# Colorado Electric Vehicle Charging Model Land Use Code & Guidance

*Prepared by the Colorado Energy Office*

*in compliance with HB24 -1173*

*March 2025*

PC Attachment 3

# Table of Contents

# Chapter 1: Introduction

## *What is the Colorado Electric Vehicle Charging Model Land Use Code & Guidance?*

This document helps local governments understand the three options available to comply with House Bill 24-1173 ("HB24-1173" or "the law"), and outlines requirements for local governments that choose to comply by adopting the EV Charging Model Land Use Code ("Model Code"). This document provides requirements and recommendations for land use standards and permitting processes, and guidance to implement them. Readers are encouraged to review the entire document to fully understand the compliance options and requirements. The key chapters in this document are:

- **Chapter 2:** outlines the three options for compliance with HB24-1173
- **Chapters 3 & 4:** includes the Model Code land use standard requirements and adoption guidance
- **Chapter 5:** provides the Model Code land use permitting process requirements and recommendations

## *What is House Bill 24-1173?*

As a strategy for expanding Electric Vehicle ("EV") use, cost-effectiveness, convenience and viability across the state, and to advance Colorado's ambitious goals to reduce air pollution and greenhouse gas ("GHG") emissions, the Colorado Legislature passed House Bill 24-1173 to encourage a more standardized and streamlined local permitting processes for EV charging development.

The law applies to counties with 20,000 and more people, and municipalities with 10,000 and more people, as of the 2020 Federal Census. Counties and municipalities subject to the law ("subject jurisdictions") are listed in Appendix A: Subject

Jurisdictions. By December 31, 2025, subject jurisdictions are required to complete one of three compliance actions:

1. **EV Charging Model Code Adoption:** Adopt the permitting standards and processes from this EV Charging Model Code. Requirements, recommendations, and implementation instructions for this option are found in Chapters 3-5 of this document.
2. **Statutory Code Adoption:** Adopt the EV charging permitting standards directly as written in the law, including adopting objective permit review standards and an administrative review process for EV charging projects.
3. **Retain Existing Permitting Process and Standards:** Adopt an ordinance or resolution to retain existing standards and permitting processes for EV charging projects, opting out of any changes to permitting standards and processes.

**Only subject jurisdictions that choose the Model Code compliance path must adhere to the Model Code requirements of this document. Jurisdictions that choose one of the other compliance paths are not subject to the Model Code requirements.** More detailed information on how to comply with the law is found in Chapter 2.

## *EV Charging Model Code Requirements*

The Model Code requirements are based on established best practices, aiming to reduce barriers for EV charging development and streamline the approval process. The Colorado Energy Office ("CEO")'s goal in developing the Model Code is to provide an attractive option for the majority of local governments across the state, establishing a relatively consistent set of standards and processes. Although the requirements and recommendations are written to support subject jurisdiction compliance with HB24-1173, they may also serve as a resource for other local governments that wish to streamline their EV charging permitting processes voluntarily.

There are two components to the requirements for the Model Code compliance option: 1) definitions and standards and 2) permitting processes. **Local governments that plan to comply with the law using a different compliance path are not subject to these requirements.**

### Definitions and Standards

Chapter 4 provides definitions and standards for local governments to integrate into their land use codes, and – along with guidance in Chapter 3 – instructions for interpreting and implementing them. The Base Standards and Definitions are required to be adopted. The Optional Standards are not required to be adopted, but represent the most restrictive land use regulations that jurisdictions may adopt (if they choose to) for the topics addressed, which are common topics that jurisdictions may want to regulate for EV Charging. The standards and definitions are meant to provide predictable parameters to guide the permitting of EV charging projects, including:

- Defining EV charging projects as a land use
- The land use contexts where EV charging projects are allowed by right, allowed conditionally, or prohibited
- The land use permitting processes applicable to proposed EV charging projects
- Siting and design considerations like parking, setbacks, screening, landscaping, signage, lighting, and weather protection

***Base Definitions & Standards Summary***

13 Definitions and 12 Standards that jurisdictions must include in their land use codes, either as new code language or by referencing existing code language.

- Jurisdictions may only require land use permits for DCFC EV charging (Definitions 5-7 + Standard 1)
- Jurisdictions must allow EV charging as a use by-right reviewed through an Administrative Approval process in most zoning districts (Standards 2 + 5)
- Jurisdictions may not require conformance updates for existing Primary Uses on a property where Accessory Use EV Charging is proposed (Standard 3)
- Jurisdictions may regulate Primary Use EV charging differently from Accessory Use EV charging, and may apply standards from other reasonably similar land uses to Primary Use EV charging (Standard 4)
- Jurisdictions must count EV charging parking spaces towards minimum parking requirements and ensure that EV charging projects comply with accessibility guidelines (Standards 6-8)
- Jurisdictions may limit Accessory Use EV charging stations and equipment within setbacks, but are encouraged to allow stations and equipment in setbacks when appropriate (Standard 9)
- Jurisdictions have some ability to regulate the dimensions, appearance, of materials of EV charging infrastructure (Standard 10)
- Jurisdictions may require limited screening for EV charging equipment, but are encouraged to not require any screening (Standard 11)
- Jurisdictions may not require screening or landscaping that conflicts with national electrical safety and access standards (Standard 12)

***Optional Standards Summary***

6 Standards that jurisdictions are not required to adopt but may choose to if they would like to regulate one or more of the specific topics addressed. While not required, these represent the most restrictive standards allowable within each topic.

- Jurisdictions may require that EV charging stations be well-lit (Standard 13)
- Jurisdictions may apply pavement striping and marking standards to EV charging (Standard 14)
- Jurisdictions may apply sight visibility standards to EV charging (Standard 15)
- Jurisdictions may require that existing landscaping removed during EV charging installation be replaced (Standard 16)
- Jurisdictions may apply signage standards to EV charging, but cannot require or prohibit signage (Standard 17)
- Jurisdictions may apply dimensional and design standards for EV charging weather canopies, but cannot require or prohibit them (Standard 18)

## Permitting Processes

Chapter 5 provides requirements and recommended options for land use application and review processes that build on the Model Code definitions and standards. Local governments can implement these requirements and recommendations through Permitting Processes

Chapter 5 provides requirements and recommended options for land use application and review processes that build on the Model Code definitions and standards. Local governments can implement these requirements and recommendations through changes to internal permitting processes and by developing public facing permitting materials. The requirements and recommendations are meant to provide more information about the application and review processes to EV charging developers, and a more transparent and predictable process for both local government staff and developers. Similar to the Definitions and Standards, there are two categories for the Model Code's permitting process elements:

***Required Permitting Process Summary***

4 process requirements that jurisdictions must follow for the permitting of EV charging projects to comply with the Model Code.

- Provide accessible, user-friendly, and transparent online information for EV charging permitting, including permit requirements and information, application forms and checklists, applicable land use standards, estimated processing timelines, permit fee schedules, and contact information for reviewing departments.
- Allow for digital application submissions (electronic system or via email)
- May not require in-person application submissions
- May not require applications to use specific types of paper, include wet signatures, or be notarized.

***Recommended (Optional) Permitting Process Summary***

7 process recommendations that jurisdictions should follow, if feasible, but are not required to. See page 44 for more details.

## *Background*

Coloradans are choosing to drive electric vehicles in record numbers, with Colorado leading the nation in EV market share in Q3 2024. EV drivers save money on fuel and maintenance, and as more makes and models come to the market, EV purchases will continue to increase. EV drivers also report that access to charging is a key concern when choosing to purchase an EV, and the State of Colorado has made major strides in providing a robust EV charging network through various funding programs and statewide planning efforts. Ensuring adequate access to EV charging can be a boon to local communities by providing critical services to their EV drivers, providing confidence to visitors and tourists that charging is available in a community, facilitating intrastate travel and tourism, and EV charging can provide local businesses or property owners with new revenue streams, access to customers visiting to charge, or a new amenity for tenants purchasing or using EVs. Moreover, in Colorado, transportation is the largest source of GHG emissions and a major contributor to other pollutants that create poor air quality and threaten community health. Vehicle electrification is one of the core strategies to reduce transportation emissions and pollution across the state, as EVs produce zero tailpipe emissions and increasingly fewer emissions from the electricity to power them as the state pursues a goal of 100% zero-emission electricity by 2040 and market dynamics deploy more clean electricity on the grid. In 2018, the State developed its first statewide EV Plan, setting ambitious goals for increasing the number of EVs on Colorado's roads to 940,000 by 2030. Subsequently, the EV Plan was updated in 2020 and 2023, with this latest adoption setting new goals to increase EV sales to at least 70% of all vehicle sales by 2030, to drastically increase the overall number of EVs for personal use and in public fleets, and to support these increases in EV use by expanding development of public EV charging infrastructure.

Colorado has also continued and expanded its light duty clean vehicle sales standards, through the Colorado Clean Cars Rule, which seeks to provide more access to EVs in the Colorado market to achieve at least 82% market share for EVs by 2032. This sales standard, coupled with local, state, utility, and federal incentives for EVs, all

contribute to increasing EV sales and more opportunities for businesses and local governments to facilitate access to EV charging through permitting frameworks like those included in this document.

## 2023-2024: EV Charging Permitting Study

CEO conducted an EV Charging Permitting Study to investigate the key land use permitting barriers to EV charging infrastructure development and potential solutions for reducing identified barriers, which provided a strong foundation for developing this Model Code. The study was based on input from local governments and charging developers and a review of national best practices. The results of that study indicated that land use standards and permitting processes were a significant barrier for EV charging developers in Colorado. This is largely because many jurisdictions do not yet have specific standards and processes defined for such projects, being a relatively new, albeit quickly expanding, project type. Thus, when most jurisdictions receive an application for EV charging, there are no guidelines to review and approve the project. This can result in the subjective application of existing land use standards for other uses (e.g. gas stations); overly complex permitting processes; unclear standards; and unexpected requirements. Local governments and charging developers have shared that there is a need to define and simplify the standards that apply to EV charging development, for the benefit of both local governments and EV drivers.

## 2024: House Bill 24-1173

The Colorado State Legislature passed House Bill 24-1173 and Governor Polis signed the bill into law on May 21, 2024. The law requires subject jurisdictions to take one of three compliance actions, including the Model Code compliance path described in this document. The law directed CEO to develop this Model Code document, to provide no-cost technical assistance to local governments to help them integrate the Model Code into their existing land use codes, and to provide staff training to local governments to help planning review staff interpret and apply land use regulations to EV charging projects. More detailed information on how to comply with the law is found in Chapter 2.

## 2024-2025: Development of the Model Code

The EV Charging Model Code and Guidance Document were developed over a six-month process (October 2024 to March 2025), which built upon the EV Permitting Study and incorporated voices and perspectives from Colorado counties, municipalities, electric utilities, advocates and representatives of disproportionately impacted communities, EV charging providers, and many other stakeholders. In compliance with C.R.S. 30-28-213 (3) and C.R.S. 31-23-316 (3), this process included five meetings with an Advisory Committee (comprised of representatives from local governments, EV charging developers, utility providers, local government membership organizations, and research and advocacy organizations), four focus group discussions with stakeholders and community partners, an online survey, and a public review period. The Model Code was developed by CEO and consultant partner, MIG, Inc., with strong and balanced influence from these stakeholder perspectives. An Engagement Summary document is included as Appendix C.

The primary goal of the Model Code is to support more predictable, transparent and streamlined land use permitting for EV charging development at the local level, benefitting:

- **Local Governments** - by providing a straightforward, easily adaptable regulatory tool to streamline permitting for EV charging, which helps to ensure that future EV charging development is consistent with community needs while minimizing staff resources needed to review and approve permit applications.
- **Charging Developers** - by providing more predictable standards, more timely permitting processes, and more consistency statewide.
- **Colorado Residents** - by ensuring that enough charging is built more quickly to support the growing demand from EV drivers to reach all corners of the state.

The Model Code is also meant to serve as a long-term resource for local governments, beyond supporting compliance with HB24-1173. CEO may consider updates to the Model Code in the future based on changes to the EV charging market, technology, or

feedback from local governments and charging developers. CEO does not intend to change the Model Code during the compliance period, but may do so if necessary to address any errors or other issues. However, local governments that adopt it for the purpose of compliance with HB24-1173 will not be expected to adopt any updated versions.

# Chapter 2: HB24-1173 Compliance

## *Applicability*

The law applies to counties with 20,000 and more people, and municipalities with 10,000 and more people, as of the 2020 Federal Census. Counties and municipalities subject to the law ("subject jurisdictions") are listed in Appendix A.

## *Compliance Options*

By December 31, 2025, subject jurisdictions are required to complete one of three compliance actions.

### Compliance Option 1: EV Charging Model Code Adoption

Subject jurisdictions may adopt an ordinance or resolution to incorporate the same—or "less restrictive"—standards and permitting process as those in the Model Code. The Model Code provides required and recommended standards and processes for regulating EV charging development and essential information for subject jurisdictions to implement them. The Model Code includes a broadly applicable set of objective standards and a transparent and streamlined review process, with reasonable flexibility for subject jurisdictions to adapt the standards to fit their community's priorities and to integrate with their existing land use regulations.

CEO will support subject jurisdictions with adopting and applying the EV Charging Model Code in the following ways.

- **Code Adoption Support:** CEO will provide an on-call consultant to help subject jurisdictions adopt the EV Charging Model Code, including providing:
    - Review of existing land use codes to identify appropriate locations to integrate model code standards
    - Suggested revised code language
    - Guidance on messaging for the general public, local government staff, and elected officials to support Model Code adoption
    - Attendance at local government staff and/or elected body meetings

- **Staff Training:** CEO will provide a training manual and online training to educate permit review staff on how to interpret and apply the EV Charging Model Code standards. The training materials will cover the following topics:
    - Basics of EV charging projects (where are they typically sited, typical dimensions and appearance, typical amount of users per day)
    - The types EV charging projects subject to land use permitting under the model code
    - The types of standards and processes required by the model code
    - How to apply the model code standards and processes to EV charging permit applications
    - Common permitting challenges and how to resolve them
    - Community context considerations (urban, suburban, rural)

## Compliance Option 2: Statutory Code Adoption

Subject jurisdictions may adopt an ordinance or resolution that establishes a permitting process for "EV Charger Permit" applications, consistent with the permitting standards and process requirements of C.R.S. 30-28-213 (4) and (5) (counties) and in C.R.S. 31-23-316 (4) and (5) (municipalities). **Subject jurisdictions who choose this compliance path should refer to the statute to ensure they understand its requirements.** CEO-provided technical assistance and training is not available for subject jurisdictions pursuing this compliance path. Below is a summary of the law's requirements:

- Jurisdictions must establish objective standards and an administrative review process to be used in the review of EV Charger Permit applications
- Jurisdictions may not deny or place conditions on the approval of an EV Charger Permit application unless the application is in violation of the objective standards or for the purposes of reasonably protecting public health and safety
- If an application is denied, jurisdictions must notify applicants with a written explanation within three days of making the decision

- Applicants may appeal denials or conditional approvals to a city council or board of county commissioners
- Jurisdictions must provide a checklist for applicants identifying all requirements for EV charging applications
- If jurisdictions determine that an application is incomplete (per the checklist), the jurisdiction must provide written notice to the applicant within three days

### Compliance Option 3: Retain Existing Permitting Process and Standards

Subject jurisdictions may adopt an ordinance or resolution stating that they do not wish to revise their land use code through either the EV Charging Model Code or the statutory code adoption compliance paths and instead choose to keep their existing EV charging permitting process and review standards.

## *Compliance Path Considerations*

CEO has worked to develop the Model Code in a flexible way to appeal to most jurisdictions' priorities and needs and encourages jurisdictions considering compliance options 2 or 3 to contact CEO to discuss the Model Code option.

## *Reporting*

Subject jurisdictions, regardless of which compliance path is taken, are required to submit two reports to CEO:

- **Compliance Report:** By March 1, 2026, a report that confirms the compliance action completed (i.e. which of the three compliance options outlined above the jurisdiction has implemented).
- **Outcomes Report:** By January 31, 2027, a report that outlines the permitting durations and final decision for each EV charging development application received between December 31, 2025 and December 31, 2026.

Further details to support subject jurisdiction reporting, including the reporting methods to be used, and report templates, will be available on CEO's website in advance of the reporting deadlines.

# Chapter 3: Model Code Adoption Guidance

The Model Code is intended to provide clear and predictable guidelines for local government staff and EV charging developers during the permitting process. Its definitions and standards represent established best practices, aiming to reduce barriers for EV charging development and streamline the approval process.

This chapter provides guidance for subject jurisdictions that choose to adopt and implement the Model Code. **Subject jurisdictions that plan to comply with the law using a different compliance path are not subject to the requirements outlined in this and subsequent chapters.**

## *Definitions and Standards Structure*

The Model Code includes **"base definitions and standards"** that must be adopted in land use codes, either as new code language or by referencing existing code language. The standards are presented as recommended code language or a description of the intent of the standard, followed by implementation instructions.

For some definitions and standards, the implementation instructions include flexible alternatives that local governments may adopt and still comply with the Model Code. In some cases, these alternatives are **"more restrictive options"** that are more restrictive to EV charging than the base definitions and standards, and that jurisdictions may adopt if they wish to retain more control over EV charging. In some cases, these alternatives are "**less restrictive options**" than the base standards that jurisdictions may adopt if they wish to provide greater flexibility for EV charging. These options are provided where a less restrictive approach is clearly applicable.

Local governments may choose to adapt any of the Model Code's definitions and standards to be less restrictive—i.e. place fewer requirements or parameters on EV charging development than what is outlined in the Model Code.

For all standards, the implementation instructions explain what is the maximum (i.e. most restrictive) regulation that jurisdictions can adopt and still comply with the Model Code path.

The Model Code also includes **"optional standards"** which jurisdictions may adopt if they choose to regulate a specific topic for EV Charging Projects. For each optional standard, jurisdictions may adopt a standard that is as restrictive or less restrictive as the standard provided, or adopt no standard at all.

## *Opportunities for Customization*

### Adopting Less Restrictive Standards

HB24-1173 allows subject jurisdictions to adopt "less restrictive" standards and permitting processes than those in the EV Charging Model Code. This means that subject jurisdictions may customize any part of the Model Code definitions and standards in a way that creates greater flexibility or reduces the requirements placed on EV charging development. Subject jurisdictions are encouraged to prioritize less restrictive options or provide other flexibilities to further reduce barriers to EV charging development.

### Adapting Code Language

For definitions and standards with recommended code language, subject jurisdictions may adopt the code language as written. However, **jurisdictions are not required to adopt the exact code language, so long as the meaning of the language they adopt is similar.** Jurisdictions may develop their own language or may adapt the recommended language to be consistent with their existing land use codes, to use locally relevant terminology, or to cross reference their existing land use code.

Terms or phrases where it is most likely that jurisdictions will need to make these refinements are symbolized in the Model Code standards with brackets: "[…]." This symbology is used most frequently around the phrase "in this Code/in Section X," which serves as a placeholder for references to existing land use code standards.

Terms in the Model Code's recommended code language may differ from terms used in existing land use codes. For example, the term 'use by right' from the Model Code could be "by-right use," "permitted by right," "permitted use," or "administrative permit" in a jurisdiction's land use code. Jurisdictions may use terms from their existing code so long as they are similar in meaning to the Model Code terms.

## Identifying Where to Integrate Definitions and Standards

Jurisdictions may determine where in their land use code to incorporate the Model Code definitions and standards, so long as readers can easily understand how they apply to the permitting of EV charging. Jurisdictions may integrate the Model Code standards into existing code sections or create a new standalone EV Charging specific section.

The benefit of integrating the Model Code standards within existing code sections is that all 'like' regulations are located in the same place (i.e. all parking standards are in one location). A challenge with this approach is that EV charging standards are dispersed and developers must know which sections to reference. Table 1 below includes typical land use code sections where the standards may be integrated.

**Table 1:** Typical Land Use Code Sections for Integrating EV Charging Model Code

| EV Charging Model Code Section | Typical Land Use Code Sections |
|---|---|
| Definitions | Definitions; Terms |
| Applicability | Applicability; Procedures; Administration and Enforcement |
| Permitting by Zoning District | Use Standards; Use Regulations; Zoning Districts; Districts and Uses |
| Parking | Development Standards; Parking; Off-Street Parking |
| Siting and Design Standards (Setbacks, Equipment, Screening & Landscaping, Lighting, Signage, Weather Canopies) | Development; Design; Site Design; Site Development; Dimensional; Landscaping; Lighting; Sign Standards |

The benefit of adopting the Model Code standards as a new standalone section is that all regulations pertaining to EV charging are conveniently referenced in one place. A challenge with this approach is that EV charging standards are in a different place than the same type of standards for other uses (i.e. parking standards for EV charging are in a different location than all other parking standards).

## *Conflicting Language*

While potential conflicts between the Model Code standards and local land use codes were avoided as much as possible, there is a chance that a conflict may arise. If conflicting language is found, the intent is that the Model Code standards shall rule, unless the conflicting (existing) regulation is essential to protect health and safety. Language to this effect could be incorporated into the jurisdiction's land use code, if desired—most likely in the "Conflicting Provisions" section (or similar). In such instances, it is recommended that subject jurisdictions consult with CEO staff and with their Municipal Attorney to determine the most appropriate path forward.

## *Interaction with Other Regulations*

While the scope of the Model Code is limited to land use codes, as required by HB24-1173, jurisdictions may have other codes, regulations, and requirements that are applicable to EV charging, such as Building, Electrical, and Fire codes. While not required to comply with the Model Code path, jurisdictions wishing to further streamline the permitting process are encouraged to assess if other regulations commonly present barriers to EV charging projects and consider changes to regulations to address any such barriers. Additional state legislation and rules, such as House Bill 22-1362 and the 2023 Model Solar & Electric Ready Code, should also be considered. Jurisdictions are encouraged to provide accessible, transparent, and user-friendly information about all applicable laws, regulations, and requirements applicable to EV charging development.

## *Integrating Graphics*

Example graphics to illustrate key standards and concepts are included as part of the Model Code standards. Subject jurisdictions may choose to, but are not required to, adopt them. Jurisdictions may also choose to develop and adopt their own graphics. Please contact CEO if you would like high-resolution copies of any images in this document.

## *Other Potential Standards*

CEO has designed the Model Code definitions and standards with the goal of addressing the most common land use regulation topics for EV charging development. However, there may be additional topics that subject jurisdictions wish to regulate, which the CEO is open to considering as part of the Model Code compliance option. See page 43 for additional instructions on how to handle such instances.

# Chapter 4: Model Code Definitions and Standards

This chapter provides required land use code definitions and standards and parameters for optional standards. This chapter also provides guidance for integrating the definitions and standards into existing land use codes. **The definitions and standards are written as recommended land use code language with the exception of Standards 1-4 in the Applicability section and Standards 11 and 12 in the Screening and Landscaping Section, which are described generally rather than written as code language.**

## *Base Definitions (Adoption Required)*

Jurisdictions must adopt these definitions to comply with the Model Code. If similar terms are already defined in the jurisdiction's existing land use code, the existing terms and definitions may be used, so long as they are similar in meaning. If there is a conflict between a recommended definition and an existing definition, jurisdictions must add a new definition or update the existing definition to align with the Model Code definition.

***Definition 1***

**Electric Vehicle (EV):** A motor vehicle which relies partially or entirely on electrical energy to power its movement, requiring periodic electrical current charging of its battery.

### *Definition 2*

**EV Charging Port:** A power supply device that provides electrical current charging for EVs. One EV Charging Port provides power for one vehicle.

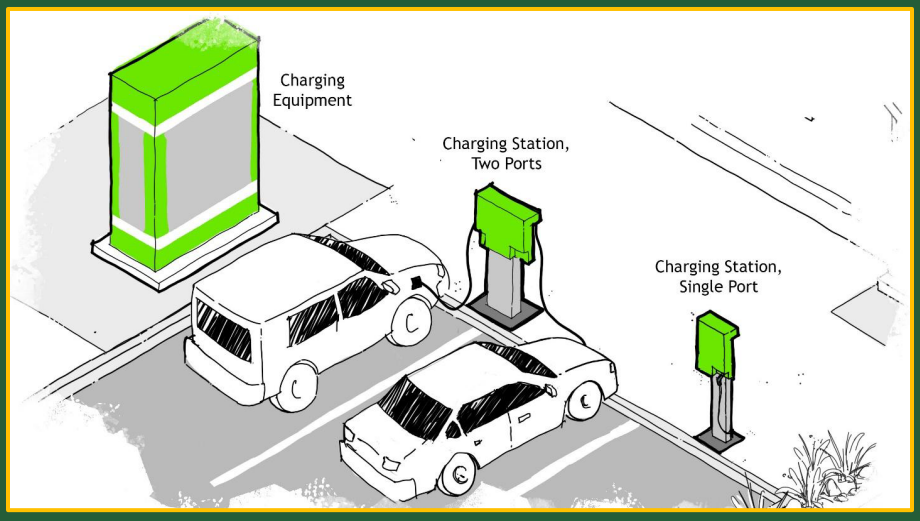
a. **"Direct Current Fast Charging (DCFC)":** High-speed charging that provides about 50-350+ kW of power per hour and uses a 480V three-phase outlet.
b. **"Level 2 Charging"**: Mid-speed charging that provides about 7-19 kW of power per hour and uses a 240V outlet.
c. **"Level 1 Charging":** Slow charging that provides about 1-2 kW of power per hour and uses a 120V outlet.

### *Definition 3*

**EV Charging Station:** Equipment that includes one or more EV Charging Ports to provide charging for EVs, located adjacent to dedicated space(s) for the vehicle(s) while they charge. One EV Charging Station may provide power for one or more vehicles.

### *Definition 4*

**EV Charging Equipment:** All equipment necessary to provide electrical current charging for EVs, except for EV Charging Stations. This may include power conversion equipment, electrical distribution equipment such as transformers, switchgear boxes, and distribution lines, and other supportive equipment.

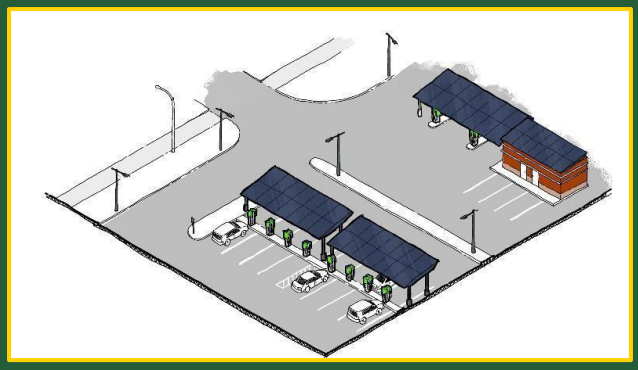


### *Definition 5*

**"EV Charging Project":** A proposed development of Primary or Accessory Use EV Charging Stations and Equipment, which may include other supporting site improvements like landscaping, lighting, or weather protection.

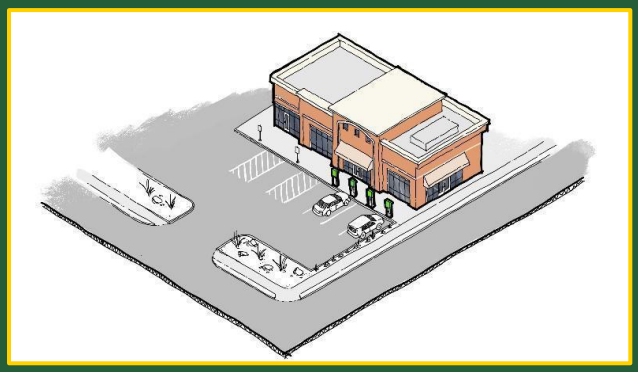
### *Definition 6*

**"Primary Use EV Charging Project":** Any proposed development of DCFC EV Charging Stations and Equipment that serves as the primary function and land use on the Subject Property.



### *Definition 7*

**"Accessory Use EV Charging Project":** A proposed development of DCFC Charging Stations and Equipment that are incidental and subordinate to the Primary Use on the Subject Property.



*Definitions 6-7 have a noted Less Restrictive option*

## *Implementation Instructions for Definitions 1-7*

Definitions 1 through 7 are EV charging-specific terms used throughout the Model Code standards and may not already be defined in jurisdictions' existing land use codes. The definitions for Primary Use and Accessory Use EV Charging Projects work together with Standard 1 to establish the types of EV charging development subject to land use regulations and which require land use permits.

### *Less Restrictive Option for Definitions 6-7*

Definitions 6-7 are the most restrictive definitions that jurisdictions can adopt. However, jurisdictions are encouraged to be more permissive in how they define Primary and Accessory Use EV Charging Projects. For example, jurisdictions may add a quantitative threshold for the number of EV Charging Ports in the definition of Accessory Use EV Charging Project, for example at four DCFC charging ports, or eight DCFC charging ports. Because the applicability of land use permits is based on this definition, this would effectively exempt projects smaller than the threshold from land use permitting. Alternatively, jurisdictions could choose not to require a land use permit for any Accessory Use EV Charging Project by not including any definition for Accessory Use EV Charging Projects (and removing their reference in Definition 5) and by not including them in the land use permitting table (see Standard 5).

### *Definition 8*

**Administrative Review Process:** A process in which a land use permit is approved, approved with conditions, or denied by administrative staff of a local government permitting agency based solely on the application's compliance with objective standards set forth in the jurisdiction's land use code, and that does not require a public hearing, a recommendation, or a decision by an elected or appointed public body or hearing officer.

### *Definition 9*

**Conditional Review Process:** A process in which a land use permit is approved, approved with conditions, or denied by a local government that may require a public hearing, a recommendation, or a decision by an elected or appointed public body or hearing officer.

### *Definition 10*

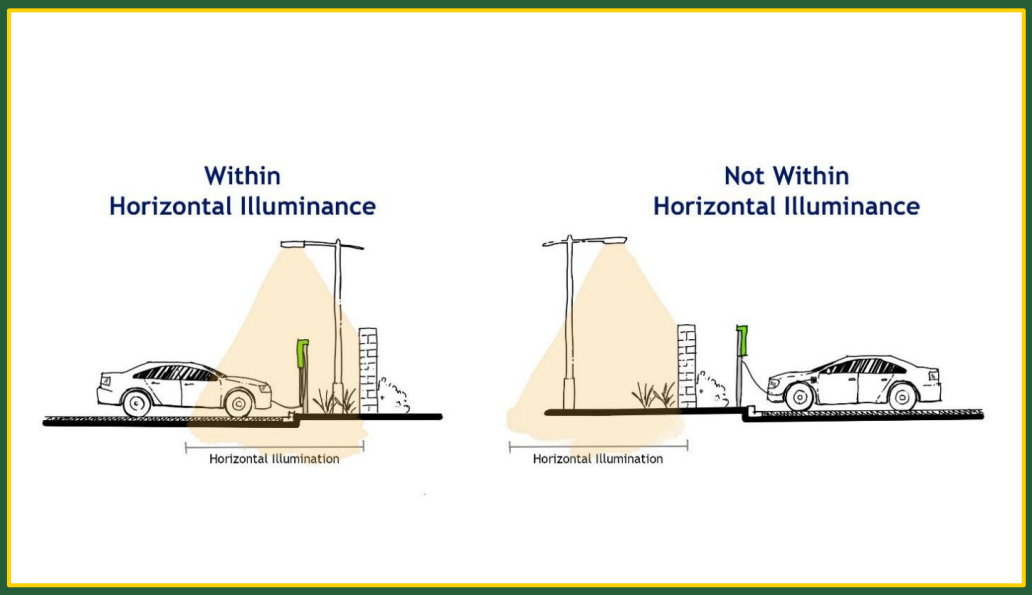
**Subject Property:** The property on which an EV Charging Project is proposed for development.

### *Definition 11*

**Setbacks:** The required distance, as measured from the Subject Property's lot line, in which no structure or building can be built.

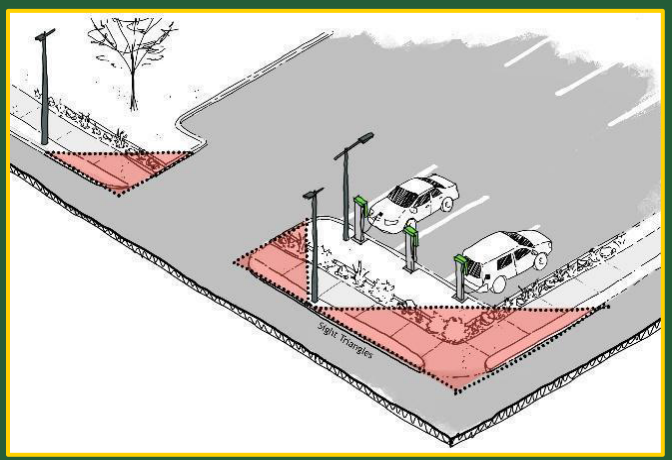
### *Definition 12*

**Horizontal Illuminance:** The area on a horizontal surface in which a light fixture provides direct or high intensity illumination.




### *Definition 13*

**Sight Lines/Sight Distance Triangles:** A right-triangle area at the corner of an intersection, which must be free from visibility obstructions, designated by a stopped or turning driver's eye at the edge of an intersection, the middle of the intersection, and another vehicle approaching from either direction.



### *Implementation Instructions for Definitions 8-13*

Definitions 8-13 (or similar definitions) are likely to already be defined in jurisdictions' existing land use codes, thus jurisdictions are encouraged to use their existing terms and definitions so long as they are comparable in meaning. Jurisdictions are not required to adopt Definitions 12 (Horizontal Illuminance) and 13 (Sight Lines/Sight Distance Triangles) if they do not adopt optional Standards 13 (Lighting) or 15 (Visibility).

## *Base Standards (Adoption Required)*

Jurisdictions' land use codes must align with the intent of the base standards by adopting new code language or referencing existing code language with a similar meaning.

### Applicability Standards

**The applicability standards are described generally rather than written as code language** because land use codes vary substantially in how they handle the applicability of land use permits. Subject jurisdictions may revise existing language within their land use code or adopt new code language that meets the intent of these requirements.

#### *Standard 1: Permit Applicability*

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).

#### *Standard 1 Implementation Instructions*

Jurisdictions must ensure that their land use code explains which types of EV Charging development are subject to land use permitting, in alignment with the parameters outlined above. Jurisdictions are encouraged to consider Standard 1 and Definitions 6 and 7 together, as these definitions may be modified to be more permissive to EV Charging development.

This Model Code exempts Level 1 and Level 2 charging from land use permitting because they have minimal public impacts. Level 1 charging is typically located in the garage of single family residences, and has no public impacts. Level 2 charging is often for the exclusive use of residents of an apartment or employees of an office, and not by other EV drivers. Because the dwell time for Level 2 charging is lengthy (usually at least 2 hours and up to 10 or more), even public Level 2 generally does not

generate additional traffic since drivers are most often using them while doing their usual activities, such as parking at home or office. Additionally, Level 2 charging stations and associated utility infrastructure are significantly smaller and have less of a visual impact than DCFC charging facilities.

Although subject jurisdictions may not require land use permits for Level 2 charging, they may apply land use regulations to Level 2 charging by referring building permit applications to their planning departments, who may review proposed projects against applicable land use regulations. Subject jurisdictions that take this approach of applying land use regulations through the building permitting process may not apply more restrictive land use regulations to Level 2 projects than those in this Model Code. For all types of charging (Level 1, Level 2, and DCFC), subject jurisdictions must provide clear information about non- land use permitting requirements (building permits, electrical permits, etc.) that do apply to such projects. See Chapter 5 for more guidance on this topic.

***Standard 2: Permit Review Process***

Jurisdictions must review land use permit applications for EV Charging Projects using the applicable permitting processes from the zoning district where projects are proposed (see Standard 5). For EV Charging Projects where the approval process is 'Use by Right' or similar, the permitting process must be similar to an Administrative Review Process (Definition 8). For EV Charging Projects where the approval process is 'Conditional Use' or similar, the permitting process must be similar to a Conditional Review Process (Definition 9).

### *Standard 2 Implementation Instructions*

Jurisdictions must ensure that their land use code explains that EV Charging Projects will be reviewed through the Administrative or Conditional Review Process (or similar), whichever is applicable in the zoning district where the project is located. Standard 2 is related to Definitions 8 and 9 and Standard 5. Jurisdictions are encouraged to consider these standards and definitions together.

It is likely that jurisdictions' existing land use codes already establish how land use applications are processed. Thus, jurisdictions are encouraged to use existing language but may need to revise and/or reference that language in relation to EV Charging Projects.

### *Standard 3: Existing Primary Use Conformance Updates*

Jurisdictions may not require existing land uses on the same Subject Property as a proposed Accessory Use EV Charging project to make site improvements or otherwise conform with land use regulations, unless the existing land uses propose simultaneous changes to their use, structures, or site that would otherwise require such conformance.

### *Standard 3 Implementation Instructions*

Jurisdictions must ensure that their land use code explains that developers and property owners who propose to add Accessory EV Charging to a property with existing uses will not trigger conformance updates to the existing uses. This standard is designed to reduce unnecessary barriers for Accessory Use EV Charging on developed sites.

### *Standard 4: Regulation of Primary Use EV Charging Stations*

Jurisdictions may apply existing regulations from their land use code (or develop new regulations) for Primary Use EV Charging Projects, so 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.

Primary Use EV Charging regulations must also align with the Model Code base standards that apply to Primary Use EV Charging, including Standards 6-7 (Parking), Standard 10 (Equipment), and Standard 12 (Electrical Equipment Safety). If jurisdictions regulate any of the topics from Model Code 'Optional Standards' for

### *Standard 4 Implementation Instructions*

The vast majority of the existing DCFC charging projects (the types of projects regulated by this Model Code) built today are Accessory Use EV Charging Projects, not Primary Use EV Charging Projects. However, more Primary Use Projects may be developed in the future, and CEO recommends that jurisdictions anticipate this by adopting land use regulations applicable to Primary Use EV Charging Projects.

Jurisdictions may apply existing standards used for gasoline or fueling stations ("gas stations") to Primary Use EV Charging Projects, so long as the standards correspond to the likely community impacts of Primary Use EV Charging Projects, and do not regulate impacts specific to the sale of gasoline, diesel, or other fossil fuels. Standards that address traffic access and flow, lighting, visual impacts, parking demand, or the need for weather protection canopies may be applied similarly between Primary Use EV Charging Projects and gas stations. Other impacts that are specific to gas stations and not relevant to EV Charging Stations (e.g. combustion risk and environmental hazards of fossil fuels) may not be applied to Primary Use EV Charging Projects. Examples include minimum distances between gas stations or from sensitive land uses or environmentally sensitive areas.

Regardless of their approach to regulation, jurisdictions must ensure that their land use codes explain which regulations apply to Primary Use EV Charging Projects by referring to applicable existing standards or to new standards developed specifically for Primary Use EV Charging Projects.

## Permitting by Zoning District

### *Standard 5*

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.

*Standard 5 has a more restrictive option*

### *Implementation Instructions for Standard 5*

This standard, together with Standard 2, establishes which zoning districts permit EV Charging Projects and how Primary and Accessory Use applications are processed within each district. This standard is designed to streamline the permitting process for EV Charging Projects by allowing them as a use by right in most zoning districts, using an Administrative Review Process that does not require public hearings or commission/council approval.

Jurisdictions may integrate this standard into their existing use table or into their zone district specific standards. This standard uses the term “low density housing land use context” because local governments have different zoning district classifications. Jurisdictions have discretion to determine which of their zoning districts they consider to be “low-density housing,” within reason. Examples of zoning districts that may be considered “low-density housing” include R-1 (Residential-1), LDR (Low Density Residential. LLR (Large Lot Residential), ER (Estate Residential), Suburban Context, and other zones that are primarily intended for single family detached homes.

### *Less Restrictive Option for Standard 5*

Jurisdictions may be more permissive by allowing EV Charging Projects as a use by right in all land use contexts/zoning districts. Alternatively, jurisdictions may consider allowing Accessory Use EV Charging Projects as a use by right within low-density residential contexts when they are accessory to civic and government land uses that are typically integrated into neighborhoods, such as schools or libraries, or when they

are primarily used by a private vehicle fleet (e.g., Postal Service vehicles, school buses, or other corporate electric fleet charging).

## *More Restrictive Option for Standard 5*

As written above, Standard 5 represents the best practice for widespread EV charging development. However, Table 2 below illustrates the most restrictive option that jurisdictions can adopt and still comply with the Model Code. These exceptions are designed to balance the goal of supporting widespread development of EV Charging while allowing jurisdictions to exercise more careful review over or even prohibit Primary Use EV Charging Projects in some contexts. Jurisdictions may prohibit Primary Use EV Charging Projects in low-density housing contexts, and/or require conditional use permits in the four other land use contexts listed in Table 3. Jurisdictions may not prohibit or require conditional use permits for Primary Use EV Charging Projects in land use contexts not listed in Table 2.

**Table 2:** Permitting by Zoning District More Restrictive Option

| Land Use Context | Primary Use |
|---|---|
| Low-density housing | Prohibited |
| Pedestrian-oriented commercial | Prohibited |
| Low-density mixed-use | Permitted Conditionally |
| Medium-density housing | Permitted Conditionally |
| Recreation, open space, agriculture, or forestry | Permitted Conditionally |

### *Guidance for Translating Land Use Contexts to Local Zoning Districts*

Table 3 below illustrates an example for how land use contexts may be matched to the local zoning districts relevant to Standard 5. See Appendix B for a table that includes similar information for all major land use contexts. For jurisdictions that do not distinguish between auto-oriented or pedestrian-oriented commercial and hospitality zoning districts, the auto-oriented commercial and hospitality context should be used.

**Table 3:** Example Land Use Context to Zoning District Translation

| Land Use Context | Example of Corresponding Zoning Districts |
|---|---|
| **Low density housing** | • R-1 (Single Family)<br>• LDR (Low Density Residential) |
| **Pedestrian-oriented commercial** | • C1 (Low Density Commercial)<br>• NC (Neighborhood Commercial) |
| **Low density mixed use** | • MU-N (Mixed Use Neighborhood)<br>• MU-L (Mixed Use Low Density) |
| **Medium density housing** | • R-2 (Mid Density Residential)<br>• MDR (Mid Density Residential) |
| **Recreation, open space, agriculture, or forestry** | • POS (Parks & Open Space)<br>• Agriculture (A)/(AG) |

## Parking Standards

### *Standard 6*

Any parking space served by an EV Charging Port or any parking space used to site EV Charging Stations or Equipment must be counted toward applicable parking minimums (as defined in [this Code/Section X]) as at least one standard automobile parking space.

### *Standard 7*

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 under C.R.S. 42-4-1208 must be counted as at least two standard automobile parking spaces towards applicable parking minimums.

### *Standard 8*

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 Vehicle Charging Stations or any applicable accessibility regulations issued by the federal Department of Justice or Department of Transportation, or in state statute.

### *Implementation Instructions for Standards 6-8*

Standards 6-7 are established by state law (C.R.S. 31-23-315 (2) and C.R.S 30-28-140 (2)), which require that local governments—when assessing a proposed development's compliance with minimum off-street parking requirements—count parking spaces supplied with EV charging (or used for EV Charging Stations and Equipment) towards these minimum parking requirements. Furthermore, the law requires that local governments count EV charging spaces designed to accommodate people with disabilities, which are not specifically reserved for people with disabilities, as two vehicle spaces towards the minimum. This last requirement is due to the fact that many EV charging providers do not want to restrict who can access and use the EV charging provided but may design at least some of the EV charging spaces to accommodate people with disabilities in compliance with ADA.

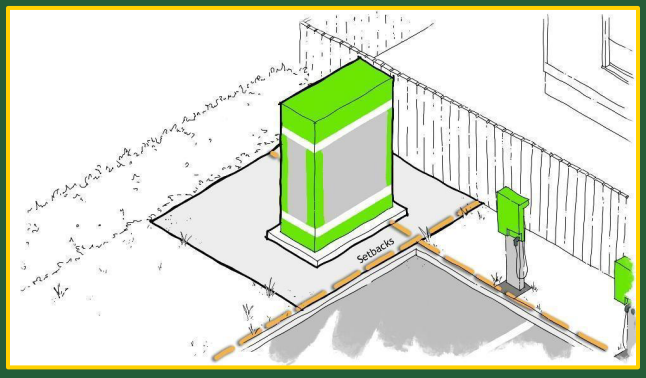
If jurisdictions do not have minimum off-street parking requirements that would apply to Accessory Use EV Charging Projects, they do not need to adopt Standards 6 or 7.

Standard 8 ensures compliance with federal accessibility standards as well as state law (C.R.S. 30-28-212(4) and C.R.S. 31-23-315(2.5))

## Setback Standard

### *Standard 9*

For Accessory Use EV Charging Projects, EV Charging Stations and Equipment, [and any required screening material], shall be permitted within designated setbacks of the Subject Property.




*Standard 9 has a more restrictive option*

### *Implementation Instructions for Standard 9*

Jurisdictions must ensure that their land use code explains that – for Accessory Use EV Charging Projects only – EV Charging Stations and Equipment (see Definitions 3 and 4) may be located within setbacks. Setback restrictions can be a significant challenge and barrier for some EV Charging Projects, particularly for siting supportive equipment such as transformers. This standard is designed to reduce restrictions for Accessory Use EV Charging Projects, which are frequently an addition to already developed properties where site improvements or space limitations limit the ability to site charging stations and equipment outside of setbacks.

Additionally, when EV Charging Stations and Equipment are proposed within existing easements, jurisdictions may require developers to provide evidence of license agreements from easement holders.

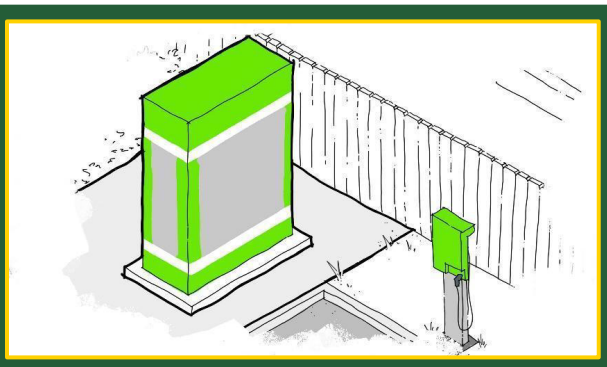
### *More Restrictive Option for Standard 9*

Jurisdictions that want to retain more control over the siting of EV Charging Stations and Equipment may prohibit such equipment within setbacks, unless developers demonstrate in their application that siting such equipment outside of setbacks is infeasible. Jurisdictions that take this more restrictive approach must process such exception requests as part of the typical Administrative or Conditional Review process, or minor administrative exception/waiver process, if applicable, and not as a separate variance process.

## Equipment Standard

### *Standard 10*

The appearance, materials, and dimensions of EV Charging Stations and Equipment shall be determined by current EV Charging manufacturing standards and utility design standards.



*Standard 10 has a more restrictive option*

### *Implementation Instructions for Standard 10*

Jurisdictions must ensure that their land use code does not require specific dimensions, materials, or appearances for EV Charging Stations and Equipment (see Definitions 3 and 4).

EV Charging Stations and Equipment are pre-manufactured and subject to stringent external safety standards, so requiring specific aesthetic, material, or dimensional standards may render a project infeasible if the pre-manufactured equipment does not conform. This standard also allows jurisdictions and developers to accommodate changing trends and standards within the industry.

### *Most Restrictive Option for Standard 10*

Jurisdictions may regulate the materials and appearance of EV Charging Stations and Equipment for the purpose of mitigating significant impacts to non-EV users from design elements that go beyond the functional needs of EV charging. For example, jurisdictions may 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.

## Screening and Landscaping Standards

Standards 11 and 12 are written as a general description of intent, rather than as code language, and jurisdictions do not need to adopt code language as written to comply with this standard.

### *Standard 11*

Jurisdictions are encouraged not to require screening for Accessory Use EV Charging Projects.

*Standard 11 has a more restrictive option*

### *Implementation Instructions for Standard 11*

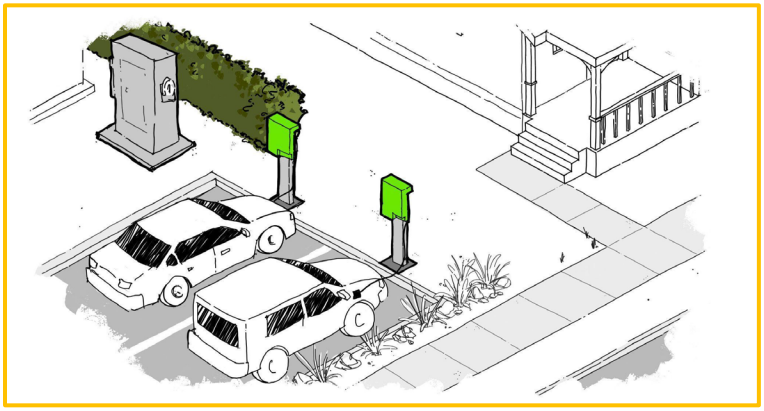
Jurisdictions are encouraged to ensure that their land use codes do not require screening for EV Charging Stations and Equipment that are part of an Accessory Use

EV Charging Project, and must exempt such projects from any other applicable screening requirements that exist within their land use code.

## *Most Restrictive Option for Standard 11*

As written above, Standard 11 represents the State's recommended best practice for screening Accessory Use EV Charging Projects. However, some jurisdictions may wish to require screening in certain circumstances. Jurisdictions may require screening for Accessory Use EV Charging Projects, but only in accordance with the following:

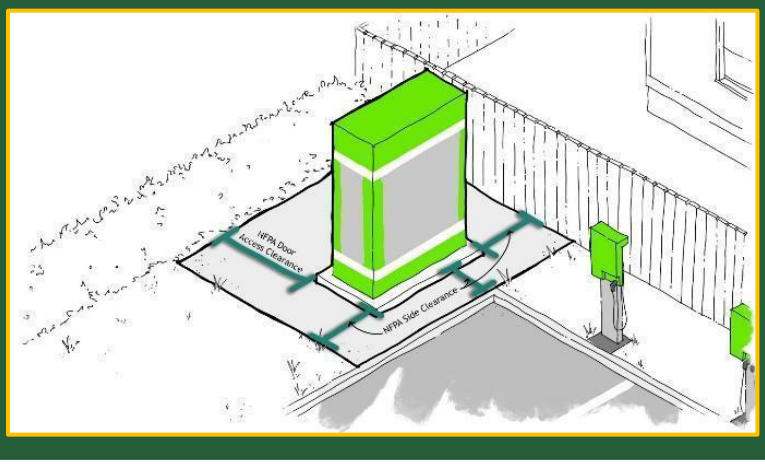
a. Screening may only be required for EV Charging Equipment, not EV Charging Stations.
b. Screening may only be required for EV Charging Equipment located along the perimeter of a Subject Property.
c. Screening may only be required along the length of the EV Charging Equipment and parallel to the property line between the EV Charging Equipment and the adjacent property (not wrapped around the entire perimeter of the Equipment).
d. The jurisdiction must provide objective standards for the dimensions of screening, and the acceptable screening materials.
e. The jurisdiction must allow at least two types of screening materials
f. Applicants must be allowed to request an exception to screening requirements by demonstrating in their application that site-specific conditions negate the need for visual separation. Requests for exceptions shall be processed as part of the typical Administrative or Conditional Review process, or minor administrative exception/waiver process, if applicable, and not as a separate variance process.



This exception to Standard 11 is designed to give local governments some control to mitigate potential conflicts and impacts to neighboring properties when Accessory Use EV Charging Stations are sited near property lines.

### *Standard 12*

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.




### *Implementation Instructions for Standard 12*

Jurisdictions must ensure that their land use codes defer to the national electrical safety standards referenced above for the location of screening and landscaping relative to electrical equipment.

Electrical equipment is required to conform with national standards that require specific distances between electrical equipment and adjacent landscaping or screening. Landscaping and screening requirements that conflict with these standards may result in permitting delays and variance requests. This standard is designed to mitigate this conflict and ensure that electrical access and safety standards are balanced with landscaping and screening requirements.

## *Optional Standards*

The optional standards are not required to be adopted, but represent the most restrictive land use regulations that jurisdictions may adopt (if they so choose) for the topics addressed, which are common topics that jurisdictions may want to regulate for EV Charging. These standards are designed to allow jurisdictions to regulate these topics in a way that balances the need to mitigate impacts and provide community benefits, while reasonably limiting the permitting burden placed on EV Charging Projects.

For each optional standard, jurisdictions may adopt a similar or less restrictive version of what is provided here, or jurisdictions may adopt no standard at all for any of these topics. Adopted standards should be objective and may not be overly prescriptive or place undue burden on EV Charging Projects.

### Lighting

#### *Standard 13*

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 X]. Lighting may be provided by existing on-site lighting and/or by new lighting fixtures integrated into EV Charging Stations or Equipment or by new separate light fixtures.

#### *Implementation Instructions for Standard 13*

This standard provides clarity for developers to understand if additional on-site lighting may be required, with the goal of ensuring that EV Charging Stations are well-lit for user safety and comfort. EV charging developers may need to submit a photometric plan with land use applications, which is a common requirement for many types of development and is justified by the need to prioritize community safety.

Jurisdictions may adopt this—or a less restrictive—standard. Adopted standards may not include additional EV charging specific lighting requirements and must comply with Standard 10 (Equipment Materials and Appearance), a related requirement.

## Pavement Marking and Striping

### *Standard 14*

Existing standards for parking pavement markings and striping established within [this Code/in Section X] apply to EV Charging Projects.

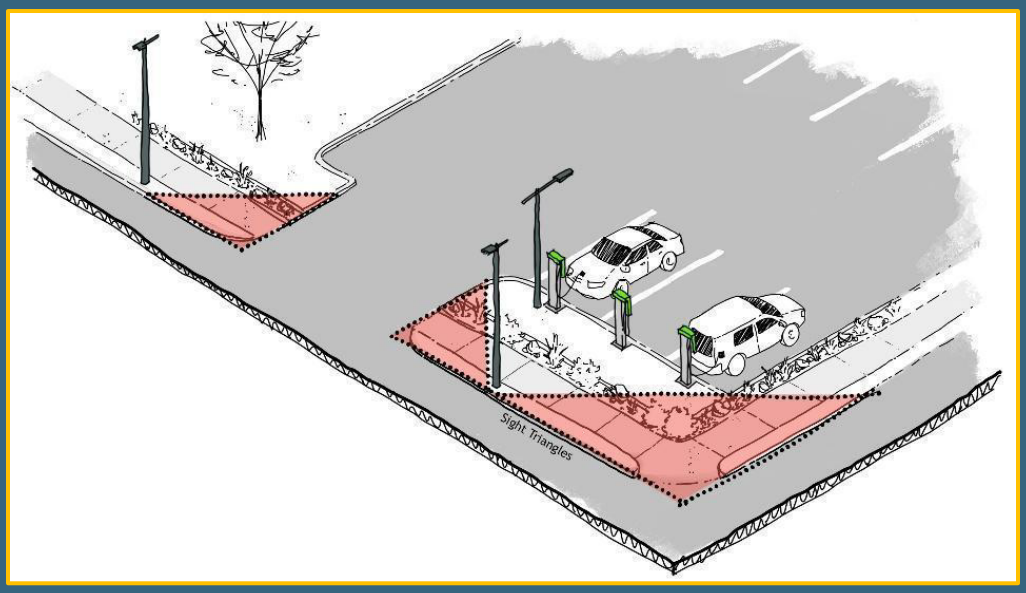
### *Implementation Instructions for Standard 14*

This standard provides clarity for developers to understand how they are expected to update and/or add specific striping and pavement markings related to parking spaces served by EV charging. Jurisdictions may adopt this—or a less restrictive—standard. Adopted standards may not include specific pavement marking and striping requirements for Accessory Use EV Charging Projects beyond those applicable to similar land uses. Jurisdictions may want to develop new marking and striping standards for Primary Use EV Charging Projects as the needs may be unique from other uses.

## Visibility

### *Standard 15*

EV Charging Stations and EV Charging Equipment shall not obstruct [sight lines/sight distance triangles], as defined in [this Code/Section X].



### *Implementation Instructions for Standard 15*

This standard provides clarity for developers to understand how they are expected to ensure safe visibility for drivers and pedestrians when EV Charging Stations or Equipment are sited at the perimeter of the Subject Property and adjacent to streets. In particular, this standard is important for when EV Charging Stations or Equipment are proposed within setbacks (see Standard 9) in order to protect health and safety. Jurisdictions may adopt this—or a less restrictive—standard. Adopted standards may not include site distances/triangles for EV Charging Projects that are more restrictive than those applicable to similar land uses.

## Landscaping

### *Standard 16*

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.

### *Implementation Instructions for Standard 16*

This standard provides clarity for developers to understand jurisdictions' expectations for replacing plants removed during construction. Jurisdictions may adopt this—or a less restrictive—standard. Adopted standards may not require additional replacement plants or different plant species than removed plants. Jurisdictions may not apply other standards that require specific landscaping for Accessory Use EV Charging Projects but may choose to apply existing landscaping standards (or a new set of standards) to Primary Use EV Charging Projects, so long as the application is equally or less restrictive and prescriptive.

## Signage

### *Standard 17*

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 X].

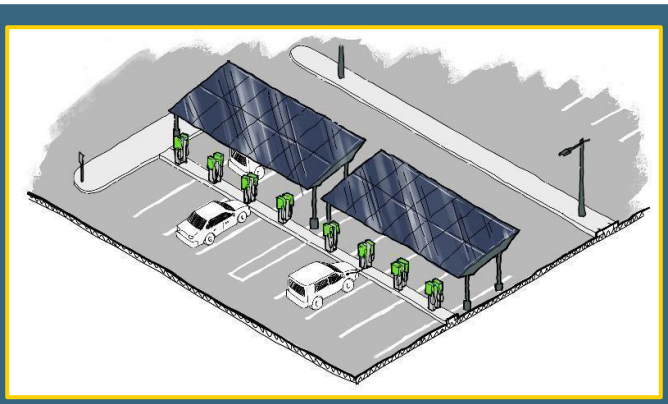
### *Implementation Instructions for Standard 17*

This standard provides clarity for developers to understand the requirements for signage if it is voluntarily included as part of an EV Charging Project, including dimensions, placement, materials, etc. Jurisdictions may adopt this—or a less restrictive—standard. Adopted standards must allow, but not require, signage for Accessory Use EV Charging Projects. For example, developers or property owners may want to post signage prohibiting the use of charging spaces by non-EV drivers, but this cannot be required by jurisdictions.

## Weather Canopies

### *Standard 18*

If weather canopies are included as part of an EV Charging Project, they are subject to the applicable siting, dimensional, setback, appearance, materials, and other standards in [this Code/Section X].



### *Implementation Instructions for Standard 18*

This standard provides clarity for developers to understand the requirements for weather canopies if they are voluntarily included as part of an EV Charging Project. Jurisdictions may adopt this—or a less restrictive—standard. Adopted standards must allow, but not require, weather canopies for Accessory Use EV Charging Projects, and may not include requirements for weather canopies beyond those applicable to similar uses.

## *Other Potential Standards*

Jurisdictions may need to revise other sections in their land use code or address topics not addressed in this Model Code that relate to the regulation and efficient development of EV Charging Projects. For example, some jurisdictions may need to provide language to clarify how proposed EV Charging Projects may interact with snow removal and storage requirements. In these instances, jurisdictions are encouraged to contact CEO in advance of code adoption. CEO will provide technical assistance through a land use code writing consultant and has internal staff expertise to assist local governments with code adoption.

CEO encourages jurisdictions to include in their Compliance Report any additional language they wish to adopt and/or revise within their land use code related to EV Charging Projects. It will be up to the discretion of CEO to determine if such additions meet the intent of the Model Code.

# Chapter 5: Model Code Application & Review Process Requirements

As revealed through the 2023 Colorado Electric Vehicle Charging Permitting Study, and confirmed through the process of developing the EV Charging Model Code, many jurisdictions do not have a clear system for reviewing applications for EV charging, nor do they provide enough information for EV charging developers to predict what the permitting process will be. These factors can lead to extra local government staff time, delays, public hearings and council review for small, lower impact projects, and/or the subjective application of existing land use standards, including the need for variance approvals.

This chapter provides guidance for jurisdictions to develop materials and for implementing internal processes to support staff and developer interpretation of the EV Charging Model Code standards and for ensuring a more predictable and transparent permit review processes. It includes:

- Four process requirements that jurisdictions must follow for the permitting of EV charging projects to comply with the Model Code option.
- Seven process recommendations that jurisdictions should follow, if feasible, but are not required to.

## *Permitting Process Requirements*

To comply with the Model Code, jurisdictions are required to do the following to support the EV Charging Project application and permitting process:

1. Provide at least the following information on their website, in a format and location that is easily accessible and user-friendly:
    a. Identification of required permits - since the Model Code only applies land use permitting to specific types of EV charging development (see Definitions 5-7), this should be clearly explained and jurisdictions should provide sufficient information for prospective developers to understand what permitting is required (e.g. electrical or building permits) if they are pursuing an EV charging development that does not meet the Model Code's definition of an "EV Charging Project."
    b. Application forms for all required permits, including a checklist listing all items that must be submitted with the application form.
    c. Identification of (and links to) all applicable land use standards
    d. Estimated timelines for each step in the permitting process, from pre-application (if applicable) through to final decision
    e. Permit fee schedule
    f. Identification of all departments involved in review, and contact information for the lead department
2. Allow for applications to be submitted digitally (via email or through an online submission system)
3. May not require applications to be submitted in person, although mailed paper copies may be required in addition to a digital submission.
4. May not require that applications use specific paper types, wet signatures, notaries, or other prescriptive requirements that add unnecessary cost and complexity for applicants.

## *Permitting Process Recommendations*

While not required, the following are recommended to make the application process as efficient and easy to navigate as possible for EV charging developers:

1. Implement a new application form and land use permit type specific to EV charging development to make the process simple, clear, and easy for prospective applicants.
2. Use an all-online application system, if feasible, where application materials can be accessed and submitted, review status can be tracked, and approval can be received.
3. Hold pre-application meetings to discuss application requirements, standards, process, etc.
4. Assign a single staff point of contact to applications.
5. Use parallel department review that includes the consolidation of comments by the assigned staff contact.
6. Use parallel review for all permits required for EV Charging projects (e.g. electrical permit, building permit, etc.).
7. Conduct internal training for all department staff involved in the review of EV Charging applications to ensure consistent interpretation and review outcomes.

## *Templates*

CEO has prepared two templates that local governments can download as word documents to support their EV charging permitting process. These documents are meant as starting points for local governments to customize to suit their needs.

- An application form with submittal requirements checklist
- An EV charging permitting fact sheet with information on required land use, building, and electrical permits, estimated permitting durations, applicable review standards, fees, and contact information

# Appendix A - Subject Jurisdictions

| County[1] | Population | Municipality[2] | Population | Municipality | Population |
|---|---|---|---|---|---|
| Adams | 519,572 | Arvada | 124,402 | Grand Junction | 65,560 |
| Arapahoe | 655,070 | Aurora | 386,261 | Greeley | 108,795 |
| Boulder | 330,758 | Berthoud | 10,332 | Greenwood Village | 15,691 |
| Broomfield | 74,112 | Boulder | 108,250 | Johnstown | 17,303 |
| Delta | 31,196 | Brighton | 40,083 | Lafayette | 30,411 |
| Denver | 715,522 | Broomfield | 74,112 | Lakewood | 155,984 |
| Douglas | 357,978 | Cañon City | 17,141 | Littleton | 45,652 |
| Eagle | 55,731 | Castle Pines | 11,036 | Lone Tree | 14,253 |
| Elbert | 26,062 | Castle Rock | 73,158 | Longmont | 98,885 |
| El Paso | 730,395 | Centennial | 108,418 | Louisville | 21,226 |
| Fremont | 48,939 | Colorado Springs | 478,961 | Loveland | 76,378 |
| Garfield | 61,685 | Commerce City | 62,418 | Montrose | 20,291 |
| Jefferson | 582,910 | Denver | 715,522 | Monument | 10,399 |
| La Plata | 55,638 | Durango | 19,071 | Northglenn | 38,131 |
| Larimer | 359,066 | Englewood | 33,659 | Parker | 58,512 |
| Logan | 21,528 | Erie | 30,038 | Pueblo | 111,876 |
| Mesa | 155,703 | Evans | 22,165 | Rifle | 10,437 |
| Montezuma | 25,849 | Federal Heights | 14,382 | Steamboat Springs | 13,224 |
| Montrose | 42,679 | Firestone | 16,381 | Sterling | 13,735 |
| Morgan | 29,111 | Fort Collins | 169,810 | Superior | 13,094 |
| Pueblo | 168,162 | Fort Morgan | 11,597 | Thornton | 141,867 |
| Routt | 24,829 | Fountain | 29,802 | Wellington | 11,047 |
| Summit | 31,055 | Frederick | 14,513 | Westminster | 116,317 |
| Teller | 24,710 | Fruita | 13,395 | Wheat Ridge | 32,398 |
| Weld | 328,981 | Golden | 20,399 | Windsor | 32,716 |

[1] United States Census Bureau, 2020 Decennial US Census, County Total Population
[2] United States Census Bureau, 2020 Decennial US Census, Places Total Population

# Appendix B – Example Land Use Context to Zoning District Translation Table

| Land Use Context | Example of Corresponding Zoning Districts |
|---|---|
| **Low density housing** | • R-1 (Single Family)<br>• LDR (Low Density Residential)<br>• LR (Large Lot Residential) |
| **Medium density housing** | • R-2 (Mid Density Residential)<br>• MDR (Mid Density Residential) |
| **High density housing** | • R-MF (Multifamily Residential)<br>• R-3 (Multifamily Residential)<br>• HDR (High Density Residential) |
| **Low density mixed use** | • MU-N (Mixed Use Neighborhood)<br>• MU-L (Mixed Use Low Density)<br>• Suburban/neighborhood context) |
| **High density mixed use** | • MU-C/MU-U (mixed use core/urban)<br>• CBD (central business)<br>• Urban/TOD context |
| **Pedestrian-oriented commercial** | • C1 (Low Density Commercial)<br>• NC (Neighborhood Commercial)<br>• LC (Limited Commercial) |
| **Auto-oriented commercial** | • CA (Auto-Oriented Commercial)<br>• CS (Service Commercial)<br>• Suburban context |
| **Office** | • CBD (Commercial Business District)<br>• CS (Service Commercial |
| **Civic & Education** | • CAMP (campus)<br>• CS (service commercial) |
| **Recreation, open space, agriculture, or forestry** | • POS (Parks & Open Space)<br>• R (Reserve/Recreation)<br>• Agriculture (A)/(AG) |
| **Industrial** | • LI (industrial)<br>• IE (industrial employment)<br>• IMU (industrial mixed use) |