
Local Government Committee

HB 1929

Brief Description: Requiring incentives for electric vehicle readiness in buildings.

Sponsors: Representatives Fitzgibbon, Stanford and McBride; by request of Governor Inslee.

Brief Summary of Bill

- Requires counties and cities with planning commissions (commissions) and that meet specific population, location, and other requirements to permit electric vehicle infrastructure as a use in residential areas.
- Requires the development regulations of counties and cities with commissions and that are adjacent to specific highways to, with limited exceptions, allow electric vehicle infrastructure as a use in all areas.
- Requires the development regulations of all counties and cities with commissions to, with limited exceptions, allow battery charging stations for electric vehicles as a use in all areas.
- Requires the adoption of incentive programs by counties and cities with planning commissions that encourage the fitting of new structures, and the retrofitting of existing structures, with rapid charging station electrical outlets capable of charging electric vehicles.

Hearing Date: 2/11/15

Staff: Ethan Moreno (786-7386).

Background:

Planning Commissions.

Legislation adopted in 1935 allows counties and cities to appoint planning commissions (commissions) to prepare coordinated plans for the physical development of the jurisdiction. If deemed reasonably necessary, or requisite in the interest of health, safety, morals, and the general welfare, a city or county legislative body may, by recommendation of a commission, regulate

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land uses by adopting a comprehensive plan of land uses, establishing restrictive zones, and adopting development regulations to implement the plan.

Commissions, in addition to making land use recommendations for consideration of the city or county's legislative body, may act as the land use planning research and fact-finding agency of the city or county.

Electric Vehicles: Adopted Legislation of 2009.

Legislation adopted in 2009 (*i.e.*, Second Substitute House Bill 1481, enacted as Chapter 459, Laws of 2009 (2SHB 1481)) established numerous provisions related to electric vehicles, including regional planning provisions, tax exemptions, directives for the State Building Code Council, and fuel requirements for vehicles owned by the state and local government subdivisions of the state.

Local Government Requirements.

The 2009 legislation also included specific planning requirements for certain counties and cities. For example, the development regulations of qualifying jurisdictions with commissions were required by July 1, 2010, to allow electric vehicle infrastructure as a use in all areas, except those zoned for residential use, resource use, or critical areas. This city-oriented allowable-use provision, which was conditioned upon receipt of related federal funding by February 1, 2010, applied to:

- jurisdictions adjacent to Interstate 5, Interstate 90, Interstate 405, or State Route 520, with a population over 20,000 and that are located in a county with a population over 1.5 million; and
- jurisdictions adjacent to Interstate 5 that are located in a county with either more than 600,000 persons or a state capitol within its borders.

Similarly, the development regulations of any qualifying jurisdiction with a population exceeding 600,000 persons or with a state capitol within its borders were required by July 1, 2010, to allow electric vehicle infrastructure as a use in all areas within one mile of Interstate 5, Interstate 90, Interstate 405, or State Route 520. Areas that are zoned for residential use, resource use, or critical areas are exempted from this county-oriented planning requirement. This allowable-use provision was also conditioned upon receipt of related federal funding by February 1, 2010.

In accordance with 2SHB 1481, effective July 1, 2011, or six months after the distribution of a model ordinance on siting and installing electric vehicle infrastructure that was required of the Department of Commerce (Commerce), whichever was later, the development regulations of any jurisdiction with a commission and that is adjacent to Interstate 5, Interstate 90, Interstate 405, or State Route 520 must, except as provided otherwise, allow electric vehicle infrastructure as a use in all areas. A similar provision requires that, with limited exceptions, all jurisdictions with commissions allow battery charging stations as a use in all areas. Areas that are zoned for residential use, resource use, or critical areas are exempted from the electric vehicle infrastructure and battery charging stations requirements for development regulations.

Authorization for County and City Incentives.

The 2009 legislation granted counties and cities the authority to adopt incentive programs to encourage the retrofitting of existing structures with electrical outlets capable of charging electric vehicles. These incentives could include bonus height, site coverage, floor area ratio, and

transferable development rights for use in urban growth areas designated in accordance with the Growth Management Act.

Definitions.

The 2009 legislation also defined terms related to electric vehicles, including:

- "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;
- "battery charging stations" means, in part, an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles; and
- "rapid charging station" means an industrial grade electrical outlet that, in accordance with specified standards, allows for faster recharging of electric vehicle batteries through higher power levels.

Summary of Bill:

Modified Development Regulation Requirements for Electric Vehicles, Jurisdictions with Planning Commissions.

The development regulations of qualifying jurisdictions with planning commissions (commissions) must allow electric vehicle infrastructure as a use in all areas, including multifamily residences, except those zoned for resource use or critical areas. This city-oriented allowable-use provision applies to:

- jurisdictions adjacent to Interstate 5, Interstate 90, Interstate 405, or State Route 520, with a population over 20,000 and that are located in a county with a population over 1.5 million; and
- jurisdictions adjacent to Interstate 5 that are located in a county with either more than 600,000 persons or a state capitol within its borders.

Additionally, the development regulations of any jurisdiction with a commission and with a population exceeding 600,000 persons or with a state capitol within its borders must to allow electric vehicle infrastructure as a use in all areas, including multifamily residences, within one mile of Interstate 5, Interstate 90, Interstate 405, or State Route 520. Areas that are zoned for resource use and critical areas are exempted from this county-oriented requirement. Provisions conditioning these requirements upon the receipt of federal funds by February 1, 2010, are deleted.

The development regulations of any jurisdiction with a commission and that is adjacent to Interstate 5, Interstate 90, Interstate 405, or State Route 520 must, except as provided otherwise, allow electric vehicle infrastructure as a use in all areas, including multifamily residences. With limited exceptions, all jurisdictions with commissions must allow battery charging stations as a use in all areas. Areas that are zoned for resource use and critical areas are exempted from the electric vehicle infrastructure and battery charging stations requirements for development regulations. Provisions associated with 2011 deadlines and the distribution of a model ordinance by the Department of Commerce are deleted.

Required County and City Incentives for Electric Vehicles, Jurisdictions with Planning Commissions.

Counties and cities with planning commissions must adopt incentive programs that encourage the fitting of new structures, and the retrofiting of existing structures, with rapid charging station electrical outlets capable of charging electric vehicles.

Appropriation: None.

Fiscal Note: Requested on January 9, 2015.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.