

ORDINANCE O-2024-

A BILL FOR AN ORDINANCE AMENDING CHAPTER 15.05, SECTION 15.05.080 OF THE
LONGMONT MUNICIPAL CODE CONCERNING ELECTRIC VEHICLE PARKING
INFRASTRUCTURE DEVELOPMENT STANDARDS AND AMENDING CHAPTER 15.10,
SECTION 15.10.020

THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, ORDAINS:

Section 1

The Council amends chapter 15.05, section 15.05.080 of the Longmont Municipal Code,
by adding italicized material. In this ordinance, ellipses indicate material not reproduced as the
Council intends to leave that material in effect as it now reads.

Section 15.05.080. Off-street parking, stacking, and loading.

A. Purpose. This section is intended to provide off-street parking and loading
facilities in proportion to the parking, loading, and transportation demands of
different land uses throughout the city. This section is also intended to help protect
the public health, safety, and general welfare by:

1. Avoiding and mitigating traffic congestion;
2. Providing safe and convenient interaction between vehicles and pedestrians;
3. Providing necessary access for service and emergency vehicles;
4. Providing methods to help reduce stormwater runoff and the heat island
effect of large paved parking areas; and

5. Providing flexible methods of responding to the transportation, access, and parking demands of various land uses in different areas of the city through changes in markets, technology, and demographics.

...

E. Required Number of Off-Street Parking Spaces. Required number of off-street parking spaces for projects not in the GID, Mixed-Use Corridor (MU-C) or Mixed-Use Downtown (MU-D) zoning districts.

...

5. For any required off-street parking minimums, a parking space that is served by an EV charging station (EVSE) counts as one standard automobile parking space and any van-accessible parking space that is wheelchair accessible and served by an EV charging station counts as two standard automobile parking spaces.

...

K. Maintenance of parking, loading and stacking areas. The property owner shall be responsible for maintaining any vehicular use area in good condition and free of refuse and debris. Landscaping shall conform to section 15.05.040.

L. Electric Vehicle Ready Requirements.

1. On or after March 1, 2024, all new buildings and all buildings undergoing major renovations and additions must comply with the Electric Vehicle Ready requirements in the Colorado Model Electric Ready and Solar Ready Code. Specifically, residential use buildings, including one- and two-dwelling and townhome buildings, buildings meeting the definition of multifamily (defined as R-2 in the International Building Code), and commercial use buildings, that provide

off-street parking spaces, must provide the minimum number of electric vehicle spaces stated in table 15.05.080(5) as follows:

| <i>TABLE 15.05.080(5). Off-Street Electric Vehicle Minimum Parking Spaces Required</i> | |
|--|---|
| <i>Use Type</i> | |
| <i>Commercial Uses Parking Provided</i> | <i>Electric Vehicle Parking Required</i> |
| <i>10 or less parking spaces</i> | <i>2 EV Ready Spaces</i> |
| <i>Greater than 10 parking spaces</i> | <i>EV Installed Spaces: 2% of Spaces</i> |
| | <i>EV Ready Spaces: 8% of Spaces</i> |
| | <i>EV Capable Spaces: 10% of Spaces</i> |
| | <i>EV Capable Light Spaces: 10% of Spaces</i> |
| <i>Residential Uses Parking Provided</i> | <i>EV Parking Required</i> |
| <i>One- and two-family dwellings and townhomes</i> | <i>Each dwelling unit with a dedicated attached or detached garage or other onsite designated parking provided for the dwelling unit shall be provided with one EV ready space per dwelling unit.</i> |
| <i>Multifamily with 10 or fewer parking spaces</i> | <i>EVSE Installed Spaces: 0 Spaces</i> |
| | <i>EV Ready Spaces: 15% of Spaces</i> |
| | <i>EV Capable Spaces: 10% of Spaces</i> |
| | <i>EV Capable Light Spaces: 10% of Spaces</i> |
| <i>Multifamily with greater than 10 parking spaces</i> | <i>EVSE Installed Spaces: 5% of Spaces</i> |
| | <i>EV Ready Spaces: 15% of Spaces</i> |
| | <i>EV Capable Spaces: 10% of Spaces</i> |
| | <i>EV Capable Light Spaces: 30% of Spaces</i> |

1 2. For purposes of the foregoing off-street electric vehicle minimum parking spaces
2 requirements, the following applies:

3 a. The requirements apply to all new buildings that have not applied for an
4 electrical permit or have an approved site development plan as of March 1, 2024.
5 If a developer applies for an electrical permit or has a site development plan
6 approved before March 1, 2024, the foregoing electric vehicle minimum parking
7 spaces requirements do not apply.

8 b. “Major renovations or additions” means changes or additions to a parking area
9 that change fifty percent or more of the parking spaces.

10 c. The total number of electric vehicle spaces required shall be rounded up to the
11 nearest whole number.

12 d. For multifamily residential uses, the total number of parking spaces for the entire
13 development shall be used to determine the number of electric vehicle parking
14 spaces required. For all other buildings, where parking spaces are spread out over
15 multiple lots, the electric vehicle parking spaces required will be calculated by each
16 lot.

17 3. For commercial buildings that install a DCFC EVSE, each DCFC EVSE
18 installed shall be permitted to be substituted for other electric vehicle space types
19 as follows:

20 a. Commercial buildings, other than multifamily, shall be permitted to substitute up
21 to 10 spaces when the building provides a minimum of 20 percent of parking spaces
22 as a combination of EV Capable, EV Ready, or EVSE Installed spaces.

1 *b. Multifamily development shall be permitted to substitute up to 5 spaces when the*
2 *development provides a minimum of 60 percent of parking spaces as a combination*
3 *of EV Capable Light, EV Capable, EV Ready, or EVSE Installed spaces.*

4 *4. The following substitutions may occur when determining the number of each type*
5 *of electric vehicle spaces:*

6 *a. EVSE Installed Spaces that exceed the minimum requirements of this section are*
7 *permitted to be used to meet minimum requirements for EV Ready Spaces, EV*
8 *Capable Spaces, and EV Capable Light Spaces.*

9 *b. EV Ready Spaces that exceed the minimum requirements of this section are*
10 *permitted to be used to meet minimum requirements for EV Capable Spaces and*
11 *EV Capable Light Spaces.*

12 *c. EV Capable Spaces that exceed the minimum requirements of this section are*
13 *permitted to be used to meet the minimum requirements for EV Capable Light*
14 *Spaces.*

15 *d. However, all attached garages with direct connection to a dwelling unit will be*
16 *required to have one EV Ready Space.*

17 *5. Waivers and Variances*

18 *a. Any building impacted by a declared natural disaster that destroyed buildings*
19 *or resulted in other exceptional and extraordinary circumstances as determined by*
20 *the Director of Planning and Development Services or designee may seek a waiver*
21 *or variance from the foregoing off-street electric vehicle minimum parking spaces*
22 *requirements if enforcement of these requirements will result in unnecessary*
23 *hardship.*

1 *b. Commercial, including multifamily, developments with a gross floor area greater*
2 *than 10,000 square feet that assert that compliance with the foregoing off-street*
3 *electric vehicle minimum parking spaces requirements will result in a substantial*
4 *cost differential may seek to waive certain requirements only until the cost*
5 *differential for compliance with the remaining requirements reaches one percent*
6 *or less.*

7 *i. “Substantial cost differential” means costs incurred as a result of compliance*
8 *with the off-street electric vehicle minimum parking spaces requirements that*
9 *would exceed one percent of total mechanical, electrical, and plumbing costs,*
10 *inclusive of materials and labor, for the building.*

11 *ii. The burden of proof is upon the applicant to provide substantiation of a cost*
12 *differential, such as quotes or other licensed design professional analyses as*
13 *approved by the Director of Planning and Development Services or designee.*

14 *c. Waivers and variances sought under this chapter will be determined under the*
15 *procedure provided for reviewing alternative parking plans under Section*
16 *15.05.080.D.7.*

17 **Section 2**

18 The Council amends chapter 15.10, section 15.10.020 of the Longmont Municipal Code,
19 by adding italicized material. In this ordinance, ellipses indicate material not reproduced as the
20 Council intends to leave that material in effect as it now reads.

21 The following words, terms and phrases, when used in this development code, shall have
22 the meanings ascribed to them in this section, except where the context clearly indicates
23 a different meaning:

1 Section 15.10.020. All other terms defined.

2 ...

3 Dwelling unit means one or more rooms in a dwelling designed, occupied, or
4 intended for occupancy as a separate living quarter with cooking, sleeping, and
5 sanitary facilities provided with the unit for the exclusive use of the residents of the
6 unit.

7 *Direct Current Fast Charger (DCFC) EVSE means equipment capable of fast*
8 *charging on a 100A or higher 480V AC three-phase branch circuit. AC power is*
9 *converted into a controlled DC voltage and current within the EVSE that will then*
10 *directly charge the electric vehicle.*

11 *Electric Vehicle (EV) means an automotive-type vehicle for on-road use, including*
12 *but not limited to, passenger automobiles, buses, trucks, vans, neighborhood*
13 *electric vehicles, and electric motorcycles, primarily powered by an electric motor*
14 *that draws current from a building electrical service, EVSE, a rechargeable*
15 *storage battery, a fuel cell, a photovoltaic array, or another source of electric*
16 *current. Off-road, self-propelled electric mobile equipment, including but not*
17 *limited to, industrial trucks, hoists, lifts, transports, golf carts, airline ground*
18 *support equipment, tractors, and boats are not considered electric vehicles.*

19 *Electric Vehicle Capable Light Space (EV Capable Light Space) means a*
20 *designated vehicle parking space that has conduit and/or raceway installed to*
21 *support future implementation of electric vehicle charging installation and has*

sufficient physical space adjacent to the existing electrical equipment for future electric upgrades.

Electric Vehicle Capable Space (EV Capable Space) means a designated vehicle parking space that has the electric panel capacity and conduit and/or raceway installed to support future implementation of electric vehicle charging.

Electric Vehicle Ready Space (EV Ready Space) means a designated vehicle parking space that has the electric panel capacity, raceway wiring, receptacle, and circuit overprotection devices installed to support future implementation of electric vehicle charging.

Electric Vehicle Supply Equipment (EVSE) means an electric vehicle charging system or device that is used to provide electricity to a plug-in electric vehicle or plug-in hybrid electric vehicle, designed to ensure that a safe connection has been made between the electrical grid and the vehicle, and is able to communicate with the vehicle's control system so that electricity flows at an appropriate voltage and current level.

Electric Vehicle Supply Equipment Installed Space (EVSE Installed Space) means a vehicle parking space that is provided with a dedicated EVSE connection.

Environmental site assessment means an evaluation of the environmental condition of property consisting of the following three phases:

...

Plaza/courtyard means a common area that is developed as a gathering space for active or passive recreation, entertainment, or other common use by the residents, guests, or customers of a mixed-use development.

1 *Plug-in Hybrid Electric Vehicle means an electric vehicle having a second source*
2 *of motive power.*

3 Pocket park means a common area that is developed and maintained for active or
4 passive recreational use by the residents of a neighborhood or development.

5 ...

6
7 Section 3

8 To the extent only that they conflict with this ordinance, the Council repeals any conflicting
9 ordinances or parts of ordinances. The provisions of this ordinance are severable, and invalidity of
10 any part shall not affect the validity or effectiveness of the rest of this ordinance.

11 Introduced this _____ day of _____, 2024.

12 Passed and adopted this _____ day of _____, 2024.

13
14
15 _____
16 MAYOR

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19 ATTEST:

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22 _____
23 CITY CLERK

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25
26 NOTICE: THE COUNCIL WILL HOLD A PUBLIC HEARING ON THIS ORDINANCE AT
27 7:00 P.M. ON THE _____ DAY OF _____, 2024, AT THE
28 LONGMONT CITY COUNCIL MEETING.

1 APPROVED AS TO FORM:

2
3
4
5 _____
6 ASSISTANT CITY ATTORNEY

_____ DATE

7
8
9 _____
10 PROOFREAD

_____ DATE

11
12 APPROVED AS TO FORM AND SUBSTANCE:

13
14
15 _____
16 ORIGINATING DEPARTMENT

_____ DATE

17
18 CA File: 23-002658