery or other storage device in an electric vehicle.
10. **21A.15.286. Electric Vehicle Charging Station-Restricted** means an electrical charging station that is 1) Privately owned and restricted access (e.g, single family, assigned parking, etc) or 2) publicly owned and restricted (fleet parking with no access to the public).
11. **21A.15.287. Electric Vehicle Charging Station-Public** means an electrical charging station that is 1)publicly owned and publicly available (e.g., Park and Ride lots, city hall parking other public lots) or privately owned and publicly available (e.g. shopping centers, apartment complexes, parking garages, etc.).
12. **21A.15.288. Electric Vehicle Infrastructure.** Structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, and battery exchange stations.
13. **21A.15.289. Electric Vehicle Parking space.** Any marked parking space (public or private) that identifies the use to be for an electric vehicle.

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14. **21A.15.742. 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 2 miles per hour , but not more than 35 miles per hour and other wise meets or exceeds the federal regulations set for in 49 C.R.R. Part 571.500.
15. **21A.15.795 794. Naturalized species.**“Naturalized species” means non-native species of vegetation that are adaptable to the climatic conditions of the coastal region of the Pacific Northwest.
16. **21A.15.796 795. Naturally occurring ponds.** See “Ponds, naturally occurring.” (Ord. O2005-193 § 2)
17. **21A15.796. Neighborhood Electric Vehicle.** A self-propelled, electrically powered four wheeled motor vehicle whose speed attainable in one mile is more than twenty miles per hour and not more than twenty-five miles per hour and conforms to federal regulations Title 49 C.F.R. Part 571500.
18. **21.15.798. Non Electric Vehicle.** Any motor vehicle that does not meet the definition of “electric vehicle.”
19. **21A.15.897-896. Plant factor.** Plant factor means a factor when multiplied by reverence evapotranspiration estimates the amount of water used by plants. (Ord 02003-132)
20. **21A.15.897 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 by connecting to the grid or other off –board electric 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 short distances powered entirely by electricity.
21. **21A.15.947. Rapid charging Station.** An industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels and that meets or exceeds applicable state and federal standards.

21A.20.030 Residential land uses.

A. Table of Residential Land Uses.

KEY

- P – Permitted Use
- C – Conditional Use
- S – Special Use

		ZONE	RESIDENTIAL				Office
			Urban Residential		Neighborhood Business	Community Business	
SIC#	SPECIFIC LAND USE	R-1 – R-8	R-12 – R-18	NB	CB	O	
	DWELLING UNITS, TYPES:						
*	Single detached	P C9	P C9				
*	Townhouse	P10	P	P2	P2	P2	

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*	Apartment	P3	P	P2	P2	P2
*	Mobile home park	C6	P			
	GROUP RESIDENCES:					
*	Community residential facility-I	C	P	P2	P2	P2
*	Community residential facility-II			P2	P2	P2
*	Dormitory	C4	P			
*	Senior citizen assisted housing		P	P2	P2	P2
	ACCESSORY USES:					
*	Residential accessory uses	P5	P5	P5	P5	P5
*	Home occupation	P	P	P	P	P
*	Home industry	C				
*	<u>EV Charging Station 11, 12.</u>	<u>P13</u>	<u>P13</u>	<u>P</u>	<u>P</u>	<u>P</u>
*	<u>Rapid Charging Station 14</u>	<u>P15</u>	<u>P15</u>	<u>P</u>	<u>P</u>	<u>P</u>
7011	Hotel/motel ⁽¹⁾				P	P
*	Bed and breakfast guesthouse	P7	P7	P7	P8	
7041	Organization hotel/lodging houses					

B. Development Conditions.

1. Except bed and breakfast guesthouses.
2. Only as part of a mixed use development subject to the conditions of Chapter 21A.30 SMC, except that in the NB zone on properties with a land use designation of commercial outside of center (CO) in the urban areas, stand-alone townhouse developments are permitted subject to the provisions of SMC 21A.25.040, 21A.30.020, 21A.30.040 and 21A.30.140.
3. Only in a building listed on the National Register as an historic site or designated as a landmark subject to the provisions of Chapter 21A.70 SMC.
4. Only as an accessory to a school, college/university, or church.
5. a. Accessory dwelling units:
 - (1) Only one accessory dwelling per primary single detached dwelling unit;

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(2) Only in the same building as the primary dwelling unit when the lot is less than 10,000 square feet in area or when there is more than one primary dwelling on a lot;

(3) The primary dwelling unit or the accessory dwelling unit shall be owner occupied;

(a) One of the dwelling units shall not exceed a floor area of 1,000 square feet except when one of the dwelling units is wholly contained within a basement or attic;

(b) When the primary and accessory dwelling units are located in the same building, only one entrance may be located on each street side of the building;

(c) The total number of occupants in both the primary residence and the accessory dwelling unit combined may not exceed the maximum number established by the definition of family in SMC 21A.15.450;

(d) Additions to an existing structure or the development of a newly constructed detached ADU shall be designed consistent with the existing facade, roof pitch, siding, and windows of the primary dwelling unit;

(4) One additional off-street parking space shall be provided;

(5) The accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied; and

(6) An applicant seeking to build an accessory dwelling unit shall file a notice approved by the department with the records and elections division that identifies the dwelling unit as accessory. The notice shall run with the land. The applicant shall submit proof that the notice was filed before the department shall approve any permit for the construction of the accessory dwelling unit. The required contents and form of the notice shall be set forth in administrative rules.

b. One single or twin engine, noncommercial aircraft shall be permitted only on lots that abut, or have a legal access that is not a City right-of-way, to a waterbody or landing field, provided:

(1) No aircraft sales, service, repair, charter, or rental; and

(2) No storage of aviation fuel except that contained in the tank or tanks of the aircraft.

6. Mobile home parks shall not be permitted in the R-1 zones.

7. Only as an accessory to the permanent residence of the operator, provided:

a. Serving meals to paying guests shall be limited to breakfast; and

b. The number of persons accommodated per night shall not exceed five, except that a structure which satisfies the standards of the Uniform Building Code as adopted by the City of Sammamish for R-1 occupancies may accommodate up to 10 persons per night.

8. Only when part of a mixed use development.

9. Required prior to approving more than one dwelling on individual lots, except on lots in subdivisions, short subdivisions, or binding site plans approved for multiple unit lots, and except as provided for accessory dwelling units in subsection (B)(5) of this section.

10. Only when done in accordance with the low impact development standards in SMC 21A.30.020 and Chapter 21A.85 SMC. (Ord. O2009-249 § 1; Ord. O2003-132 § 11)

11. Level 1 and Level 2 charging only.

12. Level 1 and Level 2 charging are permitted in critical aquifer recharge areas and in other critical areas when serving an existing use.

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13. Allowed only as an accessory to a primary permitted use or permitted conditional use.

14. The term “Rapid” is used interchangeably with Level 3 and Fast Charging.

15. Only as an “electric vehicle charging station-restricted”.

21A.20.050 General services land uses.

A. Table of General Services Land Uses.

KEY

P – Permitted Use

C – Conditional Use

S – Special Use

		ZONE	RESIDENTIAL				Office
			Urban Residential		Neighborhood Business	Community Business	
SIC#	SPECIFIC LAND USE	R-1 – R-8	R-12 – R-18	NB	CB	O	
	PERSONAL SERVICES:						
72	General personal service			P	P	P3	
7216	Drycleaning plants						
7261	Funeral home/crematory	C4	C4		P		
*	Cemetery, columbarium or mausoleum	P20 C5	P20 C5	P20	P20	P20	
*	Daycare I	P6	P	P	P	P7	
*	Daycare II	P8 C	P8 C	P	P	P7	
074	Veterinary clinic			P9	P9		
753	Automotive repair(1)			P10	P		
754	Automotive service			P10	P		
76	Miscellaneous repair				P		
*	<u>Battery Exchange Station</u>			<u>P10</u>	<u>P10</u>		
866	Churches, synagogue, temple	P11 C	P11 C	P	P	P	

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83	Social services(2)	P11 C12	P11 C12	P12	P	P
*	Stable	P13 C				
*	Kennel or cattery				C	
*	Theater production services				P24	
*	Artist studios	P22	P22	P	P	P23
*	Interim recycling facility	P17	P17	P18	P18	
	HEALTH SERVICES:					
801 – 04	Office/outpatient clinic	P11 C12	P11 C12	P	P	P
805	Nursing and personal care facilities		C		P	
806	Hospital	C12	C12		P	C
807	Medical/dental lab				P	P
808 – 09	Miscellaneous health				P	P
	EDUCATION SERVICES:					
*	Elementary school	P	P			
*	Middle/junior high school	P	P			
*	Secondary or high school		P21			
*	Vocational school	P12 C	P12 C		C	P14
*	Specialized instruction school	P15 C16	P15 C16	P	P	P14
*	School district support facility	P19 C	P19 C	C	P	P

B. Development Conditions.

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1. Except SIC Industry No. 7534, Tire retreading, see manufacturing permitted use table.
2. Except SIC Industry Group Nos.:
 - a. 835 – Daycare services; and
 - b. 836 – Residential care, which is otherwise provided for on the residential permitted land use table.
3. Limited to SIC Industry Group and Industry Nos.:
 - a. 723 – Beauty shops;
 - b. 724 – Barber shops;
 - c. 725 – Shoe repair shops and shoeshine parlors;
 - d. 7212 – Garment pressing and agents for laundries and drycleaners;
 - e. 217 – Carpet and upholstery cleaning.
4. Only as an accessory to a cemetery.
5. Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.
6. Only as an accessory to residential use, provided:
 - a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates, and have a minimum height of six feet; and
 - b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones.
7. Permitted as an accessory use, see commercial/industrial accessory, SMC 21A.20.060 (A).
8. Only as a re-use of a public school facility subject to the provisions of Chapter 21A.70 SMC, or an accessory use to a school, church, park, sport club or public housing administered by a public agency, provided:
 - a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates and have a minimum height of six feet;
 - b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
 - c. Direct access to a developed arterial street shall be required in any residential zone; and
 - d. Hours of operation may be restricted to assure compatibility with surrounding development.
9.
 - a. No burning of refuse or dead animals is allowed;
 - b. The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot solid wall and surfaced with concrete or other impervious material; and
 - c. The provisions of Chapter 21A.65 SMC relative to animal keeping are met.
10. The repair work, **battery exchange station work**, or service shall only be performed in an enclosed building, and no outdoor storage of materials. SIC Industry No. 7532, Top, body, and upholstery repair shops and paint shops, is not allowed.
11. Only as a re-use of a public school facility subject to the provisions of Chapter 21A.70 SMC.
12. Only as a re-use of a surplus nonresidential facility subject to Chapter 21A.70 SMC.

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13. Covered riding arenas are subject to the provisions of Chapter 21A.65 SMC and shall not exceed 20,000 square feet; provided, that stabling areas, whether attached or detached, shall not be counted in this calculation.

14. All instruction must be within an enclosed structure.

15. Only as an accessory to residential use, provided:

a. Students are limited to 12 per one-hour session;

b. All instruction must be within an enclosed structure; and

c. Structures used for the school shall maintain a distance of 25 feet from property lines adjoining residential zones.

16. Subject to the following:

a. Structures used for the school and accessory uses shall maintain a minimum distance of 25 feet from property lines adjoining residential zones;

b. On lots over two and one-half acres:

(1) Retail sales of items related to the instructional courses is permitted, provided total floor area for retail sales is limited to 2,000 square feet;

(2) Sales of food prepared in the instructional courses is permitted, provided total floor area for food sales is limited to 1,000 square feet and is located in the same structure as the school; and

(3) Other incidental student-supporting uses are allowed, provided such uses are found to be both compatible with and incidental to the principal use; and

c. On sites over 10 acres, and zoned R-1, and/or R-4:

(1) Retail sales of items related to the instructional courses is permitted, provided total floor area for retail sales is limited to 2,000 square feet;

(2) Sales of food prepared in the instructional courses is permitted, provided total floor area for food sales is limited to 1,750 square feet and is located in the same structure as the school;

(3) Other incidental student-supporting uses are allowed, provided such uses are found to be functionally related, subordinate, compatible with and incidental to the principal use;

(4) The use is integrated with allowable agricultural uses on the site;

(5) Advertised special events shall comply with the temporary use requirements of this chapter; and

(6) Existing structures that are damaged or destroyed by fire or natural event, if damaged by more than 50 percent of their prior value, may reconstruct and expand an additional 65 percent of the original floor area but need not be approved as a conditional use if their use otherwise complies with the standards set forth in development condition (B)(16)(c) of this section and the requirements of this title.

17. Limited to drop box facilities accessory to a public or community use such as a school, fire station or community center.

18. With the exception of drop box facilities for the collection and temporary storage of recyclable materials, all processing and storage of material shall be within enclosed buildings. Yard waste processing is not permitted.

19. Only when adjacent to an existing or proposed school.

20. Limited to columbariums accessory to a church; provided, that required landscaping and parking are not reduced.

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21. a. New high schools shall be permitted in urban residential zones subject to the review process set forth in Chapter 21A.100 SMC; and

b. Renovation, expansion, modernization, or reconstruction of a school, or the addition of relocatable facilities, is permitted.

22. Only as a re-use of a surplus nonresidential facility subject to Chapter 21A.70 SMC or as a joint use of an existing public school facility.

23. All studio use must be within an enclosed structure.

24. Adult use facilities shall be prohibited within 660 feet of any residential zones, any other adult use facility, or school licensed daycare centers, parks, community centers, public libraries or churches which conduct religious or educational classes for minors. (Ord. O2009-249 § 1; Ord. O2003-132 § 11)

21A.20.060 Government/business services land uses.

A. Table of Government/Business Service Land Uses.

KEY

P – Permitted Use

C – Conditional Use

S – Special Use

	ZONE	RESIDENTIAL					Office
		Urban Residential		Neighborhood Business	Community Business		
SIC#	SPECIFIC LAND USE	R-1 – R-8	R-12 – R-18	NB	CB	O	
	GOVERNMENT SERVICES:						
*	Public agency or utility yard(25)	C25	C25	P	P	P	
*	Satellite public agency or utility yard	P26 C	P26 C	P	P	P	
*	Public agency or utility office	P2, P27 C	P2, P27 C	P	P	P	
*	Public agency archives	P27	P27			P	
921	Court	P27	P27	P3	P3	P	
9221	Police facility	P27	P27	P5	P	P	
9224	Fire facility	C4	C4	P	P	P	
*	Utility facility	P22 C21	P22 C21	P	P	P	
*	Commuter parking lot	C	C	P	P	P	

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		P14	P14			
*	Private storm water management facility	P6	P6	P6	P6	P6
*	Vactor waste receiving facility	P13	P13	P23	P23	P23
*	Farmers’ market	P26, P27	P26, P27	P	P	P
	BUSINESS SERVICES:					
*	Construction and trade					P7
*	Individual transportation and taxi				P18	P8
421	Trucking and courier service				P9	P10
*	Self-service storage		C11		P	P
473	Freight and cargo service					P
472	Passenger transportation service				P	P
48	Communication offices					P
482	Telegraph and other communications				P	P
*	General business service			P	P	P
*	Professional office			P	P	P
7312	Outdoor advertising service					P12
735	Miscellaneous equipment rental				P12	P12
751	Automotive rental and leasing				P	
752	Automotive parking			P15	P15	P15
*	Off-street required parking lot	P24	P24	P24	P24	P24
7941	Professional sport teams/promoters					P
873	Research, development and testing					P1
	ACCESSORY USES:					

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*	Commercial/industrial accessory uses			P16	P16	P
*	Helistop	C17	C17	C17	C17	C17
*	EV Charging Station 28,29.	P	P	P	P	P
*	Rapid Charging Station 29,30	P	P	P	P	P

B. Development Conditions.

1. Except SIC Industry No. 8732, Commercial economic, sociological, and educational research, see general business service/office.
2. a. Only as a re-use of a public school facility or a surplus nonresidential facility subject to the provisions of Chapter 21A.70 SMC; or
 - b. Only when accessory to a fire facility and the office is no greater than 1,500 square feet of floor area.
3. Only as a re-use of a surplus nonresidential facility subject to Chapter 21A.70 SMC.
4. a. All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
 - b. Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street;
 - c. No outdoor storage.
5. Limited to “storefront” police offices. Such offices shall not have:
 - a. Holding cells;
 - b. Suspect interview rooms (except in the NB zone); or
 - c. Long-term storage of stolen properties.
6. Private storm water management facilities serving development proposals located on commercial zoned lands shall also be located on commercial lands, unless participating in an approved shared facility drainage plan. Such facilities serving development within an area designated “urban” in the King County comprehensive plan shall only be located in the urban area.
7. No outdoor storage of materials.
8. Limited to office uses.
9. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.
10. Limited to SIC Industry No. 4215, Courier services, except by air.
11. Accessory to an apartment development of at least 12 units, provided:
 - a. The gross floor area in self-service storage shall not exceed the total gross floor area of the apartment dwellings on the site;
 - b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;
 - c. The use of the facility shall be limited to dead storage of household goods;
 - d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;
 - e. No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;
 - f. No residential occupancy of the storage units;
 - g. No business activity other than the rental of storage units; and

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h. A resident director shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.

12. No outdoor storage.
13. Only as an accessory use to a public agency or utility yard, or to a transfer station.
14. Limited to new commuter parking lots designed for 30 or fewer parking spaces or commuter parking lots located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting; provided, that the new or existing lot is adjacent to a designated arterial that has been improved to a standard acceptable to the department of transportation.
15. No tow-in lots for damaged, abandoned or otherwise impounded vehicles.
16. Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises.
17. Limited to emergency medical evacuation sites in conjunction with police, fire or health service facilities.
18. Limited to private road ambulance services with no outside storage of vehicles.
19. Limited to two acres or less.
20. a. Utility yards only on sites with utility district offices; or
b. Public agency yards are limited to material storage for road maintenance facilities.
21. Limited to bulk gas storage tanks which pipe to individual residences but excluding liquefied natural gas storage tanks.
22. Excluding bulk gas storage tanks.
23. Vactor waste treatment, storage and disposal shall be limited to liquid materials. Materials shall be disposed of directly into a sewer system, or shall be stored in tanks (or other covered structures), as well as enclosed buildings.
24. Provided:
 - a. Off-street required parking for a land use located in the urban area must be located in the urban area;
 - b. Off-street required parking for a land use located in the rural area must be located in the rural area; and
 - c. Off-street required parking must be located on a lot which would permit, either outright or through a land use permit approval process, the land use the off-street parking will serve.
25. Prior to issuing the notice of decision, the applicant shall hold a second neighborhood meeting consistent with the provisions of SMC 20.05.035.
26. Accessory to an existing publicly owned and improved site, limited to parks and schools.
27. Accessory to an existing publicly owned and improved site, containing a school, City Hall, or civic center.
- 28. Level 1 and Level 2 charging are permitted in critical aquifer recharge areas and in other critical areas when serving an existing use.**
- 29. Allowed only as accessory to a primary permitted use or permitted conditional use.**
- 30. The term “Rapid” is used interchangeably with Level 3 and Fast Charging.**

(Ord. O2010-279 § 1 (Att. A); Ord. O2005-170 § 1; Ord. O2003-132 § 11)

Attachment “A”

21A.40.065. Electric Vehicle Parking Stations-Provisions for.

(1) Where electric vehicle charging stations are provided in parking lots or parking garages, accessible electric vehicle charging stations shall be provided as follows:

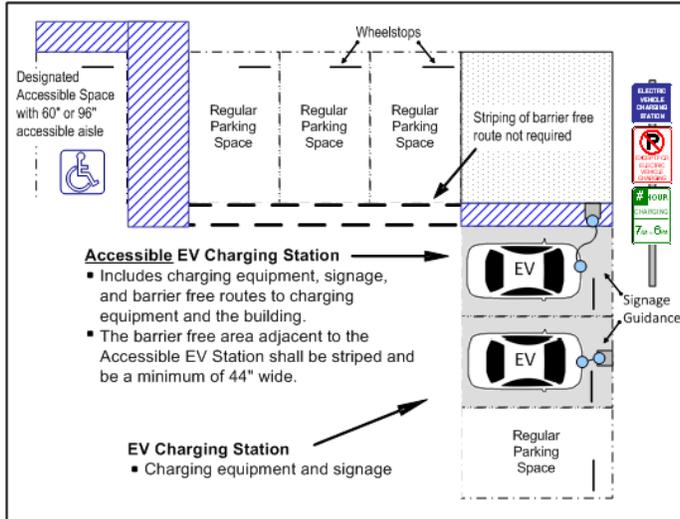
A. Accessible electric vehicle charging stations shall be provided in the ratios shown on the following table.

<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.

Attachment "A"

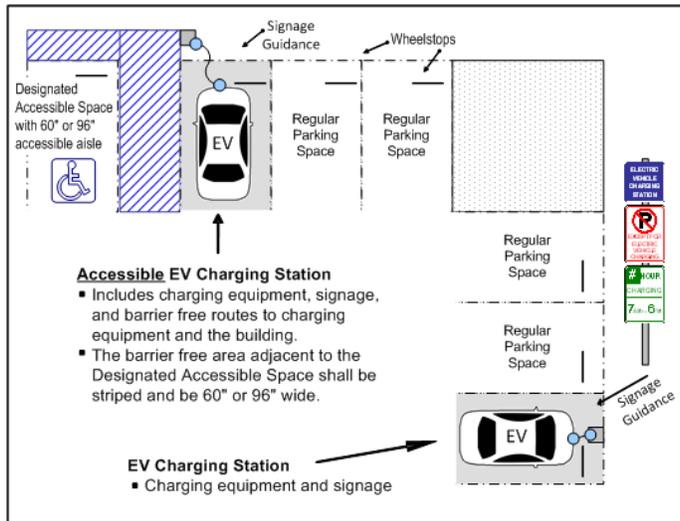
OFF-STREET ACCESSIBLE ELECTRIC VEHICLE CHARGING STATION - OPTION 1



Puget Sound area parking garage.

Photo by ECotality North America.

OFF-STREET ACCESSIBLE ELECTRIC VEHICLE CHARGING STATION - OPTION 2



Fashion Island Shopping Mall, Newport Beach, CA.

Photo by LightMoves.

21A.40.125. Electric Vehicle Charging Spaces.

For all parking lots or garages the following shall apply.

1. There are no minimum number of charging station spaces required

Attachment “A”

2. If electric vehicle charging stations are provided a minimum of one (1) accessible electric vehicle charging station should be located adjacent to any required designated accessible parking space. The electric vehicle charging space does not have to be designated as an accessible parking space.
3. Electric vehicle charging stations may be reserved for parking and charging electric vehicles only. The property owner may set hours and conditions of use on the spaces and the charging stations.
4. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
5. When a sign provides notice that a space is a designated electric vehicle charging station, no person shall park or stand any non-electric vehicle in a designated electric vehicle charging station space. Any non-electric vehicle is subject to fine or removal.
6. Any electric vehicle parked in any designated electric vehicle charging station space parked beyond the days and hours designated on regulatory signs posted at or near the space, shall be subject to a fine and/or removal. For purposes of this subsection, “charging” means an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment.
7. The owner of the property may charge a fee for charging any electric vehicle.

Attachment “A”

21B.20.040

Residential land uses.

A. Table of Residential Land Uses.

KEY

P – Permitted Use

U – Permitted Use as part of Adopted Unified Zone Development Plan

C – Conditional Use

S – Special Use

X – Prohibited Use

TC-A sub-zones

SIC#	SPECIFIC LAND USE	A1	A2	A3	A4	A5	TC-B	TC-C	TC-D	TC-E
	DWELLING UNITS, TYPES:									
*	Single detached	X	X	X	X	X	P ²	P	X	P
*	Duplex	X	X	X	X	X	P ²	P	X	X
*	Townhouse	U ¹	U ¹	U ¹	U ¹	U ¹	P	P	P	X
*	Apartment	U ¹	U ¹	U ¹	U ¹	U ¹	P	X	P	X
*	Cottage housing	X	X	X	X	X	P ²	P	P	X
*	Mobile home park	X	X	X	X	X	X	X	X	X
	GROUP RESIDENCES:									
*	Community residential facility-I	U ¹	U ¹	U ¹	U ¹	U ¹	P	P	C	P
*	Community residential facility-II	U ¹	U ¹	U ¹	U ¹	U ¹	P	X	C	X
*	Dormitory	X	U ^{1,3}	U ^{1,3}	X	X	P ³	X	C	X
*	Senior citizen assisted housing	U ¹	U ¹	U ¹	U ¹	U ¹	P	X	C	X
	ACCESSORY USES:									
*	Residential accessory uses ⁴	P ¹	P ¹	P ¹	P ¹	P ¹	P	P	X	P
*	Home occupation	P ¹	P ¹	P ¹	P ¹	P ¹	P	P	X	P
*	Home industry	P	P	P	P	X	C	C	X	C

Attachment “A”

TC-A sub-zones

SIC#	SPECIFIC LAND USE	A1	A2	A3	A4	A5	TC-B	TC-C	TC-D	TC-E
	<u><i>Electric Vehicle Charging Station 8, 9, 14</i></u>	<u><i>P</i></u>	<u><i>P</i></u>	<u><i>P</i></u>	<u><i>P</i></u>	<u><i>P</i></u>	<u><i>P 10</i></u>	<u><i>P 10</i></u>	<u><i>P</i></u>	<u><i>P 10</i></u>
	<u><i>Rapid Charging Station 11, 14</i></u>	<u><i>P</i></u>	<u><i>P</i></u>	<u><i>P</i></u>	<u><i>P</i></u>	<u><i>P</i></u>	<u><i>P 12</i></u>	<u><i>P 12</i></u>	<u><i>P 13</i></u>	<u><i>P 12</i></u>
*	TEMPORARY LODGING:									
7011	Hotel/motel/condotel ^{(1) (7)}	U	U	U	U	U	U ⁵	X	X	X
*	Bed and breakfast guesthouse ⁽⁷⁾	U ⁶	P ⁶	X	X	X				

B. Development Conditions.

1. Except for lobbies or other similar entrances, the use is prohibited within thirty (30) feet of the sidewalk on the ground floor of designated pedestrian-oriented streets or corridors.
2. Provided that single detached or cottage dwelling units account for no more than fifteen percent of the total dwelling units on the development site.
3. Only as an accessory to a school, college/university, or church.
4. Accessory dwelling units:
 - a. Only one accessory dwelling per primary single detached dwelling unit;
 - b. The primary dwelling unit or the accessory dwelling unit shall be owner occupied;
 - i. One of the dwelling units shall not exceed a floor area of 1,000 square feet except when one of the dwelling units is wholly contained within a basement or attic;
 - ii. When the primary and accessory dwelling units are located in the same building, only one entrance may be located on each street side of the building;
 - iii. The total number of occupants in both the primary residence and the accessory dwelling unit combined may not exceed the maximum number established by the definition of family in SMC 21A.15.450;
 - iv. Additions to an existing structure or the development of a newly constructed detached ADU shall be designed consistent with the existing facade, roof pitch, siding, and windows of the primary dwelling unit;
 - c. One additional off-street parking space shall be provided;

Attachment “A”

- d. The accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied; and
 - e. An applicant seeking to build an accessory dwelling unit shall file a notice approved by the department with the records and elections division that identifies the dwelling unit as accessory. The notice shall run with the land. The applicant shall submit proof that the notice was filed before the department shall approve any permit for the construction of the accessory dwelling unit. The required contents and form of the notice shall be set forth in administrative rules.
- 5. Properties in the TC-B zone may include the subject use, as determined by the City, if it is contiguous to a TC-A zoned property and included in an approved Unified Zone Development Plan.
 - 6. Only as an accessory to the permanent residence of the operator, provided:
 - a. Serving meals to paying guests shall be limited to breakfast; and
 - b. The number of persons accommodated per night shall not exceed ten.
 - 7. The commercial square footage allocation established pursuant to SMC 21B.25.030(B)(6) shall apply to these uses..

8. Level 1 and Level 2 charging only.

9. Level 1 and Level 2 charging are permitted in critical aquifer recharge areas and in other critical areas when serving an existing use.

10. Allowed only as accessory to a primary permitted use or permitted conditional use.

11. The term “Rapid” is used interchangeably with Level 3 and Fast Charging

12. Only as an “electric vehicle charging station-restricted”.

13. Only as an “electric vehicle charging station-public.”

14. For definitions see SMC 21A.15-Defintions and 21A.40 for parking requirements.