



**Department of Community and Economic Development  
Planning Division  
ADMINISTRATIVE POLICY/CODE INTERPRETATION**

**MUNICIPAL  
CODE SECTIONS:**

RMC 4-11-210, Definitions U.

**REFERENCE:**

May 13, 2009 filing of Second Substitute House Bill 1481 about Electric Vehicles (Attachment A) and Revised Code of Washington (RCW) 36.70A.695 (Attachment B).

**SUBJECT:**

Allowing “electric vehicle infrastructure” in accordance with state law within the Renton Municipal Code Title IV Development Regulations.

**BACKGROUND:**

Washington State Legislature passed a bill to support greater use of electric vehicles as an alternative to more commonly used gas powered vehicles to reduce greenhouse emissions, support a growing industry, and provide infrastructure to support this type of alternative power source in a convenient way for users.

The bill added a new section to RCW 36.70A where “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 [RCW 36.70A] 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,” (Attachment A, Section 12, HB 1481, pages 14-15). Renton fits the location criteria in relation to Interstate 5 and Interstate 405 and the population criteria of being a jurisdiction over twenty thousand and in a county with a population of over one million five hundred thousand, where population numbers are roughly 86,000 and 1,916,000, respectively.

Electric vehicle infrastructure is defined in the state code as meaning, “structure, machinery, and equipment necessary and integral to support an electric vehicle including battery charging stations, rapid charging stations, and battery exchange stations.” Definitions for these types of stations are provided in the state bill.

As of June 2010, the Puget Sound Regional Council (PSRC) has been working on developing a model ordinance for jurisdictions in the region to use for updating development regulations to allow the development of electric vehicle infrastructure. This model ordinance and regulatory language has not been developed yet. The City of Renton is required to, at minimum, not preclude the development of electric vehicle infrastructure within the Title IV Development Regulations by July 1 and PSRC may not complete their work within this time requirement.

Electric vehicle infrastructure language needs to be added to the City's development regulations. Staff believes "small utilities" is the use that best reflects the type of infrastructure that the state law refers to and by amending the definition of "small utilities" to add language for electric vehicle infrastructure, the City would be in compliance with the state mandate until development of a model ordinance is complete by PSRC.

**JUSTIFICATION:** The City's development regulations must be amended by July 1, 2010 to allow electric vehicle infrastructure according to House Bill 1481. This infrastructure type is most similar to the definition of "small utilities" in RMC 4-11-210 Definitions where the "small utilities" use is allowed in all zoning districts as shown in the Zoning Use Table, RMC 4-2-060.

**DECISION:** The "small utilities" definition in RMC 4-11-210 should be amended to add language that reflects the inclusion of "electric vehicle infrastructure" as required by new state law. The definition will be amended to add a new sentence that reads, "Facilities also include electric vehicle infrastructure located on public or private property such as a charging station."

**PLANNING DIRECTOR  
APPROVAL:**

\_\_\_\_\_  
C. E. "Chip" Vincent

**DATE:**

\_\_\_\_\_

**APPEAL  
PROCESS:**

To appeal this determination, a written appeal--accompanied by the required filing fee--must be filed with the City's Hearing Examiner (1055 South Grady Way, Renton, WA 98057, 425-430-6515) no more than 14 days from the date of this decision. Your submittal should explain the basis for the appeal. Section 4-8-110 of the Renton Municipal Code provides further information on the appeal process.

**CODE  
AMENDMENTS  
NEEDED TO  
IMPLEMENT  
DETERMINATIONS:**

The 'small utilities' sub-definition under utilities in RMC 4-11-210 is to read:

**C. Utilities, Small:** Small scale facilities serving local areas within the City, including underground power lines, water, sewer, and storm water

facilities included within a Council-adopted utility system plan, fiber optic cable, pump stations and hydrants, switching boxes, and other structures normally found in a street right-of-way to serve adjacent properties. Facilities also include electric vehicle infrastructure located on public or private property such as a charging station.