



## Legislation Text

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**File #:** 21-166, **Version:** 1

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### **TITLE:**

Public Hearing on Text Amendments to the Land Use Ordinance to Establish Requirements for EV Charging Stations

**PURPOSE:** The purpose of this agenda item is for the Town Council to consider proposed amendments to the Land Use Ordinance that would add new requirements for EV charging stations and EV ready infrastructure to the existing parking standards in Article XVIII. A draft ordinance has been prepared. The consideration of an amendment to the Land Use Ordinance is a legislative decision; the Council must receive public input before reaching a decision on the draft ordinance.

**DEPARTMENT:** Planning

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**INFORMATION:** Information provided in the most recent Energy and Climate Protection Plan and Community Climate Action Plan implementation update on January 21, 2020, included a memorandum from the Environmental Advisory Board with a request for new provisions to be added to the Land Use Ordinance to require the installation of EV charging stations and EV ready infrastructure for commercial and residential developments involving a certain number of required parking spaces (*Attachment B*). At the Town Council meeting on April 20<sup>th</sup>, there was also a request to include similar standards for parking spaces associated with common areas in residential subdivisions.

A draft ordinance has been prepared that closely follows these requests. If adopted, the Land Use Ordinance would be amended with new provisions in three areas: 1) new definitions relating to 'EV charging stations,' 'EV readiness' and 'Green Vehicles;' 2) new requirements for a percentage of parking spaces to be equipped with EV charging stations or EV readiness infrastructure (conduit and panel capacity) for all types of developments required to have at least 50 parking spaces; and 3) and new requirements for EV charging stations/readiness in the common area of residential subdivisions with at least 15 dwelling units. The fifteen or more threshold was identified because of the baseline requirement for recreation facilities and in Section 15-296(d); common area parking is typically associated with a club house or pool or similar recreation facility.

The Town Council must receive public comments before adopting amendments to the Land Use Ordinance. The draft ordinance was referred to Orange County and presented at the Joint Advisory Board review meeting on May 6<sup>th</sup>. There was discussion at the joint review meeting regarding the requirement for a least one EV charging station to be placed in an ADA parking space (Section (i)(1)(c) in the draft ordinance). Possible alternative language for this provision included requiring a charging station adjacent to an ADA parking space or reducing the requirement from at least one ADA charging space, when there may be only two charging

stations in the lot, to one EV charging station in an ADA space for every five EV charging stations. Comments are provided (*Attachment C*).

**FISCAL & STAFF IMPACT:** Public notice costs and staff time are associated with the review of text amendments for public hearings and advisory board review.

**RECOMMENDATION:** Staff recommends that the Town Council hold a public hearing to receive comment on the proposed text amendments. Public comment may be submitted to the Town Clerk up to 24 hours after the close of the public hearing. A subsequent agenda item will be scheduled for the Council to finish its deliberations and consider making a decision on the item, and a resolution of consistency will be provided at that time.