

**ORDINANCE NO. 863**

AN ORDINANCE OF THE CITY OF CARNATION, WASHINGTON, AMENDING CHAPTER 15.44 CMC SUPPLEMENTARY USE REGULATIONS AND CHAPTER 15.08 CMC BASIC DEFINITIONS AND INTERPRETATIONS; ADOPTING STANDARDS AND DEFINITIONS FOR ELECTRIC VEHICLE CHARGING STATIONS; SETTING FORTH LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

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WHEREAS, RCW 36.70A.695 requires local jurisdictions to adopt local regulations allowing for electric vehicle battery charging stations; and

WHEREAS, the City Council desires to comply with this mandate by adopting regulations governing the location, use and operation electric vehicle battery charging stations within the City's jurisdiction; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF CARNATION, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council hereby adopts the above recitals as findings in support of the regulations set forth in this ordinance. The City Council further adopts by reference the findings of the Planning Board dated June 4, 2015, together with the following:

A. The City is authorized by State law, including but not limited to Chapter 35A.11 RCW, Chapter 35A.63 RCW and Chapter 36.70A RCW, to enact local regulations governing the use and development of real property within the City's jurisdiction. The City is further authorized and directed pursuant to RCW 36.70A.695 to adopt local regulations allowing for electric vehicle charging stations.

B. The Planning Board conducted a public hearing on the substance of this ordinance on May 26, 2015, and recommended adoption by the City Council. The City Council held a public hearing on this ordinance on August 4, 2015.

C. The regulations set forth in this ordinance have been processed and considered by the City in material compliance with all applicable procedural requirements, including but not limited to requirements related to public notice and comment.

D. All relevant requirements of SEPA have been satisfied with respect to this ordinance.

E. The City Council has carefully considered, and the regulations set forth in this ordinance satisfy, the review criteria codified at CMC 15.100.030(E).

F. The regulations set forth in this ordinance are consistent with and will implement the City's Comprehensive Plan, and will further advance the public health, safety and welfare.

Section 2.     Amendment of Chapter 15.44 CMC. Chapter 15.44 of the Carnation Municipal Code is hereby amended by the addition of a new Section 15.44.140 to provide in its entirety as follows:

**15.44.140     Electric Vehicle Battery Charging Stations**

A. Within all zones electric vehicle battery charging stations shall be allowed as accessory uses to any principal use.

1. Within residential zones, electric vehicle battery charging stations shall be located internal to a garage, or a minimum of 15 feet from the edge of the right-of-way.

B. Electric vehicle battery charging stations that are open to the public shall be allowed as accessory use to any principal use in the CBD, SC, LI/M and PU zones. All

such electric vehicle charging stations, open to the public, shall comply with the following requirements:

1. No minimum number of charging station spaces is required.
2. An electric vehicle charging station space may be included in the calculation for minimum required parking spaces per Chapter 15.72 CMC Parking.
3. Electrical Permit Requirements. Installation of electric vehicle charging station shall meet all applicable manufacturing and installation requirements, including without limitation all applicable installation requirements set forth in the state electrical code.
4. Signage
  - a. Each charging station space shall be posted with signage indicating the space is only for electrical vehicle charging purposes.
  - b. Information about the charging station shall be provided, including but not limited to voltage and amperage levels, time of use, fees and safety information.
  - c. Directional signs shall be installed at entrances to parking area and/or at other points that will effectively guide motorists to the charging station space.
5. Lighting. All charging equipment accessible to the public during night time hours shall include lighting sufficient to ensure the visibility and safe operation of such equipment.
6. 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.
7. Where charging station equipment is provided within an adjacent pedestrian circulation area, such as a sidewalk or accessible route to the building entrance, charging equipment shall be located so as to not interfere with accessibility requirements of WAC 51-50-005.

Section 3. Amendment of CMC 15.08.010. Section 15.08.010 of the Carnation Municipal Code is hereby amended by the addition of new a definition for “Battery charging station” to provide in its entirety as follows:

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“Battery charging station” means an electrical component assembly or cluster of component assemblies designed

specifically to charge batteries within electrical 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.

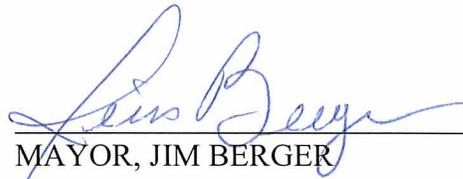
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Section 4. Copy to Commerce. Pursuant to RCW 36.70A.106, the Planning Director is hereby authorized and directed to provide a copy of this ordinance to the Washington Department of Commerce within 10 days of adoption.

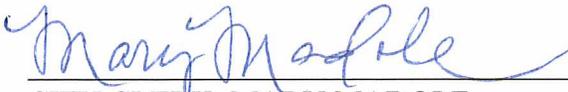
Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court or tribunal of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

APPROVED by the Carnation City Council this 4th day of August, 2015.

  
MAYOR, JIM BERGER

ATTEST/AUTHENTICATED:

  
CITY CLERK, MARY MADOLE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY:   
J. ZACHARY LELL

FILED WITH THE CITY CLERK: ..... 06/05/2015  
PASSED BY THE CITY COUNCIL: .... 08/04/2015  
PUBLISHED: ..... 08/12/2015  
EFFECTIVE DATE:..... 08/17/2015  
ORDINANCE NO. .... 863