

**NOTICE OF PUBLIC HEARING
ORDINANCE No. 1877, SERIES 2024**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Louisville, Colorado, to be held on August 6, 2024 at the hour of 6:00 p.m., at Louisville City Hall, 749 Main Street, Louisville, Colorado 80027 or in an electronic meeting, the City Council will hold a Public Hearing on the final passage and adoption of a proposed **AN ORDINANCE AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE CONCERNING ELECTRIC VEHICLE CHARGING INFRASTRUCTURE.**

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Full copies available in the City Clerk's Office, 749 Main Street, Louisville CO 80027.

**ORDINANCE NO. 1877
SERIES 2024**

**AN ORDINANCE AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE
CONCERNING ELECTRIC VEHICLE CHARGING INFRASTRUCTURE**

WHEREAS, the City of Louisville remains committed to its adopted goals to reduce energy consumption, increase clean energy sources, and support the transition to a low-carbon community as outlined in the Sustainability Action Plan and Resolution 25, Series 2019, "A Resolution Setting Clean Energy and Carbon Reduction Goals"; and

WHEREAS, the City Council desires to add requirements for solar readiness, electric vehicle charging infrastructure, and building electrification to build a more resilient building stock and support future building and transportation electrification efforts pursued by residents and businesses; and

WHEREAS, by Ordinance No. 1816 adopted on October 19, 2021, the City Council amended the Zoning Code to require new construction include electric vehicle charging infrastructure; and

WHEREAS, the City Council desires to amend the City's electric vehicle charging standards to better align with the Colorado Model Electric Ready and Solar Ready Code, published June 1, 2023 by the Colorado Energy Office; and

WHEREAS, the Planning Commission, after property notice required by law, held a public hearing on this ordinance on February 8, 2024 and provided a recommendation to the City Council on its adoption; and

WHEREAS, the City Council, after proper notice as required by law, has held a public hearing on this ordinance providing for the adoption of said code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. Louisville Municipal Code Section 17.20.170. – Electric Vehicle Charging Infrastructure, is hereby amended as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 17.20.170. – Electric Vehicle Charging Infrastructure.

A. Purpose and Intent. The purpose and intent of this section is to facilitate and encourage the use of electric vehicles, to expedite the establishment of convenient and cost-effective electric vehicle infrastructure, and establish the minimum requirements for such infrastructure to serve both short and long-term parking needs.

B. Definitions. The following definitions shall apply to this Section:

Commercial Buildings, for this section, means commercial buildings and R-Occupancies that are covered by the International Building Code.

Electric Vehicle (EV) means a vehicle registered for on-road use, primarily powered by an electric motor that draws current from a rechargeable storage source that is charged by being plugged into an electrical current source.

Electric Vehicle Supply Equipment (EVSE) means the electrical conductors and associated equipment external to the electric vehicle that provide a connection between the premises wiring and the electric vehicle to provide electric vehicle charging.

Electric Vehicle (EV) Capable Space means a designated parking space that is provided with conduit sized and rated for a minimum 40-amp, 208/240-Volt dedicated branch circuit and shall be no less than 1" in size. Conduit must be continuous from the future or existing electrical panelboard or switchboard location(s) and end at a junction box or receptacle located within close proximity of the parking space. The electrical panel serving the parking space shall have sufficient capacity and physical space for a dual-pole, 40-amp breaker and shall be labeled "For Future Electric Vehicle Supply." The conduit shall be sealed at the junction or outlet box that is capped off, with the conduit sealed and the cap labeled as "For future electric vehicle charging."

Electric Vehicle (EV) Capable Light Space means a designated parking space that is provided with conduit sized and rated for a minimum 40-amp, 208/240-Volt dedicated branch circuit and shall be no less than 1" in size and has sufficient physical space adjacent to the existing electrical equipment for future electric upgrades.

Electric Vehicle (EV) Ready Space means a designated parking space that is provided with a dedicated branch circuit with wiring capable of supporting a minimum 40-ampere, 208/240-Volt circuit that terminates at a receptacle, plug, junction box, or an installed electric vehicle supply equipment within close proximity of the parking space. There shall be adequate reserved space in an electrical panelboard or switchboard to meet the electric vehicle requirements.

Electric Vehicle Supply Equipment (EVSE) Installed Space means a designated parking space with dedicated electric vehicle supply equipment capable of supplying a minimum 40-amp, dedicated circuit rated at 208/240 Volt from a building electrical panelboard.

Electric vehicle charging stations (EVCS) means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

Electric vehicle charging station – private restricted use means an electric vehicle charging station that is:

1. Privately owned and restricted access (e.g., single-family dwelling unit, executive parking, designated employee parking, assigned parking at multi-family residential building); or
2. Publicly owned and restricted (e.g., fleet parking with no access to the general public).

Electric vehicle charging station – public use means an electric vehicle charging station that is:

1. Publicly owned and publicly available (e.g., Park-n-ride, public library parking lot, Recreation and Senior Center lot, etc); or
2. Privately owned and available to visitors of the use (e.g., shopping center, hotel, office, etc.)

Electric vehicle parking space means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

Residential Buildings, for this section, means dwellings that are covered by the International Residential Code

C. Number of required electric vehicle charging stations. The following table sets forth the number of required charging stations for all

new development or redevelopments as required in Chapter 15.18 of the Louisville Municipal Code. ~~This list is not intended to be exhaustive of each use category, however is intended to establish general categories of use tiers. The Director of Planning and Building Safety shall determine the appropriate tier if the use is not identified in the table below.~~ For each EVSE Installed Space beyond the minimum number of required spaces, a credit may be given for a required EV Ready, EV Capable, or EV Capable Light Space.

1. Requirements will be rounded up to the nearest whole number.

2. Minimum electrical and hardware requirements for EVSE Installed, EV Ready, and EV Capable are set forth in Chapter 15.18 of the Louisville Municipal Code.

3. Minimum Charging Rate. Each installed EVSE shall comply with one of the following:

a. Be capable of charging at a minimum rate of 6.2 kVA (or 30A at 208/240V).

b. When serving multiple EVSE installed spaces and controlled by an energy management system providing load management, be capable of simultaneously sharing each EVSE installed space at a minimum charging rate of no less than 3.3 kVA.

	EV Installed	EV Ready	EV Capable
Residential Uses			
— Single Family unit		1 space	1 space
— Multi-Family unit, with dedicated parking spaces or garages		1 space	1 space
Tier 1			
— Multi-Family, without dedicated parking spaces or garages	10% of spaces	10% of spaces	50% of spaces
— Hotel, Motel, Extended Stay Lodging Facility			
Tier 2 – Employment oriented uses	7% of spaces	10% of spaces	15% of spaces
— Business and Professional Offices			
— General research facilities, light industrial facilities including			

manufacturing, assembly, warehouse and fabrication			
— Hospital			
Tier 3 – Service and Sales oriented uses			
— Private and public recreational and social facilities, membership clubs, lodges, and fraternal organizations			
— Religious institution			
— Commercial amusement, indoor and outdoor			
— Schools, including public, private, vocational or business			
— Restaurant			
— Retail			
— Personal service			
— Medical and dental clinics			

<u>Building Type</u>	<u>EVSE Installed Space</u>	<u>EV Ready Space</u>	<u>EV Capable Space</u>	<u>EV Capable Light Space</u>
Commercial Buildings: Non R-2 Occupancies				
<u>With 10 or less parking spaces</u>	<u>0</u>	<u>2 spaces</u>	<u>0</u>	<u>0</u>
<u>With greater than parking spaces</u>	<u>2% of spaces</u>	<u>8% of spaces</u>	<u>10% of spaces</u>	<u>10% of spaces</u>
Commercial Buildings: R-2 Occupancies				
<u>With 10 or less parking spaces</u>	<u>1 space</u>	<u>1 space</u>	<u>1 space</u>	<u>1 space</u>
<u>With greater than 10 parking spaces</u>	<u>5% of spaces</u>	<u>15% of spaces</u>	<u>10% of spaces</u>	<u>30% of spaces</u>
Residential Buildings				
<u>Per Dwelling</u>	<u>0</u>	<u>1 space</u>	<u>1 space</u>	<u>0</u>

D. Permitted locations.

1. EVCS are permitted in every zoning district when accessory to a principal permitted use. Such stations located at single-family and designated multi-family units shall be private restricted use only.

2. If the primary use of the parcel is the retail electric charging of vehicles, then the use shall be considered an automotive fueling station for zoning purposes. Installation shall be located in zone districts which permit this use.

E. General requirements.

1. Accessible spaces. A charging station will be considered accessible if it is located adjacent to, and can serve, an accessible parking space as defined and required by the ADA. It is not necessary to designate the EVSE exclusively for the use of vehicles parked in the accessible space.

2. EVCS – public use shall be subject to the following requirements.

a. The EVCSs shall be located in a manner that will be easily seen by the public for informational and security purposes.

b. The EVCSs shall be located in desirable and convenient parking locations will serve as an incentive for the use of electric vehicles.

c. The EVCSs must be operational during the normal business hours of the use(s) that it serves.

d. The EVSE shall be maintained in all respects, including the functioning of equipment. A phone number or other contact information shall be provided on the equipment for reporting problems with the equipment or access to it.

e. The property owner may collect a service fee for the use of EVSE.

Section 2. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. The repeal or modification of any provision of any prior ordinance by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

**INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED
PUBLISHED** this _____ day of _____, 2024.

Christopher M. Leh, Mayor

ATTEST:
Meredyth Muth, City Clerk

APPROVED AS TO FORM:
Kelly PC, City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING, this _____ day
of _____, 2024.

Christopher M. Leh, Mayor

ATTEST:
Meredyth Muth, City Clerk