

EV Model Land Use Code – HB 24-1173
Code Comparison and Recommendation

	Model Code Regulation	UDC	Resolution	Notes
	Definitions			
1	Electric Vehicle	-	Added to 18.19.03 Definitions	Mandatory definition
2	Electric Vehicle Charging Port	-	Added to 18.19.03 Definitions	Mandatory definition
3	Electric Vehicle Charging Station	-	Added to 18.19.03 Definitions	Mandatory definition
4	Electric Vehicle Charging Equipment	-	Added to 18.19.03 Definitions	Mandatory definition
5	Electric Vehicle Charging Project	-	Added to 18.19.03 Definitions	Mandatory definition – add only in reference to Primary Use EV. Removed Accessory Use EV as part of the definition
6	Primary Use EV Charging Project	-	Added to 18.19.03 Definitions	Mandatory definition
7	Accessory Use EV Charging Project	-	Added description to 18.04.07.01 Supplemental Standards	Accessory use EVs charging stations and equipment will not require land use approval and is not defined as part of a EV Charging Project
8	Administrative Review Process	Use by Right and Limited Use are described in Section 18.02.03.01 - both are administratively reviewed	Use existing terminology	The UDC currently describes these processes consistently with State definitions
9	Conditional Review Process	Conditional use is described in Section 18.02.03.01 requiring Planning Commission approval	Use existing terminology	The UDC currently describes this process consistently with the State definition
10	Subject Property	-	Added to 18.04.07.01.A & as	The definition was added to the supplemental standards for Accessory EV

			part of Primary Use EV definition in 18.19.03 Definition	Charging Stations, and in the definition of Primary Use EV Charging Project, as it has much broader meanings in the UDC, outside of EV Charging Projects
11	Setbacks	Defined in 18.19.01.03	Use existing terminology	The UDC currently defines this term consistently with State definition
12	Horizontal Illuminance	Term used in light level table 18.09.02.03 but not defined.	Added to 18.19.03 Definitions	This term is used in UDC but is not defined
13	Site Lines/Site Distance Triangles	Site triangles are defined in Section 7 of the LCUASS	Use existing terminology	The Larimer County Urban Area Street Standards defines this term consistently with State definition

Model Code Regulation	UDC	Resolution	Notes
Required Standards			
1. <u>Permit Applicability</u> : Jurisdictions may only require land use permits for EV charging development that meets the definition of an “EV Charging Project” (and associated definitions for “Primary Use” and “Accessory Use” EV Charging Projects). Conversely, jurisdictions may not require a land use permit for other types of EV charging development (i.e. all Level 1 and Level 2 charging).	-	Add “EV Charging Project” as a new land use category under Motor Vehicle and Transportation Land Use Table 18.02.03.08	Land use approval will only be required for Primary Use Charging Projects. Accessory Use EV charging will be incorporated as supplemental standards and reviewed at time of building permit. Level 1 and 2 chargers are not subject to the supplemental standards.
2. <u>Permit Review Process</u> : Jurisdictions must review land use permit applications for EV Charging Projects using the applicable permitting process from the zoning district where projects are proposed. For EV Charging Projects where the approval process is “Use by Right” or similar, the permitting process must be similar to an	The UDC land use tables specify process based on zone districts	Add “EV Charging Project” into Table 18.02.03.08	Category added into the Motor Vehicle and Transportation Land Use by Zone, with process allowances based on specific zone districts. Limited and Adaptable uses are administratively approved.

Administrative Review Process. For EV Charging Projects where the approval process is “Conditional Use” or similar, the permitting process must be similar to a Conditional Use Process.			Conditional Uses require Planning Commission approval
<p>3. <u>Existing Primary Use Conformance Updates:</u> Jurisdictions may not require existing land uses on the same property as the Accessory Use EV Charging project to make site improvements or conform with land use regulations, unless the existing land uses proposed simultaneous changes to their use, structures or site that would otherwise require such conformance.</p>	-	Added a standard in Section 18.04.07.01.C	Added to supplemental standards for Accessory EV charging stations
<p>4. <u>Regulation of Primary Use EV Charging Stations:</u> Jurisdictions may apply existing regulations (or develop new regulations) for Primary Use EV Charging Projects, as long as the regulations are no more restrictive to Primary Use EV Charging than those that apply to similar land uses, such as parking or commercial uses. Whether jurisdictions apply existing regulations or develop new regulations, they must define Primary Use EV Charging Projects as a land use and clarify which regulations apply to Primary Use EV Charging Projects.</p>	The UDC includes Level 3 fast charging as part of the fueling station definition, however it does not contain specific standards for EV	Add specific references to city standards that must be complied with in 18.02.04.09.D.6	Primary charging projects must comply with surface parking use standards, parking lot landscaping, lighting, and screening standards in the UDC
<p>5. <u>Permitted by Zoning District:</u> Primary use EV Charging Projects and Accessory Use EV Charging Projects shall be permitted as a use by right in all land use contexts, except for low-density housing land use contexts, where they shall be permitted as a conditional use.</p>	-	<p>Add EV Charging Projects (Primary Use only) as follows:</p> <ul style="list-style-type: none"> • Prohibited in low density residential (Estate, R1/R1e) • Conditional use in medium density (R2), Public Park (PP) and DR (Developing Resource) 	Loveland has 4 character districts in the Downtown (DT) zone. The permitting process for EV charging projects is proposed to be the same as the permitting process for gas

		<ul style="list-style-type: none"> • Prohibited in 3 pedestrian oriented Downtown subzones (through a special standard) • Adaptable use in the General Character Downtown subzone • Limited in all other zones 	stations and car washes in the subzones
6. <u>Parking</u> : Any parking space served by an EV charging port or any other parking space used to site EV charging stations or equipment must be counted toward applicable parking minimums as at least one standards automobile parking space.	-	Add standard 18.05.03.01.E.1 Calculation of Required Parking Spaces	-
7. <u>Parking</u> : Any van-accessible parking space that is designated to accommodate a person in a wheelchair, is served by an EV Charging Port, and is not designated as parking reserved for a person with a disability must be counted as at least 2 standard automobile parking spaces.	-	Add standard 18.05.03.01.E.2 calculation of required parking spaces	-
8. <u>Parking</u> : The design of parking spaces and parking access for all EV Charging Projects shall comply with the US Access Board Design Recommendations for Accessible Electric Vehicles Charging Stations or any applicable accessibility regulations issued by the federal Department of Justice or Department of Transportation, or in state statute.	-	Add standard 18.05.04.02.D in Parking Space and Aisle Standards	-
9. <u>Setbacks</u> : For Accessory Use EV Charging Projects, EV Charging Stations and Equipment (and any required screening), shall be permitted within designated setbacks of the subject property.	-	Add Section 18.04.07.01.F to require compliance with setbacks unless approved administratively by the Director	Require compliance with setbacks unless demonstrated that there are no alternatives. Admin approval of a variation

10. Equipment Standard: The appearance, materials, and dimensions of EV Charging Stations and Equipment shall be determined by current EV Charging manufacturing standards and utility design.	-	Add standard 18.02.04.09.1 and 18.02.04.09.B to prohibit nuisance conditions adjacent to residential zones and uses only	The City can prohibit or limit design features such as large digital advertising screens or bright lighting that is stylistic rather than functional and may result in light pollution or nuisances to neighboring properties
11. Screening and Landscaping: Jurisdictions are encouraged not to require screening for Accessory Use EV Charging Projects.		Add standard 18.04.07.01.D that exempts Accessory EV Charging Stations and Equipment from screening requirements	-
12. Screening and Landscaping: Jurisdictions may not require screening or landscaping to be located within the electrical equipment safety and access distances from national electrical safety standards, including National Fire Protection Association (NFPA) standards, the National Electric Safety Code (NESC), and other relevant national safety standards	-	Add standard 18.02.04.09.D. 2	-

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Optional Standards			
13. Lighting: Charging Stations proposed as part of an EV Charging Project must be within the Horizontal Illuminance of on-site lighting, as defined in this [code section]. Lighting may be provided by existing on-site lighting and/or by new lighting fixtures integrated into EV	The UDC has minimum horizontal illuminance, maximum uniformity ratios, maximum average illuminance and minimum vertical illuminance in Table 18.09.02.03	Add reference in 18.02.04.09.D.6 for compliance with the City's parking lot lighting criteria	Photometric plans are required as part of a site development plan for an EV charging project (primary use only)

Charging Stations or Equipment or by new separate light fixtures			
14. <u>Parking Marking and Striping</u> : Existing standards for parking pavement markings and striping established within [this code section] apply to EV Charging Projects	-	No additional standard	The City will not require special pavement marking for EV spaces
15. <u>Visibility</u> : EV Charging Stations and EV Charging Equipment shall not obstruct [site lines/sight distance triangles] as defined in [this code section]	Existing provision in the Larimer County Urban Area Street Standards	No additional standard	LCUASS Chapter 8 requires sight distance triangles to remain free of visual obstructions
16. <u>Landscaping</u> : When existing landscape plants on a subject property are removed during the installment of an Accessory Use EV Charging Project, they shall be replaced with similar plants so as to maintain the property's compliance with landscaping standards for the property's existing uses.		Add standard 18.04.07.01.E	-
17. <u>Signage</u> : Signage may be provided as part of an EV Charging Project to provide information about charging types, voltages, fees, wayfinding, or other information. Any signage provided is subject to the applicable standards in [this Code/Section]	UDC does not require sign permits for incidental signs of 1 sf (gas pumps, utility cabinets, equipment, etc.), small signs of 2 sq ft, or signs not visible from ROW	No additional standard recommended	Signage must be allowed on EV charging projects but cannot be required.
18. <u>Weather Canopies</u> : If weather canopies are included as part of an EV Charging Project, they are subject to the applicable siting,	Parking shelters for residential projects cannot encroach in front of side setbacks;	Add standard 18.02.04.09.D.7 for parking shelters	Parking shelters to comply with fueling station canopies height and lighting

dimensional, setback, appearance, materials, and other standards in [this Code/Section]	no design criteria provided		
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Additional Standard Not in the Model Code			
Clear space in pedestrian accessible walkways	-	Added standard 18.02.04.09.D.3 to require EV Charging Stations and Equipment installed within pedestrian walkways to maintain a minimum unobstructed clear width of 3 feet along all accessible routes.	