AGENDA
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
MAY 6, 2024
6:00 PM

CALL TO ORDER

ROLL CALL

Ms. Julie LaBonte (Chair)
Ms. Muriel Hall
Mr. Larry Potashnick
Ms. Marjorie Richter
Mr. AJ Wang
Ms. Rhonda O'Brien
Mr. Thomas Buelter

Mr. Carl Lumley, City Attorney
Mr. Jason Jaggi, Director of Community Development
Ms. Bethany L. Moore, City Planner
Ms. Christine Schuermann, Administrative Services Associate/Recording Secretary

ACCEPTANCE OF THE AGENDA

APPROVAL OF MINUTES

1. **April 1, 2024 Planning and Zoning Commission Draft Meeting Minutes**

PUBLIC COMMENT

An opportunity for members of the public to address the Planning and Zoning Commission regarding issues or concerns not already on the agenda for this meeting. Those wishing to speak will be asked to limit comments to three minutes and to complete a speaker card.

UNFINISHED BUSINESS

NEW BUSINESS

1. **Application #24-002: Preliminary Plat for the Subdivision of a 3.6 Acre Lot at 350 South Mason Road Into Three Lots Within the "A" Single-Family Residential Zoning District**

Moved to June 3, 2024 agenda to comply with notice requirements per ordinance.

2. **Application #24-011: Minor Site Plan for a Fence Within the Area Equivalent**

to the Front Yard Along North Spoede Road for the Property Addressed as 10700 Kingsbridge Estates Drive

Application moved to the May 20, 2024 Agenda to comply with notice requirements per ordinance.

3. **Application #24-014: St. Louis County Boundary Commission Five Year Map Plan Update**

Annexations in St. Louis County are governed by a set of regulations promulgated by the St. Louis County Boundary Commission in accordance with State law which established this entity uniquely for St. Louis County. As part of this five-year review, the Boundary Commission requires a "Map Plan" to be submitted after approval at the municipal level.

WORK AGENDA

1. **EV Charging Zoning Regulations**

PENDING APPLICATIONS

1.
   - **Town and Country and Creve Coeur Municipal Boundary Adjustment Request**
   - **Santino Court Residential Design Development Amendments**
   - **10700 Kingsbridge Estates Fence**

DEPARTMENT REPORTS

1.
   - **Olia Village Update**
   - **Joint Session with City Council, June 10, 2024 6:00pm**
   - **Zoning Requirements for Residential Fences**
   - **Zoning Requirements for Accessory Buildings**

ADJOURNMENT

AGENDA
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Pursuant to Section 610.022 RSMo., the Planning and Zoning Commission could, at any time during the meeting, vote to close the public meeting and move to closed session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under Section 610.021(1) RSMo. and/or personnel matters under Section 610.021(13) RSMo. And/or employee matters under Section 610.021(3) RSMo. and/or real estate matters under Section 610.021(2) or other matters as permitted by Chapter 610.

Posted by: _____

Date/Time posted: _____

If you need special accommodations to attend a meeting, services may be arranged by contacting the Office of the City Administrator in advance.

DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
APRIL 1, 2024
6:00 PM

CALL TO ORDER

The meeting was called to order at 6:01pm

ROLL CALL

Ms. Hall was present at 6:04pm.

Ms. Julie LaBonte (Chair)
Ms. Muriel Hall
Mr. Larry Potashnick
Ms. Marjorie Richter
Mr. AJ Wang -
Absent
Ms. Rhonda O'Brien
Mr. Thomas Buelter

Mr. Carl Lumley, City Attorney
Mr. Jason Jaggi, Director of Community Development
Ms. Bethany L. Moore, City Planner
Ms. Christine Schuermann, Administrative Services Associate/Recording Secretary

ACCEPTANCE OF THE AGENDA

Ms. Richter made a motion to accept the agenda and Mr. Potashnick seconded. All in favor.

APPROVAL OF MINUTES

1. **March 18, 2024 Planning and Zoning Commission Draft Meeting Minutes**

Ms. Richter gave a motion to approve March 18, 2024 minutes. Mr. Potashnick seconded. All in favor.

PUBLIC COMMENT

None

UNFINISHED BUSINESS

None

NEW BUSINESS

DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
APRIL 1, 2024
6:00 PM

1. **PUBLIC HEARING. Application #24-009: A Conditional Use Permit for a General Rental Center Use for Equipment Share Located at 1121 North Warson Road**

Witnesses were sworn in.

Mr. Jeffrey Williams, of Equipment Share, which is located in Columbia, MO presented an overview of the business.

Mr. Williams stated Equipment Share is a national business and rents equipment for construction companies.

Mr. Williams stated this site will have no heavy equipment. This location is a tool division which are handheld tools and supplies stored in the warehouse. No outside storage and no customers coming into the facility. All supplies will be delivered by truck.

The warehouse is surrounded by other warehouses and delivers all orders. There will be trucks coming in and out of the area making deliveries.

Mr. Buelter asked about how many employees will be on site and what the operating hours will be.

Mr. Williams stated 10 employees and closed on weekends. The hours will be Monday-Friday 7:00-5:00pm.

Ms. O'Brien asked if the tools were picked up from the

customers. Mr. Williams stated that was correct.

Ms. LaBonte asked about trucks and how many will be on site.

Mr. Williams stated the business will have a box truck at this location. No other traffic issues with the business.

Ms. Bethany Moore, city planner, gave her presentation regarding the applicant's business. Ms. Moore discussed the Conditional Use Permit request at the North Warson Rd. properties for general rental center use for Equipment Share.

Ms. Moore gave an overview of the site plan. No exterior changes or outside storage.

Ms. Moore stated the existing conditions, landscaping, lighting, and that parking on site is sufficient and staff has no concerns with this use.

Ms. LaBonte asked if a condition needed to be added for the truck to remain on site.

Ms. Moore stated that was not needed for this use.

Mr. Lumley offered the exhibits to the record.

Mr. Potashnick made a motion to recommend approval of Conditional Use Permit as outlined in the staff report.

RESULT: Approved
MOVER: Potashnick
SECONDER: Richter
AYES: Julie LaBonte, Thomas Buelter, Rhonda O'Brien, Larry Potashnick, Marjorie Richter, Muriel Hall
NAYS: None

2. **#24-010: Site Development Plan for Gates and a Fence Within the Front-Yard Setback Along South New Ballas Road for the Property Addressed as 303 South New Ballas Road**

Mr. Jeffrey Bernstein president and owner of Jeffrey Homes at 24 Spoede Lane made the presentation regarding the fence application.

Jeffrey Homes is building a new home for a client at 303 South New Ballas Road. The home is located S. New Ballas Rd. south of Ladue Rd. The new owners are requesting a six-foot-tall fence at the front building setback and the fence will surround the entire property. They will have a circle driveway and would like two 8-foot-tall arch gates at the front yard property line. This is consistent with home at the corner of Ballas and Ladue. This home has a 6-foot-tall fence at the premier of the property and gates at the same circle driveway. This request is consistent with other properties in the city of Creve Coeur.

Ms. Bethany Moore, City planner discussed the site plan for the fence being requested. As Mr. Bernstein discussed, the fence is on the property line on 303 South New Ballas Rd.

Ms. Moore stated the owners are requesting a 6 ft tall black aluminum fence at the property line with stone columns and lights on top. The gates will be 8 ft. and will have 2 of them at the circle drive. The 6 ft black aluminum fence will go along all of the property lines.

Mr. Buelter asked if the gates would also be black aluminum.

Ms. Moore stated the gates will be the same material and the columns are stone.

Ms. Moore stated the fence is on the property line and that is allowed in Creve Coeur. Staff can only approve front yard fences that are 4 ft metal fence that are 15 ft from the property line. If the fence includes gates or walls this needs to come to the P&Z commission.

Ms. Moore stated City Council approval is not required.

Ms. Moore gave an overview of the existing conditions on the street regarding fences and gates. South New Ballas is mostly open front yards but there are examples of fences with various material. Some of the materials used are wood, black & white aluminum are within the front yard setbacks and some pushed back a little further. There are some examples of front yard fences but for the most part the front yards are open.

Ms. Moore discussed examples of entry columns and gates on South New Ballas and throughout Creve Coeur.

Ms. Moore gave a summary of the City's guidelines in regard to the Site Development Plan request. Staff have requested a landscaping plan before the building permit is approved for the fence and gates.

Ms. O'Brien asked what the anticipated landscaping around the fence would be.

Ms. Moore is expecting evergreens, shrubs, bushes or trees to screen the fence along the street.

Mr. Buelter asked if the gate is right on Ballas in the example of the existing gate of the neighbor

Ms. Moore stated the gate is on the property line.

Mr. Buelter had a concern with the gate being on the property line and Ballas is a busy street. The gates are closed and if a driver wants to turn into the property, they will have to wait for the gate to open. The car would have to stop and wait for the gate to open and cause traffic issues while waiting.

Ms. Moore stated she has not seen a car pull in, but a car pulled out of the property. Ms. Moore agreed there is not room to wait for the gate to open. The request will be the same as the gate is also on the property line.

Mr. Buelter questioned if this is standard, or something needs to be added as a condition

Ms. Moore stated the P&Z commission can add a condition if the gate should be set back further.

Mr. Buelter asked if there is a standard the city follows, he does not want to go against the standard.

Ms. Richter stated most of the gates along New Ballas have room for a car to get off the road.

Ms. Richter stated it is important for a car to be able to get off of Ballas while waiting for the gate.

Mr. Jaggi asked if we know what the dimension of the property line to the curb? There is a sidewalk in front and the property line is somewhere behind that.

Mr. Jaggi stated that the commission should add a condition to the request. The condition would be a further setback that would allow a car pull off of South New Ballas

Rd while waiting for the gate to open.

Mr. Potashnick asked about a catalog of fences in Creve Coeur.

Ms. Moore stated the city does not have a catalog of fences. Ms. Moore just brings in examples of fences in the area.

Mr. Potashnick suggested a fence catalog for the city of Creve Coeur.

Mr. Jaggi stated the commission might like a discussion session on how we regulate front yard fences to determine if any changes need to be made.

Mr. Jaggi stated the issue with where the gates are located has come up before even with private streets. To make sure a vehicle has enough room to pull off the street. But the city does not have a lot of requests for fences and gates along the front yard.

Mr. Potashnick made a motion for approval of the Site Development Plan for 6 Ft tall premier fence with stone columns and 8ft tall entry gate located in front yard setbacks along South New Ballas Rd for the property address located 303 South New Ballas Rd as discussed in the staff report. With the condition that a final landscaping plan be submitted for final staff review before building permit is issued. In addition, the condition should be modified to ensure adequate setback for a vehicle to pull off of Ballas Rd while waiting for gate to open.

RESULT: approval
MOVER: Potashnick
SECONDER: Buelter
AYES: Julie LaBonte, Thomas Buelter, Muriel Hall, Rhonda O'Brien, Larry Potashnick, Marjorie Richter
NAYS: None

WORK AGENDA

1. Site Coverage for Non-Residential Uses in Residential Districts

Mr. Jaggi discussed the site coverage requirements for non-residential uses in residential districts.

Mr. Jaggi stated back in 2016 & 2021 P&Z recommended approval and council approved increases in site coverages allowances for religious institutions and elementary and secondary schools in residential districts.

Mr. Jaggi stated a lot of these properties are located in the A district which has a site coverage limitation of 25%. This is not practical to limit schools and other uses that are not houses to that of a low percentage. That is the reasoning behind it, and it was approved for those uses to go to 50%.

Mr. Jaggi discussed other conditional uses in residential districts are looking ahead to their future. The uses have come up again and recent examples are Elks Club and Creve Coeur Racquet Club that are other uses that are conditional and also located in residential districts that are governed by a conditional use permit.

Mr. Jaggi proposed to include the rest of these uses like we have done for the religious organizations and schools to make them all uniform throughout the city where any conditional use would be allowed up to 50% site coverage in residential district.

Mr. Jaggi stated staff recommends that we have an amendment to the site coverage requirements. Unless there is no strong disagreement with that an amendment would be presented in the near future.

Mr. Buelter asked if there is an application currently requesting that.

Mr. Jaggi stated there is an applicant looking at a project and this issue is coming up. Not surprising that this is still coming up because 25% is very difficult to meet with non-residential properties.

Ms. O'Brien asked if there is some opportunity for residents to discuss and voice concerns

Mr. Jaggi stated these still would be a conditional use and still have public hearings and notices. This just gives an ability to and review and consider additional site coverage.

Mr. Lumley added that there would also be a public hearing for a proposed text amendment.

2. EV Charging Zoning Regulations

Mr. Jaggi stated a draft outline will be presented by Ms. Moore. Then it will be shared with the Energy and Environment committee on April 18th and then presented to the City Council. If all goes well the formal amendment will be proposed and voted on, starting with Planning and Zoning.

Ms. Bethany Moore, city planner discussed EV charging stations. Ms. Moore stated this was discussed back in October 2022. Several different examples were looked at from different municipalities in terms on how the city wanted to regulate EV charging locations.

Ms. Moore discussed types of charging stations. The types of EV stations are Level 1, Level 2 and Level 3/DC fast charging. Ms. Moore explained each type of station and where those are most commonly used.

Mr. Buelter asked regarding what types of charging stations will be built.

Ms. Moore stated we will have level 2 and Level 3 charging since Level 1 takes longer to charge since you can plug that into a regular outlet. The city is more concerned with Level 2 and Level 3 because they come with more of the equipment.

Ms. Moore discussed draft regulations and definitions.

The meeting went into recess at 6:32 pm because of the sirens going off and Commission went to take shelter.

PENDING APPLICATIONS

DEPARTMENT REPORTS

ADJOURNMENT

Commission returned from recess and EV work session was continued to the next meeting on May 6th. Meeting was adjourned at 6:54pm

DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
APRIL 1, 2024
6:00 PM

Submitted by:

Recording Secretary

Chair

city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 872-2500/872-2501 • Fax (314) 872-2505 • Relay MO 1-800-735-2966
www.creve-coeur.org

MEMORANDUM TO THE PLANNING AND ZONING COMMISSION

Meeting Date: May 6, 2024

Subject: **Application No: 24-014: St. Louis County Boundary Commission Five-Year Map Plan**

Memo Prepared by: Jason W. Jaggi, AICP, Director of Community Development

Attachments:
Draft Annexation Map 2024
Draft Council Resolution
Prior Annexation Map 2018
Boundary Commission Map Plan Letter to Municipalities
Creve Coeur 2030 Comprehensive Plan Excerpt

BACKGROUND

Annexations in St. Louis County are governed by a set of regulations promulgated by the St. Louis County Boundary Commission in accordance with State law which established this entity uniquely for St. Louis County. Except in very limited circumstances where 100% of the affected parties are in full agreement with a proposed annexation, annexations must first be vetted through a submittal to the Boundary Commission; a process that only occurs every five years. As part of this five-year review, the Boundary Commission requires a "Map Plan" to be submitted after approval at the municipal level. The Map Plan is an area map outlining the *maximum* boundaries that a community *might* consider annexing within the next five years. As described in the Boundary Commission Rules, Map Plans can be later reduced in area, but cannot be expanded. Also, submitting a Map Plan does not obligate the city to actually annex any of the identified areas. It only identifies areas that *could* be considered for annexation by the municipality within the five-year timeframe. However, without a Map Plan submission, no municipality can annex any property for the next five years except in those limited circumstances identified above.

This year, the map plan submission is due to the Boundary Commission by July 1, 2024. Staff held a prior work session with the Planning and Zoning Commission on January 16, 2024 to review the County's map plan requirements, the 2018 map plan, and discuss objectives for this map plan cycle. Staff also discussed the map plan with the City Council at the February 26, 2024 meeting.

The Planning and Zoning Commission is requested to review the submitted map plan and provide a recommendation to the City Council. The City Council will consider the Commission's

recommendation and make the final decision. A resolution confirming the City Council's determination and the accompanying Map Plan will be sent to the Boundary Commission prior to the July 1st deadline.

PRIOR MAP PLANS

The City submitted the same Map Plan to the Boundary Commission in 2018 and in 2012, which is attached to this memorandum. The Map Plan follows the City of St. Louis and Missouri American Water trunk lines to the north. The reason for following the water utility versus the Ameren utility is to avoid splitting up subdivisions. The submitted plan also contains additional areas north of the light industrial district on the northeast part of the city that could provide additional expansion of the light industrial and/or plant science and technology sectors of the economy within the City Limits of Creve Coeur.

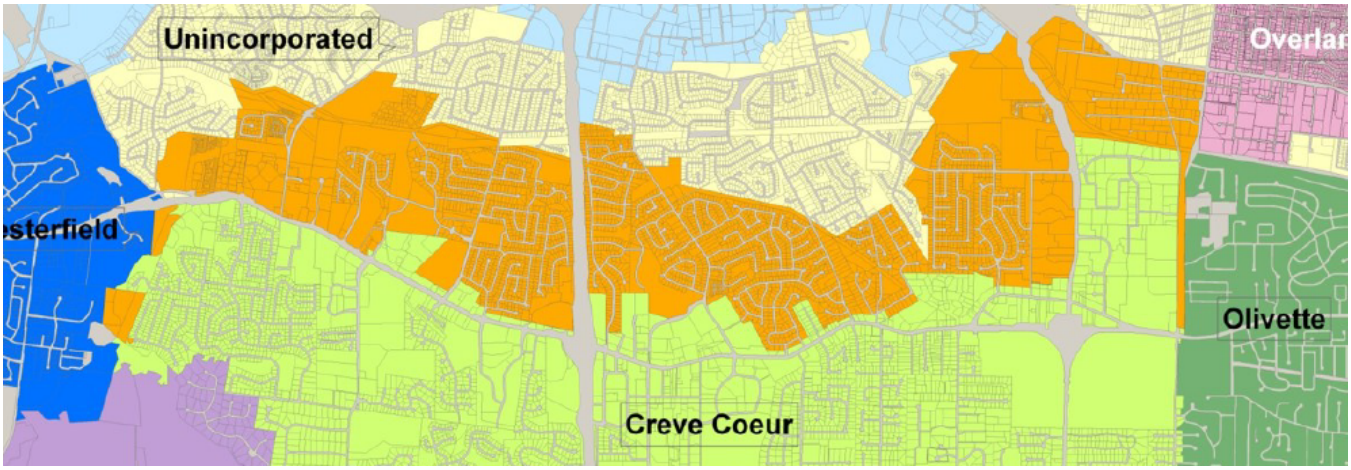


Figure 1: 2012 and 2018 Map Plan (proposed annexation areas shaded in orange)

In addition to the reasons provided in the comprehensive plan (see section below), these areas were identified, at the time, as appropriate for annexation for one or more of the following reasons:

- They are approximate to the current city boundaries
- They represent an economic development opportunity
- Residents in many of these residential areas associate themselves with Creve Coeur but do not receive the services
- Provides the City with land use authority, including many areas on the north side of Olive Boulevard which would provide consistent planning and zoning within one jurisdiction for both sides of the Olive Boulevard corridor.

The total land area shown in the prior map plan is approximately 2,200 acres or 3.44 square miles. The land area within the current city limits is approximately 10.27 square miles.

COMPREHENSIVE PLAN

The comprehensive plan, *Creve Coeur 2030*, adopted in March 2017, delineates an unincorporated area for annexation that is north of the city limits between Creve Coeur and Maryland Heights. The northern limit extends to an Ameren utility right-of-way eastward to just north of "The J" campus. The comprehensive plan does not include any areas north of the light industrial district within the 39 North AgTech District boundaries. The total size of this area comprises 3.67 square miles (2,348 square acres) and approximately 4,300 housing units.

Figure 2: Potential Annexation Area, *Creve Coeur 2030 Comprehensive Plan* (areas above dashed line)

The comprehensive plan identifies the benefits and challenges associated with annexation. The benefits include increase in county sales tax pool and property taxes. It would also diversify the housing stock and provide increased land use control on the north side of Olive Boulevard corridor, which is currently regulated by St. Louis County. The challenges with annexation include increase in the cost for municipal services including police, trash, streets, and code enforcement. In addition, there has been opposition to annexation in the past and this would be expected to continue.

Nonetheless, the plan recommends that the City pursue this large area for potential annexation in the map plan to the Boundary Commission.

2024 DRAFT MAP PLAN

Staff has taken a different approach with this year's Map Plan submission by focusing on the northeast quadrant of the previously submitted 2012 and 2018 Map Plans. The attached draft Map Plan includes two adjoining annexation areas. Annexation Area #1 consists of a portion of the unincorporated area north of the city limits, adjacent to the 39 North AgTech District boundaries within the City of Creve Coeur. The specific extent of this proposed annexation area is as follows:

- Page Avenue to the North
- Ashby Road to the East
- City Limits to the South
- Lindbergh Boulevard to the West

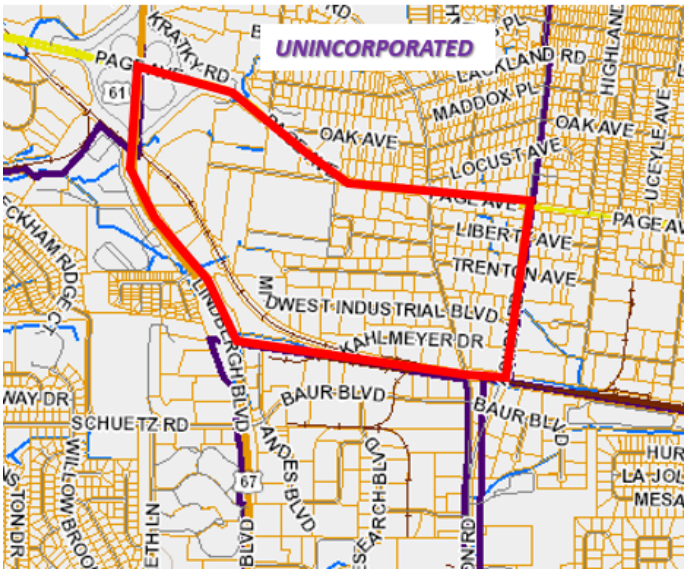


Figure 3: Proposed Annexation Area #1

This area consists of approximately 245 acres and 123 parcels. The predominate existing land use in this area is light industrial consisting of industrial parks that are similar in character to the adjacent light industrial area in Creve Coeur. There are some commercial uses and a West Overland Fire District Station along Page Avenue. The vast majority of these parcels are Zoned M-1 Industrial District by St. Louis County. C7 General Extensive Commercial zoning occurs for the properties in the far northeast corner. The properties along Page Avenue, near the intersection of Lindbergh Boulevard are zoned C4 and C8 Planned Commercial by the County. Staff conducted a "windshield survey" of the area last month and noted that overall the roads and building and properties are in satisfactory condition, commensurate with these types of land uses and age of properties. An in-depth assessment was not conducted but would be appropriate prior to any formal annexation process that the City would take.

The second area is a boundary line clean up for the unincorporated strip along North Warson Road between Creve Coeur and Olivette, north of Olive Boulevard. The proposed Annexation Area #2 would adjust the City Limit to the centerline of North Warson Road. If the City of Olivette is agreeable, their municipal boundary could also be adjusted to the centerline of North Warson Road to the east which would remove this isolated strip of unincorporated area between the two cities.

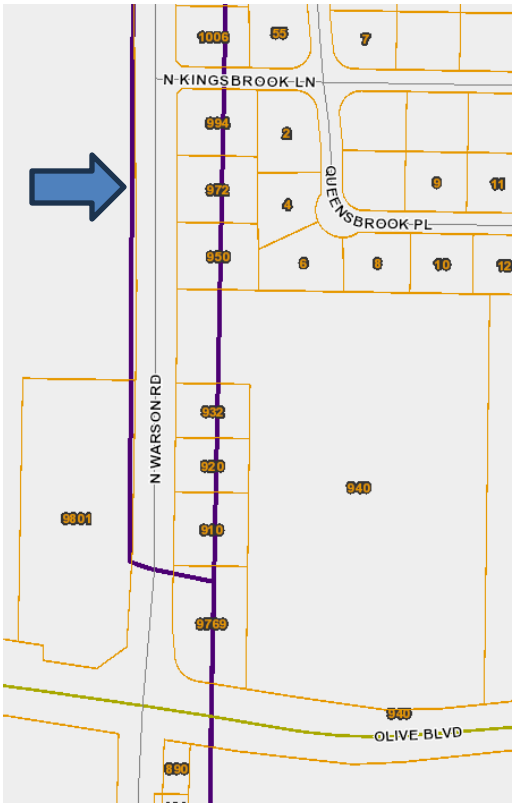


Figure 4: Close up detail of Proposed Annexation Area #2 showing the existing municipal boundaries along North Warson Road and the unincorporated area in between

CONCLUSION

Staff has submitted a greatly reduced Map Plan compared to prior years for the Commission's review. The reasons in support of this more narrowly focused plan are as follows:

- Contiguous with the existing boundaries of Creve Coeur
- Cleans up an isolated strip of unincorporated area on North Warson Road
- Allows for future expansion of the 39 North AgTech District with good access to major roadways of North Warson Road, Page Avenue and Lindbergh Boulevard. The existing light industrial and flex buildings within this area could support additional users that are complimentary to 39 North. Upon annexation, the City would have land use authority guide future development in this direction. The momentum of the 39 North District continues to grow with the recent establishment of a non-profit organization with professional staff to oversee the daily affairs and to plan for future development. In addition, the Olia Village mixed-use planned development will provide much needed amenities and residential uses in a vibrant setting to support further growth of the district. It is logical to consider areas not currently within the city limits to support continued growth of this important regional economic opportunity.
- The cost to provide special services such as trash and recycling and leaf and limb pickup would be minimal to non-existent as there are no known single family residential uses within this area. Policing, road maintenance, code enforcement and other considerations would require further analysis with any future annexation proposal by the City.

At this time, the members of the Planning and Zoning Commission are asked to consider the submitted map and suggest any changes they feel may be appropriate. If the Commission is satisfied with the map, a recommendation to the City Council needs to be voted on. The City Council is tentatively scheduled to review the map at their next meeting on May 13, 2024, pending receipt of the Commission's recommendation. Upon the final determination by the City Council, the map plan will be forwarded to the St. Louis County Boundary Commission.

"I move to recommend approval to the City Council for the Five-Year Map Plan be submitted to the St. Louis County Boundary Commission as prepared by planning staff attached to the staff report for Application # 24-014."

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI

TO: **Municipal Mayors, St. Louis County Planning Department and St. Louis County Municipal League**

FROM: **Michelle Dougherty, Executive Director**

DATE: **March 27, 2023**

RE: **Boundary Commission, St. Louis County's Five-Year Planning Cycle**

The St. Louis County Boundary Commission will begin accepting map plan submissions on January 1, 2024 for the five-year cycle starting on that date. The final deadline for map plan submissions for the five-year cycle commencing on January 1, 2024 is July 1, 2024.

Each municipality located in St. Louis County, the chief elected official of St. Louis County, and any citizen group may present general maps of proposed boundary changes and proposed established unincorporated areas to the Commission for map plan review. Any citizen group submitting a proposed incorporation or established unincorporated area must, along with the map plan, include a petition signed by not less than five percent (5%) of the registered voters in the area affected by the proposal. A transmittal letter with the following information must also be supplied: the official name of the party submitting the map; designation by the party submitting map of a person, including title, address and telephone number, who will act on party's behalf; certification that the map represents the party's official map plan proposal is in conformance with the requirements of RSMo. §72.423.

The maps must be depicted with sufficient detail and accuracy to permit review and comment by the Commission. They may be submitted on paper AND digitally and the cost of the maps will be borne by the submitting party. Upon receipt, the Commission may request additional information regarding population, current housing unit counts, assessed valuation and land use of the area affected by map plans.

From August 1, 2024 to December 31, 2024 the Commission will solicit written comments on all map plans and will hold informational public hearings in or near affected areas. By April 1, 2025, the Commission may issue written comments regarding each proposed map plan.

These comments are designed to notify the proponents and opponents of any proposed map plan of the Commission's view of the merits or demerits of the map plan based upon policy considerations.

Not later than April 15, 2025, the submitting party may amend its map plan based on the public hearings or other comment. However, no such amendment can enlarge the area originally submitted, except for minor technical amendments necessary to address boundary issues. The map plan as submitted or as amended by April 15, 2025 will remain on file with the Commission and will be the limit of permissible boundary changes and established unincorporated area proposals until the next five-year planning cycle begins on January 1, 2030.

The Commission will begin accepting specific proposals for boundary changes and established unincorporated areas, consistent with the final map plan on file with the Commission, on April 15, 2025. All such proposals shall be submitted to the Commission no later than July 1, 2028.

The Commission's website allows for municipalities and St. Louis County to have a Municipality account. This account enables cities and St. Louis County to electronically transmit their map plan and any subsequent annexation proposals to the Boundary Commission. If you'd like to register your city for a Municipality Account, please complete and return the enclosed form identifying who in your organization will be the holder of the account. Or you can fill out the form online here - https://forms.gle/a6xrzRXECXPQYhbv5

There can only be one Municipality Account per city/county. Individuals can register for a user account and enjoy the benefits it offers. However only the Municipality Account can upload documents to the Commission. Municipalities are not required to have a Municipality Account to submit their map plan or annexation proposals but are encouraged to do so for convenience.

Enclosed for reference is a timeline of the five-year planning cycle. If you have any questions or desire additional information, please contact me at 314-863-3005.

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI

Municipality and County – Boundary Commission Website User Registration Form

By filling out this form, the user will be registered with the Boundary Commission and will receive an email with a temporary password and instructions on how to upload proposals and map plans to the Boundary Commission website. By registering with the site, the user agrees to the Terms & Conditions of the website and being the point-person for Proposals and Map Plan uploads for the user's city or county.

City Name

_____

Contact Name and Title

_____

Contact Email

_____

Contact Phone number.

_____

Comments (optional)

_____

_____

_____

_____

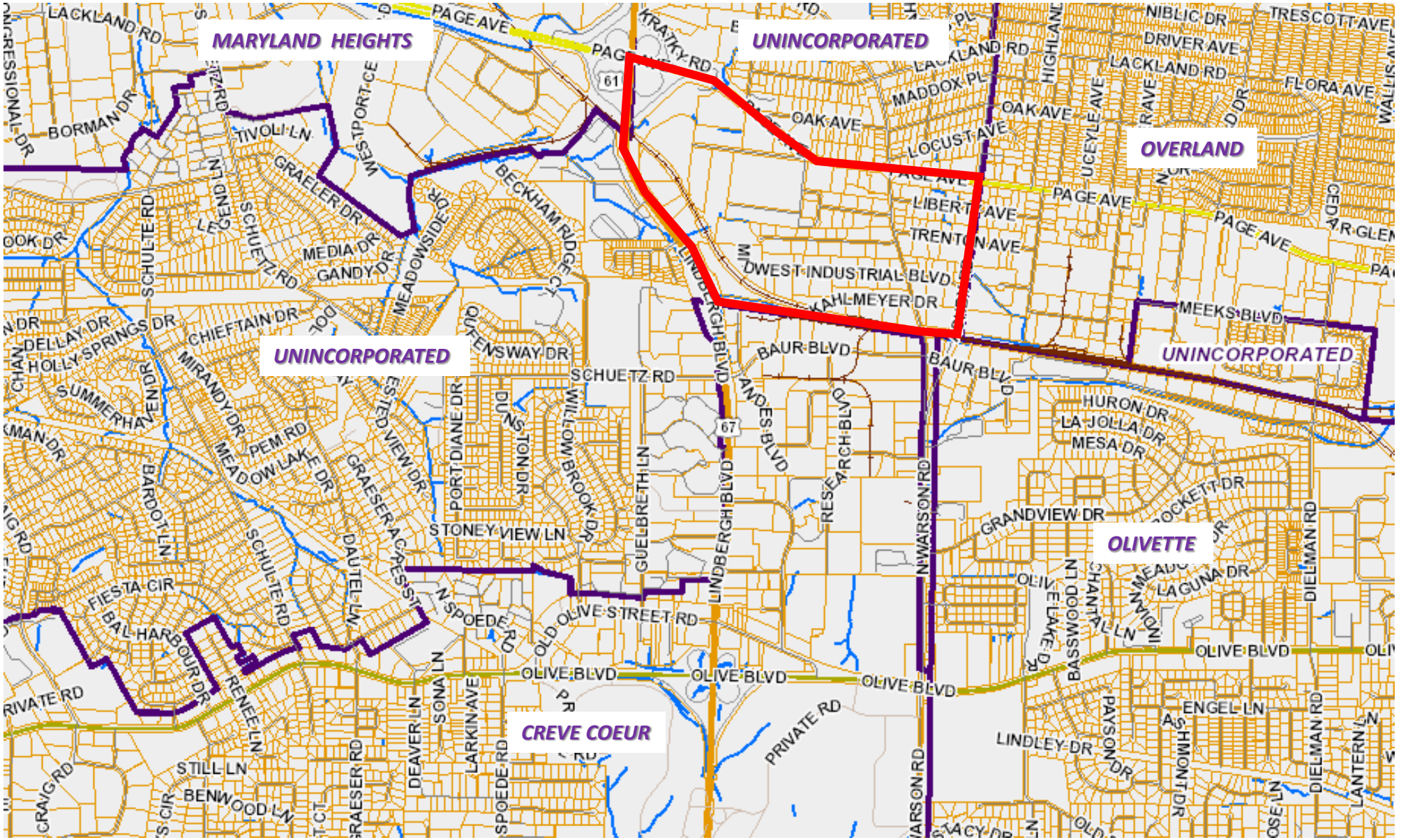
_____

225 S. Meramec Ave., Suite 821T | St. Louis, Missouri 63105
1314.863.3005|Fax 314.863.3117
www.BoundaryCommission.com|info@BoundaryCommission.com

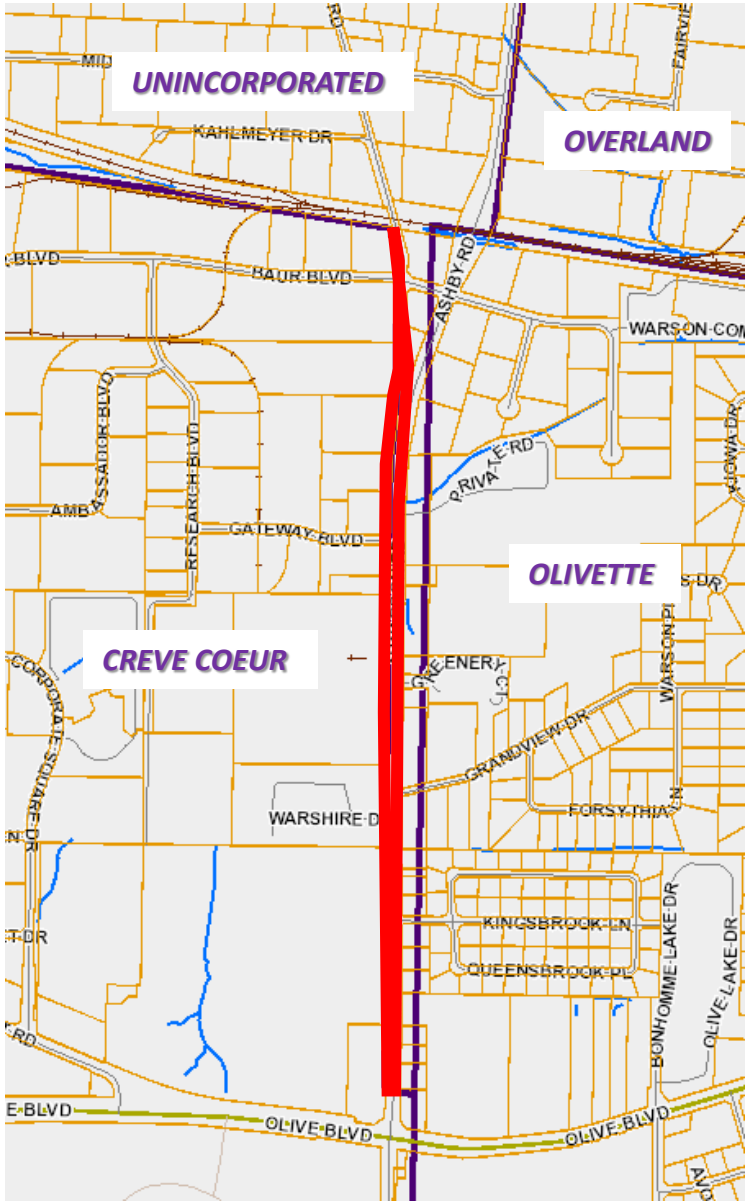
BOUNDARY COMMISSION, ST. LOUIS COUNTY
FIVE-YEAR PLANNING CYCLE AND MAP PLANS (RSMo 72.423)

TASK	2024		2025			2026	2028	2030	
	Jan 1, 2024 to July 1, 2024	Aug. 1, 2024 to Dec. 31, 2024	Aug. 1, 2024, to April 15, 2025	April 1, 2025	April 15, 2025	April 15, 2025 to July 1, 2028	April 1, 2028	Jan 1, 2030	Jan 1, 2030 to July 1, 2030
Map Plan Submissions	⟷								
Public Comment Period		⟷							
Negotiations and Amendments		⟷	⟷						
Commission Comments Commission may make written comments on merits/demerits of the map plan by 4/1/25.				*					
Final Map Plan Map plans submitted or amended by 4/15/25 is limit of permissible boundary changes and unincorporated area proposals until 2030.					*				
Submit Proposals Specific proposals (plans of intent) consistent with map plans on file can be submitted. Last submittal date is 7/1/28.						⟷			
End of 9 Month Review For Proposals Submitted 7/1/28.							*		
Proposals Expire Any proposal not approved by the commission by 1/1/30 expires.								*	
Map Plan Submissions Five-year planning cycle commences									⟷

City of Creve Coeur Draft 2024 Map Plan



City of Creve Coeur Draft 2024 Map Plan



N

Proposed Annexation Area #2

10. Annexation Potential

North of the Creve Coeur corporate boundary is an isolated pocket of unincorporated St. Louis County, located between Creve Coeur and Maryland Heights to the north. Should the City wish, this is one of the few remaining opportunities for annexation and expansion for Creve Coeur.

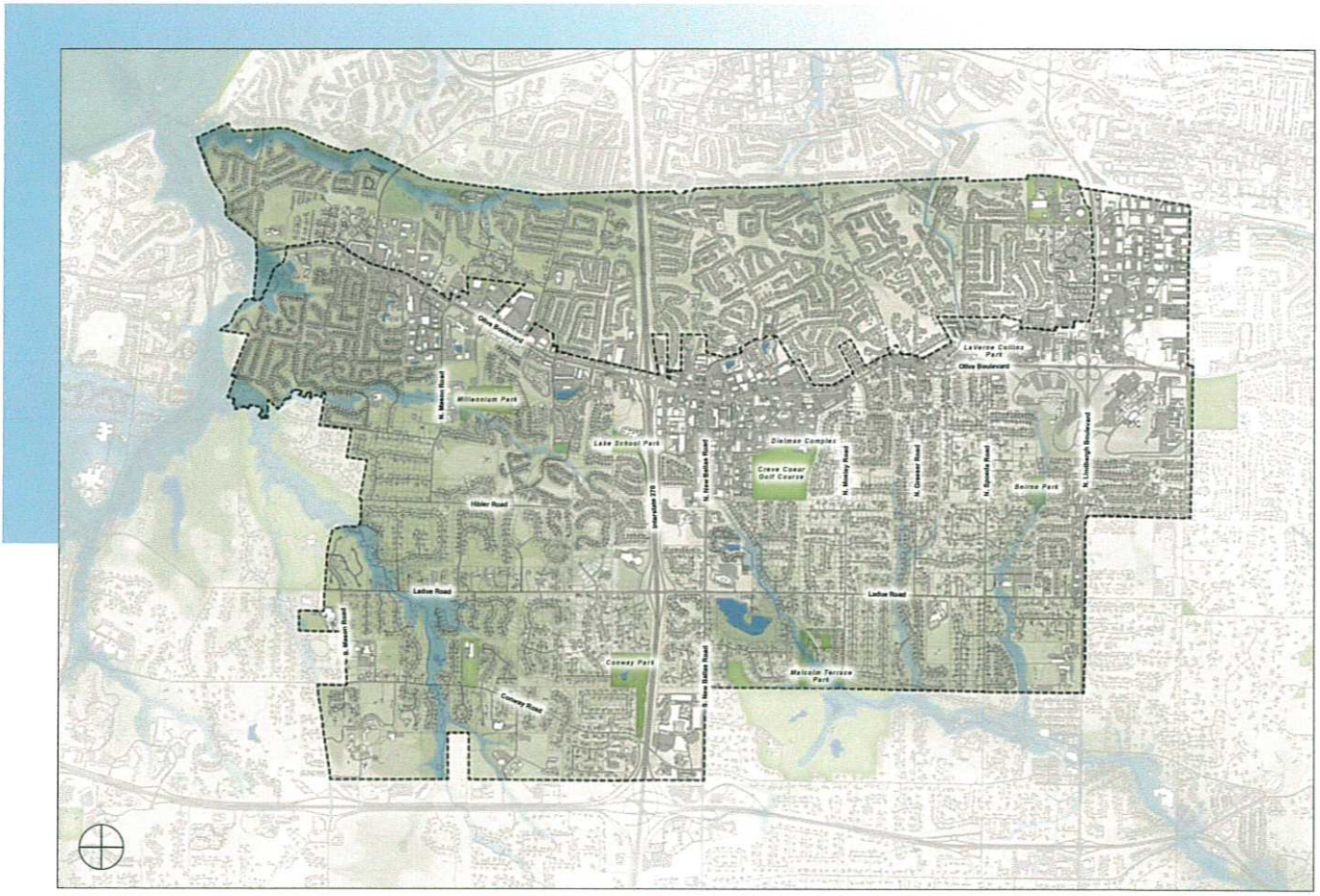
Annexation provides both key benefits as well as challenges to Creve Coeur. Benefits include:

- An increase in St. Louis County sales tax pool allocation, due to an increase in households;
- Increased property tax revenue;
- Diversification of housing stock (particularly smaller homes suited for younger population demographics—the segment that Creve Coeur currently lacks) through the annexation of existing neighborhoods;
- Direct connection to the regional Centennial Greenway;
- Increased control over the development of the Olive Boulevard corridor, due to both the north and south sides of Olive being located under the same jurisdiction; and
- A more logical urban development pattern with Olive Boulevard—Creve Coeur's major commercial corridor—located in the middle, rather than on the edge of, Creve Coeur.

These benefits are not without particular challenges, however, including:

- An increase in City administrative costs, including building inspection and code enforcement activities;
- An increase in the cost of police services;
- An increase in resident service costs, particularly trash pickup;
- Increased capital improvement costs over time, dictated by the current conditions of existing infrastructure in the annexation area; and
- Local opposition to annexation, both within the current boundaries of Creve Coeur and within the proposed annexation area.

In order for any annexation activities to proceed, a municipality must submit an annexation plan to the St. Louis County Boundary Commission. If a proposed annexation is not on file with the Boundary Commission, annexation of that area (or a portion of that area) cannot occur. Boundary Commission proposal are updated on a five (5) year basis. Therefore, to preserve options, it is beneficial to continue to submit such a proposal to St. Louis County.



4.14. POTENTIAL ANNEXATION AREA

As illustrated in **Figure 4.14**, a logical annexation area would extend north of the current corporate boundary to the Ameren utility right-of-way (ROW) immediately north of the Jewish Federation of St. Louis Millstone Campus. This ROW is the alignment for the Great Rivers Greenway Centennial Greenway, which when complete will link Creve Coeur Park and Forest Park, and the ROW provides an identifiable physical boundary.

This annexation area comprises 2,348 acres (approximately 3.67 square miles) and approximately 4,300 housing units. Additionally, this area includes the Jewish Federation of St. Louis Millstone Campus as well as Craig Elementary School, Ross Elementary School, and Fern Ridge High School. It is the recommendation of this Plan that, regardless of whether annexation is pursued, this annexation area be filed with the St. Louis County Boundary Commission in order to allow for potential annexation in the future.

This annexation area comprises approximately half of the area of unincorporated St. Louis County that is located between Creve Coeur and Maryland Heights, to the north. Extending this annexation area farther north is another potential option. While this Plan proposed a smaller area, this Plan would not oppose a larger annexation area if there were reasons to do so in the future.

RESOLUTION NO. ____

A RESOLUTION OF THE CITY OF CREVE COEUR TO SUBMIT AN ANNEXATION MAP PLAN TO THE ST. LOUIS COUNTY BOUNDARY COMMISSION FOR THE NEXT FIVE-YEAR PLANNING CYCLE FOR POTENTIAL BOUNDARY CHANGES

WHEREAS, the St. Louis County Boundary Commission had developed a five-year planning cycle for all potential boundary changes within the unincorporated areas of St. Louis County; and

WHEREAS, the St. Louis County Boundary Commission has advised that all cities must submit a Map Plan to said Commission by July 1, 2024 in order to have any consideration for annexation in the next five years; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a __ vote, recommended approval of the attached Map Plan, at its meeting on May 6, 2024; and

WHEREAS, the attached Map Plan outlines the maximum boundaries that the City may consider annexing by the year 2030 and does not bind the City in any way,

.

NOW, THEREFORE, be it resolved by the City Council of the City of Creve Coeur, St. Louis County, Missouri, as follows:

Section 1: The City Council hereby approves the attached Map Plan for submission to the St. Louis County Boundary Commission.

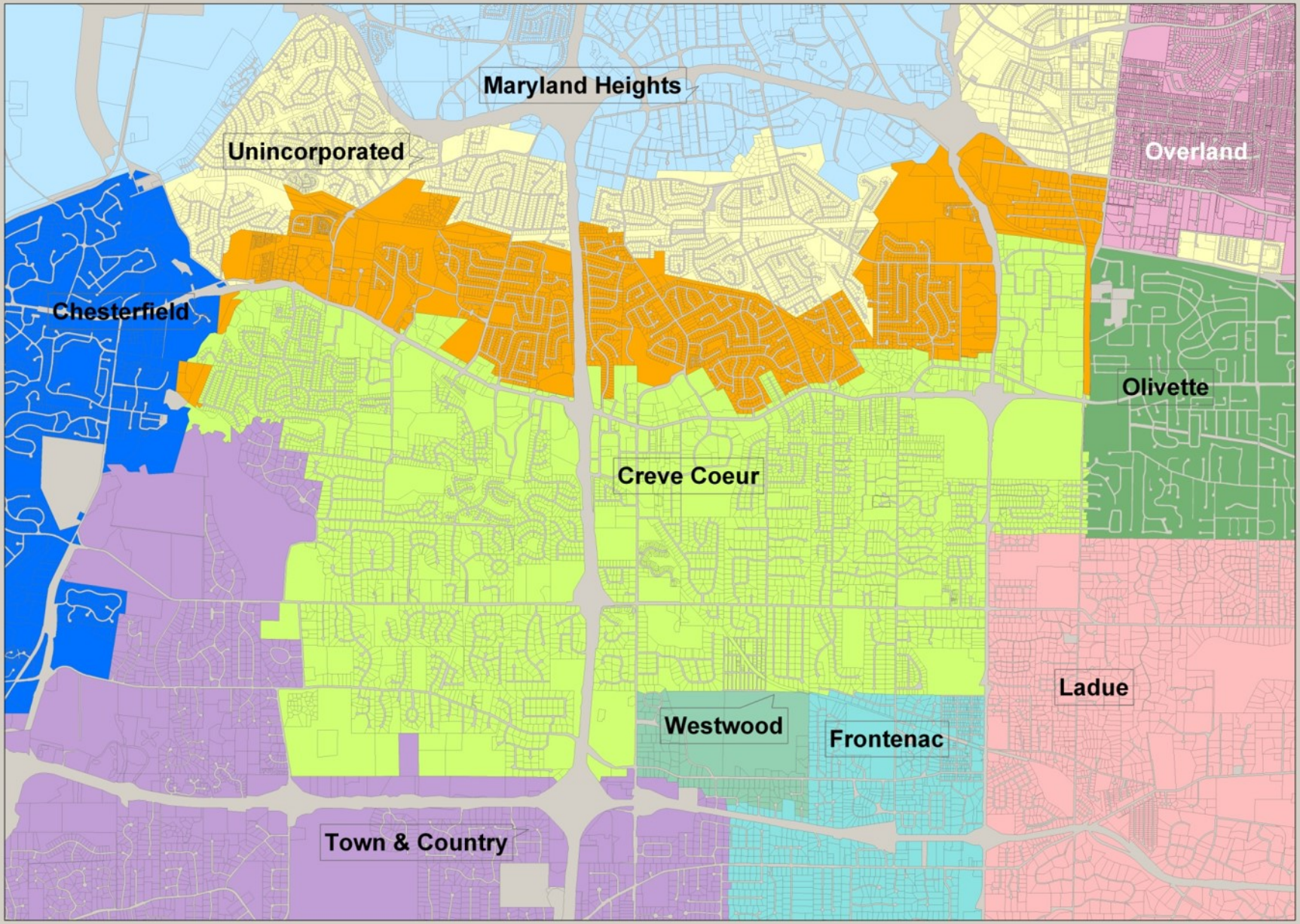
Section 2: This Resolution shall take effect immediately upon its adoption.

ADOPTED THIS ___ DAY OF MAY 2024.

_____
DR. ROBERT HOFFMAN
MAYOR

ATTEST:

_____
KELLIE HENKE
CITY CLERK


Maryland Heights
Unincorporated
Overland
Chesterfield
Olivette
Creve Coeur
Ladue
Westwood
Frontenac
Town & Country
0 1,320 2,640 5,280 7,920
Feet
Proposed Annexation Areas

city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 872-2500/872-2501 • Fax (314) 872-2505 • Relay MO 1-800-735-2966
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MEMORANDUM TO THE PLANNING AND ZONING COMMISSION

Meeting Date: January 16, 2024

Subject: **St. Louis County Boundary Commission Five-Year Map Plan Update—Discussion Item**

Memo Prepared by: Jason W. Jaggi, AICP, Director of Community Development

Attachments: *Creve Coeur 2030* Comprehensive Plan Excerpt
Draft Annexation Map 2018
Boundary Commission Map Plan Letter to Municipalities

BACKGROUND

Annexations in St. Louis County are governed by a set of regulations promulgated by the St. Louis County Boundary Commission in accordance with State law which established this entity uniquely for St. Louis County. Except in very limited circumstances where 100% of the affected parties are in full agreement with a proposed annexation, annexations must first be vetted through a submittal to the Boundary Commission; a process that only occurs every five years. As part of this five-year review, the Boundary Commission requires a "Map Plan" to be submitted after approval at the municipal level. The Map Plan is a large area map outlining the *maximum* boundaries that a community *might* consider annexing within the next five years. As described in the Boundary Commission Rules, Map Plans can be later reduced in area, but cannot be expanded. Also, submitting a Map Plan does not obligate the city to actually annex any of the identified areas. It only identifies areas that *could* be considered for annexation by the municipality within the five-year timeframe. However, without a Map Plan submission, no municipality can annex any property for the next five years except in those limited circumstances identified above.

This year, the Map Plan submission is due to the Boundary Commission by July 1, 2024. Prior to submitting a formal request for review of the City's intended map plan, staff would like to have a higher-level discussion on the City's approach with Planning and Zoning Commission and City Council.

DISCUSSION

For this discussion, the comprehensive plan will be reviewed along with a review of the last map plan submittal from 2018. Following these reviews, a few discussion points are suggested.

2018 City of Creve Coeur Map Plan

The attached draft Map Plan was submitted by the City in 2018 and in 2012. The map plan follows the City of St. Louis and Missouri American Water trunk lines to the north. The reason for following the water utility versus the Ameren utility is to avoid splitting up subdivisions. The submitted plan also contains additional areas north of the light industrial district on the northeast part of the city that could provide additional expansion of the light industrial and/or plant science and technology sectors of the economy within the City Limits of Creve Coeur.

In addition to the reasons provided in the comprehensive plan (see section below), these areas were identified, at the time, as appropriate for annexation for one or more of the following reasons:

- They are approximate the current city boundaries
- They represent an economic development opportunity
- Residents in many of these residential areas associate themselves with Creve Coeur but do not receive the services
- Provides the City with land use authority, including many areas on the north side of Olive Boulevard which would provide consistent planning and zoning within one jurisdiction for both sides of the Olive Boulevard corridor.

The total land area shown in the map plan is approximately 2,200 acres or 3.44 square miles. The land area within the current city limits is approximately 10.27 square miles.

Comprehensive Plan

The comprehensive plan, *Creve Coeur 2030*, delineates an unincorporated area for annexation that is north of the city limits between Creve Coeur and Maryland Heights. The northern limit extends to an Ameren utility right-of-way eastward to just north of "The J" campus. The total size of this area comprises 3.67 acres and approximately 4,300 housing units.

The comprehensive plan identifies the benefits and challenges associated with annexation. The benefits include increase in county sales tax pool and property taxes. It would also diversify the housing stock and provide increased land use control on the north side of Olive Boulevard corridor, which is currently regulated by St. Louis County. The challenges with annexation include increase in the cost for municipal services including police, trash, streets, and code enforcement. In addition, there has been opposition to annexation in the past and this would be expected to continue.

Nonetheless, the plan recommends that the City pursue this large area for potential annexation it the map plan to the Boundary Commission.

Topics for Consideration

Staff would like to discuss the approach to this year's map plan with the Commission in consideration of modifying the plan.

Some areas of discussion include:

- The likelihood for annexations within the next 5 years given that no annexations have occurred in Creve Coeur since the 1990's.
- No interest in annexations from residents or developers which suggests demand.
- Surrounding areas are fully developed. Acquisition of property is difficult.
- The costs to provide municipal services associated with annexation compared to the additional revenues. The City provides special services, such as trash and recycling, leaf and limb pickup, at no cost to the residents but represent significant extra expenses to the City beyond traditional municipal services.
- The outcome of the recent annexation proposal by the City of Manchester which was defeated.

city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141

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MEMO TO THE PLANNING AND ZONING COMMISSION

Date: April 28, 2024

Subject: **Electric Vehicle Charging Stations Work Session**

Prepared by: Bethany L. Moore, AICP, City Planner

Meeting Date: April 1, 2024

Attachments: Fairfax, Virginia EV Charging Memo, Preparing for the Electric Vehicle Surge in *Zoning Practice* October 2022, Vol 39, No. 10, EV Zoning Regulations Draft Outline

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Background on EV Charging

There are currently 3 common types of chargers on the market today: Level 1, Level 2, and DC Fast chargers, sometimes called Level 3. Level 1 produces the lowest amount of charging power and is equivalent to a standard 120-V AC wall outlet. The range per hour provided by Level 1 chargers amounts to roughly 5 miles of range per 1 hour of charging. Although not the most desirable chargers for distance drivers, this type of charging allows most EVs to be charged almost anywhere. Level 2 is equivalent to 240-V electric connection and offers a larger range per hour than Level 1 at roughly 30 miles of range per 1 hour of charge. Level 2 chargers can charge most EVs fully in 8 hours. Level 2 is the most common level of charger typically provided by individual businesses or offices due to cost of installation and range per hour output. DC Fast chargers, as the name suggests, are the fastest of the three levels and provide a full charge in less than an hour. Due to the higher power capabilities of DC Fast chargers, they require a higher power supply and typically the largest utility equipment. DC Fast chargers are ideal for long distance travel and are the most ideal charging type needed to build a national framework of chargers to enable long-distance EV trips. The state of Missouri has been given $98.9 million from the National Electric Vehicle Infrastructure (NEVI) Formula Program which will cover 80% of eligible project costs for the state to deploy electric vehicle charging infrastructure along public roads to establish an interconnected network across the state to join a nationwide effort to increase electric vehicle infrastructure.

EV Charging Ordinance Background

In October of 2022 Staff held a work session with the Planning and Zoning Commission to discuss regulations for Electric Vehicle (EV) charging infrastructure. At that time, Staff discussed examples of the types of regulations that Creve Coeur could put in place and what issues the Commission would like to see the Ordinance focus on. The takeaways from that work session were that the biggest concerns were the large equipment that came with Direct Current Fast Charging (DCFC) or Level 3 charging stations, the locations of EV charging stations, and that the Planning and Zoning Commission were generally in favor of EV charging stations as an allowed use in Creve Coeur. Staff has since done more research into EV charging ordinances in other states and municipalities in order to produce draft regulations for Creve Coeur that will be discussed at the work session on April 1st. The draft that will be discussed includes definitions of terms associated with EV charging, requirements for EV charging as an accessory use,

requirements for EV charging as a conditional use, and when EV chargers are required as part of new projects in the City.

Framework for New Regulations
Staff has developed draft regulations for review. Staff seeks to regulate EV chargers as an Accessory Use and larger Standalone use DCFC stations would require a Conditional Use Permit similar to gas stations.

Per Section 405.460, an Accessory Use is only permitted in connection with a principal use, both uses must be permitted in the district and would be subject to the established standards for the accessory use as established in the ordinance. As a permitted accessory use, Level 1 and 2 EV charging stations would be able to be approved at a staff level without the need for Planning and Zoning Commission approval of each project if the requirements for such a use were met. DCFC stations (Level 3) would require approval by the Planning and Zoning Commission as a minor site plan. Standalone DCFC stations, as a Conditional Use, would still come before the Planning and Zoning Commission for recommendation to the City Council as all other CUPs must.

A few areas that Staff is looking for feedback from the Commission include:

- Standards for Level 1 and Level 2 EV charging spaces including allowed locations on site, quantity of spaces allowed/parking count totals and associated site coverage.
- Standards for DCFC/Level 3 including all of the above and screening equipment.
- Conditional Use requirements for standalone DCFC charging stations.
- Provide input on the desirability to require electric car charging facilities as part of new commercial and/or residential construction.

After discussion at the work session, Staff will also hold a work session with the Energy and Environment Committee on April 17th and City Council at a date to be determined after the meeting with E&E. Staff will then bring a Text Amendment before the Planning and Zoning Commission for a vote.

EV Zoning Regulations Draft Outline April 1st Planning and Zoning Commission Meeting

Amendment to Section 405.120 Definitions

Electric Vehicle (EV): a vehicle that can be powered by an electric motor that draws electricity from a battery and is capable of being charged from an external source. An EV includes both a vehicle that can only be powered by an electric motor that draws electricity from a battery (all-electric vehicle) and a vehicle that can be powered by an electric motor that draws electricity from a battery and by an internal combustion engine (plug-in hybrid electric vehicle).

Electric Vehicle Chargers: Level 1 equipment provides charging through a common residential 120-volt AC (alternating current) outlet. Level 2 equipment provides charging at a higher AC charging rate through 240-volt or 208-volt electrical service, and is common for home, workplace, and public charging. Direct current fast charging (DCFC), also referred to as Level 3, equipment offers rapid charging and includes larger equipment.

Direct Current Fast Charging (DCFC) Station: Large scale standalone use for fast charging similar to a gas station.

Electric Vehicle Supply Equivalent (EVSE): The conductors, including the ungrounded, grounded, and equipment grounding conductors, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

EV Ready: All required infrastructure is installed, including wiring and circuit breakers. Everything needed to power an EV charger without the charger itself installed.

EVSE Installed: All required infrastructure required to charge an electric vehicle is installed, including the charger.

Amendment to Section 405.460 Accessory Uses and Structures

22. Electric Vehicle Chargers

    a. Level 1 and 2 Electric Vehicle Charging Spaces—administrative approval may be granted when located in the “CB”, “GC”, “PO”, “RO”, “MX”, “AR”, “PC”, “HE”, “PH” and “LI” Zoning Districts, and allowed institutional uses in residential zoning districts, subject to the following standards:
        1) Any EV charging space must be located in a parking structure or in a parking lot that serves a principal use.
        2) All EV spaces and equipment shall be located so as not to interfere or impede any vehicle, bike, or pedestrian circulation and shall not block any fire lanes or access into the site.
        3) In multi-family residential developments, EV charging spaces shall be located in parking structures when available. When no parking garage is available on site, EV charging spaces may be located in the parking lot.

4) In developments that meet or exceed current off street parking requirements and that provide on-site or shared parking spaces for the existing uses, parking spaces used for electric vehicle charging will not be deducted from the overall available parking spaces.
5) EVSE shall not be located in the first ten (10) feet of the front yard setback from the right-of-way.
6) Each EV space shall include 1 sign marking that space for EV charging use.
7) Canopies are not allowed in association with EV charging spaces when permitted as an accessory use.
8) All EV charging spaces shall include vehicle impact protections in order to protect the equipment and vehicles using the equipment.

b. Direct Current Fast Charging (DCFC) Electric Vehicle Charging Spaces—Planning and Zoning Commission approval may be granted when located in the "CB", "GC", "MX", "PC" "PH" "HE" "PO" "RO" and "LI" Zoning Districts, following the Site Development Plan procedures in Section 405.1080. The Planning and Zoning Commission shall review the application taking into consideration the following standards:
1) EVSE shall not be located in any required buffer yard.
2) EVSE shall not be located in the first ten (10) feet of the front yard setback from the right-of-way or within any required landscaped parking lot island.
3) All DCFC ground mounted equipment locations shall include a landscaping plan.
4) All DCFC ground mounted equipment shall be included in the site coverage calculation.
5) All DCFC ground mounted equipment shall be landscaped and screened as deemed appropriate by the Planning and Zoning Commission.
6) All lighting shall meet existing lighting standards outlined in Section 405.680.
7) All EV charging spaces shall include vehicle impact protections in order to protect the equipment and vehicles using the equipment.
8) Each EV space shall include 1 sign marking that space for EV charging use.

Amendment to Section 405.470 Conditional Uses

38. Direct Current Fast Charging (DCFC) Electric Vehicle Charging Stations (CC447190) (conditional use in the "CB", "GC", "MX", "PC" and "LI" Districts)

a. *Setbacks.* All EVSE shall be set back twenty (20) feet from any property line. Canopies may be erected to within ten (10) feet of a property line or street right-of-way to protect charging vehicles.
b. *Buffer.* A landscaped buffer at least ten (10) feet in width should be provided along the length of all property lines including along all frontage on street rights-of-way except where broken for entranceways. Landscaping shall be provided in accordance with a landscape plan approved by the Planning and Zoning Commission.
c. *Fences.* The site shall be fenced with a six (6) foot solid fence or wall of wood or other material deemed appropriate by the Planning and Zoning Commission along each

property line which abuts property zoned to any residential classification ("A", "B", "C", "D", "AR" or "MR").

d. *Equipment.* All large DCFC ground mounted equipment associated with the charging station shall be screened with landscaping per the associated landscaping plan in order to soften the visual impact.

Amendment to Section 405.210 Regulation of Uses, Table A

Add: CC447190 Direct Current Fast Charging (DCFC) Electric Vehicle Charging Stations, as defined under Section 405.120 and when not accessory to a primary use.

New Section 405.680 Electric Vehicle Charging Requirements (Off-Street Parking and Loading Regulations)

A. Any new parking facility shall provide electric vehicle charging stations (EVSE Installed) or provide electric vehicle ready (EV Ready) charging stations as follows:

1. A parking facility for any non-residential use, including commercial, office, or light industrial uses must have three (3) percent or a minimum of one (1) of the required parking spaces, whichever is greater, installed with charging stations or ready to be converted to a station for charging of elected vehicles.
2. A parking facility provided for any multi-family use must have a minimum of five (5) percent or a minimum of one (1) of the required parking spaces, whichever is greater, installed with charging stations or ready to be converted to a station for charging of elected vehicles.
3. In the case of a mixed-use residential and commercial building, the required number of electric vehicle charging parking spaces shall be computed separately for each use.
4. For the purposes of this section, the required number of electric vehicle charging parking spaces shall be determined by rounding to the nearest whole number.
5. Required electric vehicle charging parking spaces are inclusive of the total required number of parking spaces.

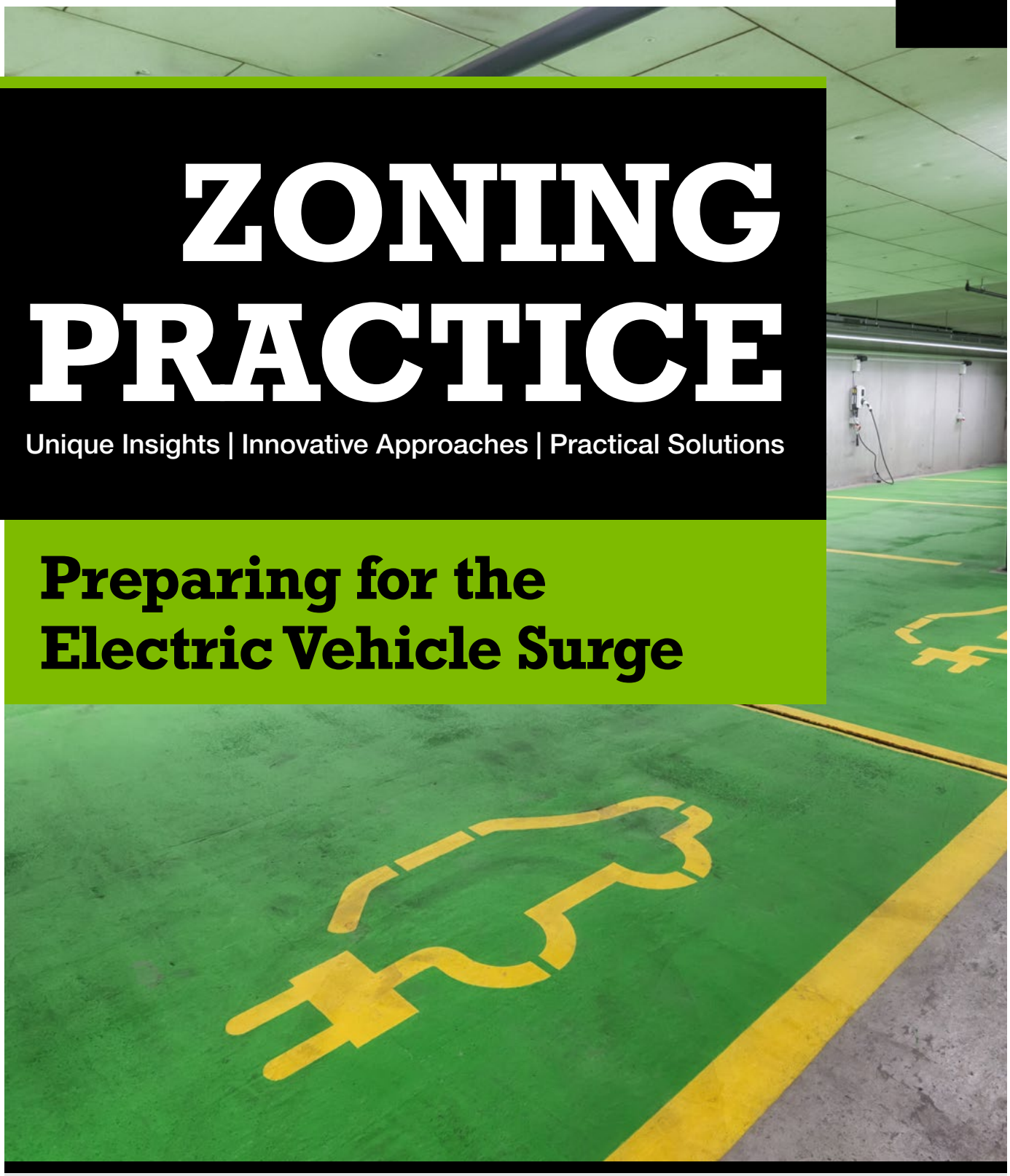
OCTOBER 2022 | VOL. 39, NO. 10

APA

ZONING PRACTICE

Unique Insights | Innovative Approaches | Practical Solutions

Preparing for the Electric Vehicle Surge



In this Issue:

Preparing for the Electric Vehicle Surge

By Brian Ross, AICP, Jessica Hyink, and Rebecca Heisel

Electric vehicles (EVs) are a rapidly growing sector of our nation's (and the world's) light-duty vehicle market. In the second quarter of 2022, EV sales accelerated, reaching 442,740 and marking a 12.9 percent increase from the same time last year. During the same period, traditional gasoline-powered vehicle sales were down more than 20 percent compared to the second quarter in 2021 (Cox 2022).

The transforming market has implications for communities and for local governments, including land-use and development changes that need to be addressed in policy, programs, and regulation. In particular, planners and local government decision makers need to consider the land-use implications of the extensive build-out of EV charging infrastructure that is a necessary part of this new technology.

A plug-in electric vehicle at a public charging station in Goodyear, Arizona (Credit: Arizona Department of Transportation / Flickr)

This issue of *Zoning Practice* identifies the land-use implications of the ongoing EV market transformation, particularly the considerations that communities need to address in regard to public EV charging infrastructure. It describes the significant differences between gas and electric vehicles in fueling practices, the unique land-use nature of EV charging equipment, and the evolving zoning practices that communities across the country are using for public (i.e., non-home) charging equipment and land use. Finally, this issue recommends some tools for assessing zoning considerations of EV charging infrastructure and shares examples of best practices that enable transparent and predictable zoning practices across jurisdictions.

Why Are EVs Coming?

The EV market transformation is driven by climate action and air quality goals, but also by economic factors, such as lower fuel and maintenance costs for vehicle owners. Just as planners and local decision makers must address infrastructure and land uses associated with gasoline-powered vehicles, they will need to address the new infrastructure and the local land-use decisions associated with EVs.

What are Electric Vehicles?

Electric vehicle is a designation that includes several different technologies and transportation modes. Most commonly, EVs refer to light-duty (passenger car and light truck) vehicles that are hybrid-, plug-in-hybrid-, or battery-electric technologies. The EV designation also includes medium- and heavy-duty vehicles, such as delivery vans and buses, and electrified bicycles and scooters, which are a growing new mode of transport. This article uses the term "EV" to refer to vehicles that can be plugged into the electric grid to provide some or all of the vehicle fuel (excluding non-plug-in hybrid technologies) and is primarily focused on the light-duty fleet.

Climate and Environmental Policies

The transportation sector is the largest emitter of carbon (carbon dioxide equivalent, or CO2e) in our nation and most of our states, more than industry, the power sector, or land-use-related emissions (U.S. BTS 2021). Similarly, health-related air quality problems from internal combustion engines, primarily from the use of light-duty vehicles, continues to plague our urban areas. Many of our nation's urban centers are "nonattainment" areas under the federal Clean Air Act's National Ambient Quality Standards that must enact policies to improve environmental and health outcomes associated with various air pollutants (EPA 2022). Electrification of transportation is a primary tool to reduce both transportation carbon emissions and regulated pollutants, particularly in urban areas.

Consequently, many cities have included EV adoption goals in both comprehensive plans and local climate action and energy plans (Samphea and Ross 2020). At least 13 states have adopted a low-carbon fuel standard for vehicles, and most states have adopted market transformation plans, incentives, or tax policies (Hartman and Shields 2022).

Emerging Competitiveness of EVs

While policy drivers often get the headlines as the reason for growing EV market share, the more universal reason that planners need to address emerging EV land-use issues is simply because EVs will be the least expensive form of personal vehicle transportation in the very near future (Lutsey and Nicholas 2019). Every major car manufacturer in the world has announced transition plans for moving to predominantly or exclusively EV production (Motavalli 2021).

The net effect is that even for those local governments who are not setting climate goals, planning for an EV future is highly warranted. And the single biggest local planning consideration for an EV future is planning for the charging infrastructure to support a high-penetration future of EVs.

Market Transformation: Chicken or Egg?

Accelerating the electrification of transportation requires that consumers choose EVs over internal combustion engine vehicles. One of the acknowledged barriers to consumer adoption of EVs is the lack of charging infrastructure in both private residences and public charging opportunities for longer trips and to relieve "range anxiety." But non-home charging opportunities are unlikely to be installed until market demand is clearly in place to justify installing new infrastructure. The market will not respond to anticipated demand, creating a classic chicken-or-egg dilemma: We need charging infrastructure to enable vehicle purchase, but we need vehicle ownership and use to justify investment in charging infrastructure.

Two recent federal legislative changes are accelerating the pace of EV market transformation. The Bipartisan Infrastructure Law (BIL) passed in 2021 is funding a substantial buildout of EV charging infrastructure, with $5 billion in formula funding for states over the next four years and an additional $2.5 billion in competitive grants for communities and corridors (White House 2021). These public charging facilities in communities

and along transportation corridors will be only part of the charging infrastructure buildout; additional charging infrastructure will need to be installed in homes and apartment buildings, in workplace employee parking lots, and in private commercial parking lots to serve clients, shoppers, and other patrons of those businesses. As the infrastructure buildout is funded, these projects will require cities and other jurisdictions to make land-use decisions about where and how to permit installation.

Similarly, the Inflation Reduction Act (IRA) of 2022 will significantly incentivize purchase of EVs. The IRA makes $7.5 billion in tax credits for new EVs, and $1.3 billion for purchase of used vehicles available, as well as substantial funding for EV infrastructure in disadvantaged (as defined by Justice 40) or underserved communities, and tens of billions to incentivize expanded domestic manufacture of batteries (White House 2022). These policies will certainly increase the urgency for all communities to consider the land use implications of EV charging needs (H.R.5376 §1.D.13401-4).

What Is Electric Vehicle Charging Infrastructure?

Different EV technologies use different forms of charging that fall in different classes of land use. EV charging infrastructure (a.k.a. electric vehicle supply equipment or EVSE) for light-duty vehicles is distinctly different in both design and use than charging equipment for trucks, buses, bikes, or scooters. Here we are focusing on three charging technologies designed primarily for light-duty vehicles: Level 1 charging (using a household plug-in at 15–20 amps and 120 volts); Level 2 charging (using a circuit similar to an electric dryer or oven at 40–60 amps and 240 volts); and Direct Current Fast Charging (DCFC) that utilizes a separate utility transformer and much higher power capacity (25–300 kW).

Charging Stations as Land Uses

The U.S. Energy Information Administration reports that the U.S. has more than 100,000 retail gas stations (2022). These stations are the exclusive place for consumers to purchase gasoline, diesel, and ethanol as fuel for the light-duty fleet. But EVs present a dramatic departure from the historic driving culture, where gas stations are the only place for consumers to refuel their vehicles and where fueling infrastructure is highly regulated and associated with a variety of health, safety, and environmental risks. Most EV charging occurs at home, so public chargers are (for most households) supplemental rather than primary, except when traveling outside one's home community or region. Similarly, EV chargers do not have nearly the same public health or environmental risk of gas refueling infrastructure.

So, what kind of land use is an EV charger? Are they simply an accessory device in a parking lot, like a parking payment kiosk? Or does the presence of an EV charger change the nature and function of a parking lot into a separate business for which a separate zoning application and permit is needed? What about electric infrastructure, such as transformers, that must be installed in some cases?

Vehicle Fueling as a Land Use

Traditional gas stations are typically principal uses but can be an accessory use. As a principal use, associated secondary uses often include a convenience store, fast food service, car wash, or service station. As an accessory use, gas stations are most frequently sited with grocery or large wholesale stores, although the designation even in those instances may be as a principal use.

The business model of a traditional gas station necessitates coupled land uses. Convenience stores are the dominant coupled land use with traditional gas stations, with approximately 80 percent of fuel purchased at a convenience store (NACS 2022). While an estimated 30 percent of a traditional gas station's revenue is attributable to sales of goods from inside convenience stores, these sales account for approximately 70 percent of the profit (Crockett 2022).

Traditional gas stations are often regulated through zoning, with prohibitions on locating traditional gas stations in residential zones. Zoning regulation of traditional gas stations developed in consideration of heavy vehicular traffic use and associated nuisance but also of the environmental and health impacts imposed by traditional gas stations.

According to the U.S. EPA, traditional gas stations emit air pollution, contaminate soil and ground water, and cause vapor intrusion into structures, resulting in the potential contamination of sites within 1,000 feet of the traditional gas station (2011). Additionally, the U.S. EPA estimates that half of the existing 450,000 brownfield sites were caused by petroleum, most often due to leaking storage fuel tanks (2022).

Conversely, EV charging stations are most frequently accessory uses, with an array of principal uses in residential, commercial, industrial, institutional, and recreational zones. Because EV charging stations do not contaminate the air, soil, or ground water, zoning of EV fueling stations should differ from traditional gas stations.

While some traditional gas stations may offer electric vehicle charging to draw these customers to their coupled land uses, most public charging takes place at destinations with longer parked times (e.g., parking lots at grocery stores, restaurants, shopping centers, places of work, and transportation hubs, such as airports or transit facilities) (Ricardo 2021). This behavior indicates EV drivers seldom seek out fueling for the sake of fueling but instead fuel as a convenience when an electric vehicle charger is present. Fast chargers are the exception to this and account for approximately five percent of all charging (Wood, 2017). This makes many EV charging land uses more comparable to that of charging a cell phone when a cell phone charger is available for use rather than fueling a combustion vehicle.

The business model established by traditional gas stations and the behavior of EV drivers makes a case for a local government to encourage electric vehicle charging infrastructure coupled with commercial and recreational zones. According to the U.S. Department of Transportation, public electric vehicle charging can draw EV drivers, and thereby increase economic development benefits, with the coupled use of electric vehicle charging and local attractions (2022). Allowing public EV charging as a principal or accessory use is critical for promoting this potential economic development driver.

EV chargers are not a single land use but take different forms that need to be considered in developing land-use regulations, particularly when communities are looking to enable and accelerate the electrification of transportation.

Different Charging Use Cases, Different Land Uses

EV chargers are not a single land use but take different forms that need to be considered in developing land-use regulations, particularly when communities are looking to enable and accelerate the electrification of transportation. Moreover, an equitable market transformation to an EV future requires that different forms of public EV charging infrastructure be enabled in local regulation to ensure fueling opportunities for all residents, regardless of access to home charging. The following are four considerations that should be assessed in land-use and zoning decision-making.

Type of Use. Different levels of charger create different charging use cases and affect the resulting treatment in the zoning code. Level 1 and 2 chargers are used where the vehicle will be parked for hours, or when the user is just "topping off" a charge while in an associated business or institution. DCFCs are more akin to a traditional fueling station, where the primary purpose is likely to be getting fuel while enroute to another destination.

A single charging station (left) versus a bank of chargers (right) (Credit: Brian Ross)

Intensity or Density of Use. The number of chargers in a single installation or parking area is a critical factor in assessing impacts to surrounding land uses and the transportation system. A bank of 10 or 15 chargers has different visual impact, different electrical infrastructure, and different trip generation than one or two chargers provided as an amenity at a business, workplace, or institution.

Public Access of the Use. Different levels of public access create different zoning considerations. Chargers that are broadly accessible to the public create different zoning considerations than chargers restricted to customers or employees of an adjacent business or institution, or home charging, which is completely private. The degree to which the chargers are a destination, or just an accessory use associated with parking, affects how the use is permitted or regulated in zoning.

Business Case of the Use. How, or whether, the chargers are paid for (requiring payment by the user or payment by the site owner to a vendor) can affect zoning considerations. Zoning frequently distinguishes between virtually identical land uses or activities based on whether the activity is a business. Defining what qualifies as a business is a judgment faced by many planning commissions and local officials. Zoning standards will vary if a third party is providing EV charging as a service to an existing business and its customers or is offering fueling services independently as a separate business.

Zoning Trends

In 2019, our organization, the Great Plains Institute (GPI), released the *Summary of Best Practices in Electric Vehicle Ordinances* (Cooke and Ross 2019). We created the summary to provide local governments looking to develop EV zoning standards or development regulations with real-life references. However, the regulatory landscape has changed significantly since 2019. To address this, GPI is working to create an updated version of the guide. The updated scan of best practices in EV zoning standards and development regulations is expected to be publicly available by the end of the year.

As EVs become more common, and as more cities adopt policies encouraging EV market transformation, zoning practices for EV charging infrastructure reflect this evolving EV landscape. Trends include evolving terminology reflecting different development use cases and increasing percentage requirements for both installed chargers and "make-ready" parking requirements.

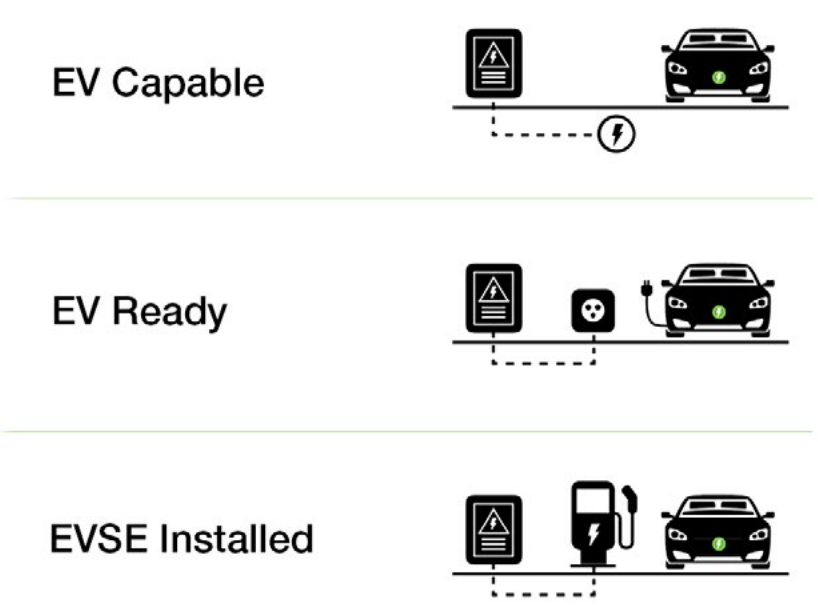
Developing Terminology

Defining terms within your ordinance is key to ensure that there is no confusion for ordinance users and staff. In the 2019 summary, terms related to EVSE that were defined in ordinances include *battery charging station*, *electric vehicle charging station*, *electric vehicle supply equipment*, and *electric vehicle infrastructure*. While all slightly different terms, each term

essentially refers to the infrastructure from the building electric supply to the installation location for the EV charging station.

Our new ordinance scan reflects a growing granularity for the required completeness of charging infrastructure in new construction or renovation. The best practice definitions distinguish between *EV-capable*, *EV-ready*, and *EV-installed*. An ordinance from Avon, Colorado, demonstrates how some cities are defining these terms (§15.28.020):

- *EV Capable* means the installation of electrical panel capacity with a dedicated branch circuit and a continuous raceway from the panel to the future EV parking spot(s).
- *EV Ready* means the installation of electrical panel capacity and raceway with conduit to terminate in a junction box or 240-volt charging outlet.
- *Electric Vehicle Supply Equipment (EVSE) Installed* means the installation of a Level 2 EV charging station.



A visualization of EV-capable, EV-ready, and EV-installed (Credit: Southeast Michigan Council of Governments)

Some cities choose to use all three of these definitions in their ordinances, while others elect to only differentiate between EV-installed and EV-ready, leaving out EV-capable. The evolution and separation of these terms impact the required percentages we see in EV parking standards.

Requiring Increased Percentages

In the 2019 document, "Required EV parking capacity & minimum parking requirements," the best practice category discusses minimum EV-ready or EV-installed parking space requirements. Recent trends are toward requiring much higher percentages of the total parking spaces to meet an EV charger standard.

Montgomery County, Maryland, was highlighted as an example in the 2019 guide. The county required one percent of parking stalls to have an installed EV charging station.

"Any parking facility constructed… containing 100 parking stations or more, must have a minimum of one parking space ready to be converted to a station for charging electric vehicles for every 100 parking spaces, or fraction thereof" (Cooke 2019).

Another example comes from Indianapolis, Indiana, requiring 0.4 percent of parking stalls to have charging stations in developments with off-street parking lots with over 500 parking stalls (§744-402.D).

Comparatively, in the updated scan we see much higher percentages required, especially for cities that differentiate between EV-ready and EV-capable. In the previous example of Avon, Colorado, above, for multifamily dwellings with over seven spaces, the town requires five percent EV-installed, 10 percent EV-ready, and 15 percent EV-capable. For commercial development parking lots with over 10 stalls, the same percentages hold true (§15.28.040).

Richfield, Minnesota, provides another example of the increased percentages required. Its requirements for multifamily dwellings with 15 or more units are 10 percent Level 2 EV-installed and 10

Jurisdiction	Multifamily Parking	Commercial Parking	Code Citation
Atlanta, GA	NA	20% of spaces must be EV-ready	Appendix B §101.8
Chicago, IL	20% of spaces must be EV-ready or EV-installed	20% of spaces must be EV-ready or EV-installed	§17-10-1011
Honolulu, HI	Buildings with 8+ spaces: 25% must be EV-ready	Buildings with 12+ spaces: 25% must be EV-ready	§32-1.1(20)
Issaquah, WA	10% of spaces must be EV-installed; 30% must be EV-ready	5% of spaces must be EV-installed; 10% must be EV-ready	§18.09.140
Madison, WI	2% of spaces must be EV-installed; 10% must be EV-ready (increases by 10% every 5 years)	1% of spaces must be EV-installed (increases by 1% every 5 years); 10% must be EV-ready (increases by 10% every 5 years)	§28.141(8)(e)
San Jose, CA	10% of spaces must be EV-installed; 20% must be EV-ready; 70% must be EV-capable	10% of spaces must be EV-installed; 40% must be EV-ready	§24.10.200
St. Louis, MO	2% of spaces must be EV-installed; 5% must be EV-ready (increases to 10% in 2025)	2% must be EV-installed; 5% must be EV-ready	§25.01.020-406.2.7
Washington, DC	Buildings with 3+ spaces: 20% must be EV-ready	Buildings with 3+ spaces: 20% must be EV-ready	§6-1451.03a

Select Findings from the 2022 Scan of EV Ordinances

percent EV-ready stalls capable of Level 2 charging, with at least one space capable of fast charging (Appendix B §544.13.7).

Seattle goes one step further. It requires 100 percent EV-ready for multifamily residences with up to six spaces but backs down to 20 percent EV-ready for parking lots with over seven spaces. In commercial developments, 10 percent are required to be EV-ready (§23.54.030.L).

Zoning Standards for Different Land Uses

Based on our review of existing local and state land-use standards, technical assistance on EV-readiness, and stakeholder discussions at the state and national level, we recommend the following general best practices.

Define Distinct EV Charger Uses

Provide definitions for different EV charger use cases as distinct land uses. Consider defining accessory-use and principal-use installations and consider a separate definition for DCFC installations.

Explicitly Permit Accessory Uses

Most installations of EV charging equipment are accessory uses; the primary use is either a building or parking (in those instances where the parking is on a separate parcel). For clarity, zoning ordinances should explicitly permit EV charging equipment for all home chargers (subject to accessory use dimensional and performance standards). Level 1 and 2 charger installations associated with commercial or institutional land uses should similarly be listed as permitted accessory uses up to at least the

minimum installation requirements in the city's parking standards. All EV charging equipment installed and maintained in a surface parking area by the property owner or lessee should be considered a permitted accessory use in all districts where vehicle parking is required or allowed as an accessory use.

Set Parking Design or Performance Standards

Many communities will have parking or zoning standards that include a design or performance element (e.g., size or configuration of space, Americans with Disabilities Act requirements, landscaping, stormwater management, lighting, etc.). In most states, EV charging capability can be included as a minimum standard. As noted above, many cities are requiring minimum levels of EV charging capability for specific land-use types (single-family homes, multifamily buildings) or as part of commercial parking standards.

Allowing EV charging stations in the public ROW along curbs can benefit underserved communities and people with disabilities

Some states, such as Minnesota and New Jersey, have a "max/min" state building code, where the state code is both a floor and a ceiling for local regulation. These states may limit local zoning requirements to those that clearly do not overlap with building code standards.

Communities will have a judgment call on whether installations that are installed or maintained by third party providers, such as a bank of chargers installed and maintained by a charging infrastructure company in a retail store parking lot, are accessory uses or principal uses, and whether design standards apply. Evaluating the installation under the four considerations noted above will help parse the question.

EV chargers should only be subject to aesthetic or landscaping standards where cities have established standards for surface parking lots. Applying design or aesthetic standards uniquely to EV charging infrastructure could be deemed arbitrary. Signage is another judgment call, where signage may be appropriate when charging infrastructure is either a principal use or accessory to a mix of commercial uses that also have signage. Accessory uses in other land-use cases should not have signs or advertising, except to distinguish the availability of, type of, or vendor for charging.

Develop a Mixed-Use Standard

Commercial operation of a vehicle charging station by a third party (particularly for fast charging) where there is a synergistic mix of uses will be a growing instance of mixed-use development that incorporates EV charging with other compatible businesses. The business case for EV charging is similar to existing business models for gasoline refueling, where fuel is part of a convenience store, fast food, auto repair, and car wash. Gasoline refueling is a destination but makes for a poor business case without other revenue streams. This is also true for DCFC charging; the business case typically requires revenue beyond what the customer pays for fuel. But like gasoline stations, DCFC charging is a critical element to enable widespread EV use.

Communities should enable DCFC charging land uses along transportation corridors and create standards for DCFC charging stations as a mixed-use component that complements synergistic transportation corridor uses. DCFC charging installations along transportation corridors are similar in use to gas fueling in that the charging is the reason that people stop. Consideration should be given to site

circulation patterns to accommodate a flow of traffic in and out. While EV market penetration is still low, circulation is unlikely to be an issue, but after EV market share reaches a higher level, peak use could result in vehicles waiting in line to charge.

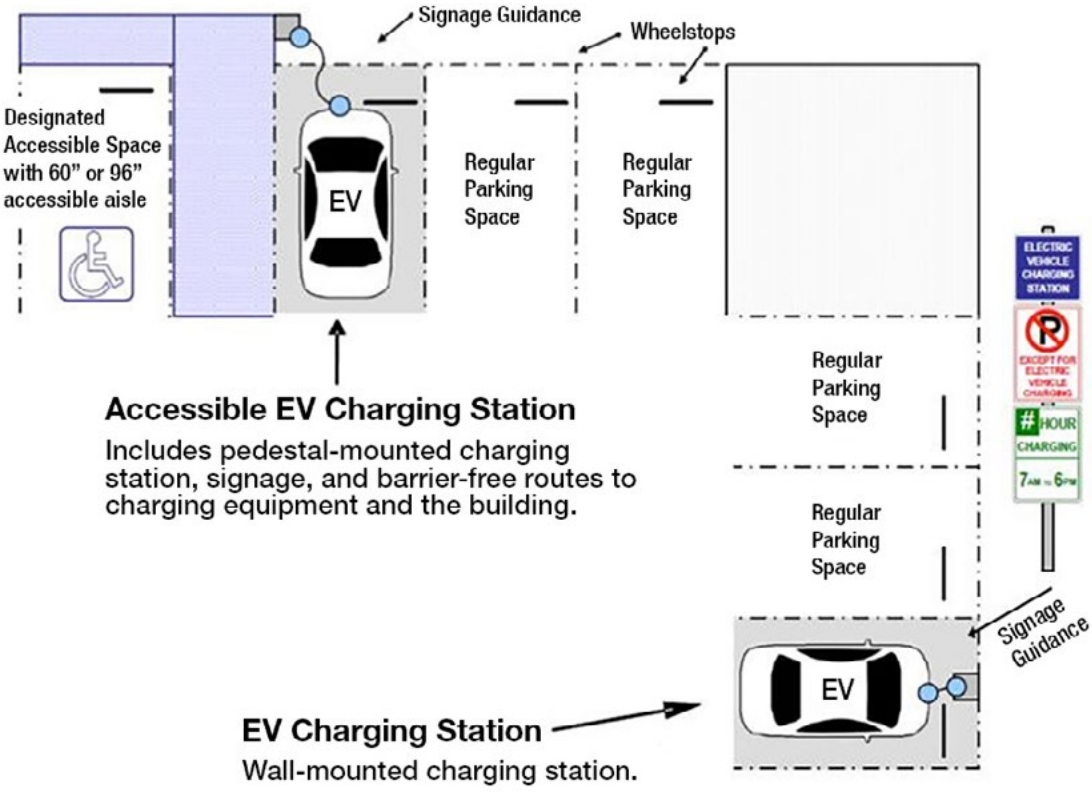
Equity Considerations

Transportation and land use are intrinsically impacted by each other, and this relationship will continue to exist with EVSE. When EV charging access is not equitably distributed throughout a community and region, equity impacts will occur due to a lack of access. A study of EVSE throughout the Chicago region found EVSE clustering in isolated commercial developments and affluent communities, with only 26 percent of EVSE clusters in mixed land uses (Carlton and Sultana 2022). If communities leave siting of EVSE to private developers and charging operators rather than a considered planning approach, then access to underserved communities will likely continue to be limited.

Approaches to advancing equity in EVSE land-use planning may include accessibility of equipment, multifamily supportive policies, right-of-way (ROW) supportive policies, and equitable geographic coverage.

Accessibility

The U.S. Access Board released the "Design Recommendations for Accessible Electric Vehicle Charging Stations" technical assistance document, on July 21, 2022. This is the first guidance on Americans with Disabilities Act (ADA) guidance on what state and local governments and commercial facilities are required to do versus what they should do related to ADA EVSE (U.S. AB 2022). To date, the U.S. Access Board has not provided guidance on the number of ADA EVSE stalls but will be issuing a Notice of Proposed



Example of an ADA-accessible parking stall layout (Credit: South Windsor, Connecticut, §11.8.3)

An example of ROW charging infrastructure (Credit: HourCar)

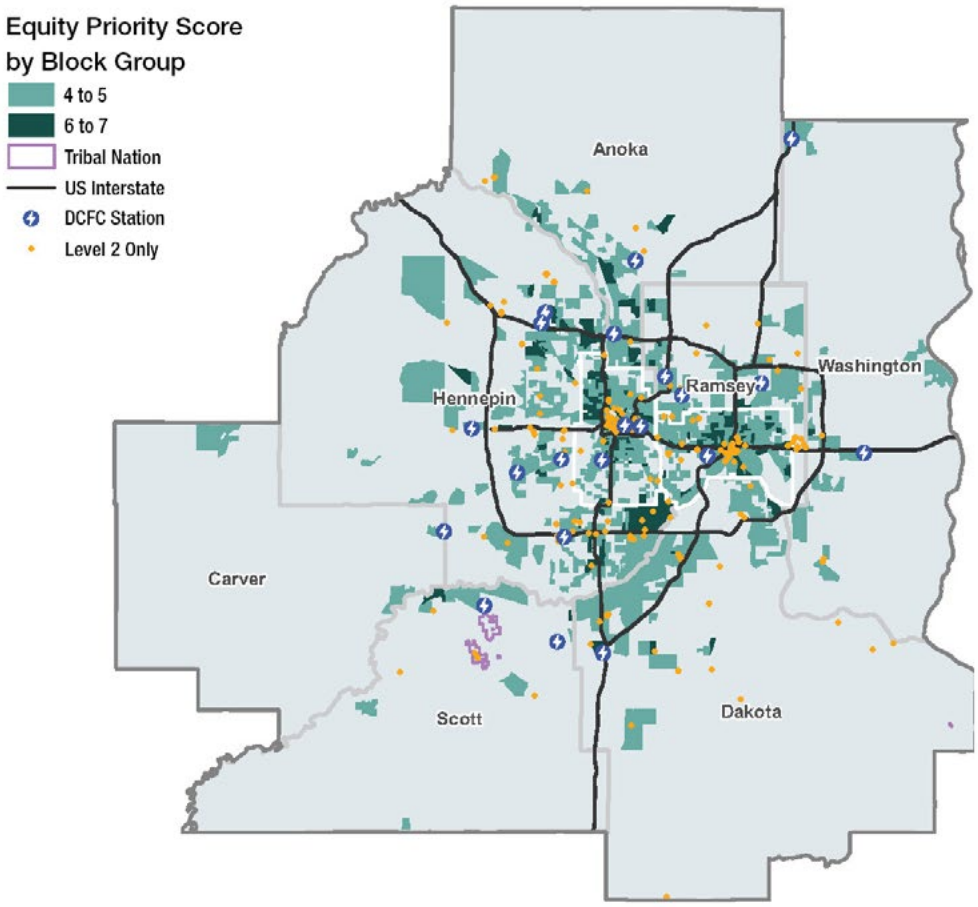
Rule Making to solicit comments from the public. Some municipalities have already adopted codes to address the accessibility of EVSE, including number of accessible stations, cord management, and site planning considerations. Best practices consider ADA regulations for parking and sidewalk management and apply these practices to EV charging stations.

Multifamily

While there are policies for including charging infrastructure in new multifamily developments, there are fewer policies and programs to address a lack of EVSE in existing multifamily buildings. In some cases, existing electricity service may be inadequate for EV charging stations. Ensuring an equitable distribution of public EV in proximity to multifamily buildings and underserved communities can alleviate limitations with existing buildings.

Right-of-way

Allowing EV charging stations in the public ROW along curbs can benefit underserved communities and people with disabilities. By developing an application process for placement of EV charging stations in the ROW, greater equitable distribution of EV charging stations can be achieved, particularly in locations lacking access to private, off-street parking. Where private off-street parking is not available, EV owners may choose to park along the curb and lay a charging cable across the right-of-way, including the sidewalk, to charge from home. This scenario can limit a person using an assistive device from navigating the sidewalk. Allowing the placement of EV charging infrastructure in the right-of-way between the curb and sidewalk, can allow the placement of EVSE in underserved communities while allowing sidewalks to remain free of charging cables.



An analysis of areas of high priority or greatest opportunity for equitable EV charging deployment (i.e., block groups with equity priority scores of six or seven) in the Twin Cities, Minnesota, metropolitan area (Credit: Minnesota Department of Transportation)

Coverage

To ensure equitable access to EV charging stations, communities can evaluate existing locations to determine coverage and then evaluate data on underserved communities to develop a plan for addressing inequities in EVSE access. The U.S. Department of Transportation has a toolkit on "Equity Considerations in EV Infrastructure Planning," including engagement and outreach, using equity data, and EV infrastructure funding (2022).

Non-Zoning Tools and State Preemption

In states where cities can adopt their own building code, many cities are choosing to use the building code instead of parking standards or zoning standards to implement EV-readiness in new construction (Salcido et al. 2021). Where cities do not have independent jurisdiction over the building code, zoning or parking standards are the primary new construction EV-readiness tools.

A growing number of states are also addressing the land-use and development standards associated with EV charging infrastructure. In 2010 the State of Washington passed legislation requiring cities along its major transportation corridors to meet minimum zoning requirements for EV charging equipment in new development (HB 1481). California similarly passed minimum requirements in 2015 (updated in 2021)(GOV §65850.7 & §65850.71), New Jersey in 2021 (§40:55D-28, §40:55D-89 & §40A:12A-7), Hawaii in 2012 (§291-71 & §291-72), and Oregon in 2021 (HB 2180). State laws generally set a floor that cities must meet, although the New Jersey law sets a uniform standard that municipalities cannot depart from, and other states have limited local jurisdictional control to health and safety issues (excluding aesthetics or character considerations).

Conclusion

The automotive industry is in an accelerating state of transition, moving from internal combustion vehicles to electric powered vehicles. This market change is accompanied by the need for new refueling infrastructure and a change in refueling "culture" that affects how communities consider the deployment of vehicle charging infrastructure. Infrastructure is likely to be part of all new development, and the new business model of public vehicle fueling significantly changes existing zoning considerations and practices. Charging infrastructure will generally be sited and used very differently than traditional gas stations.

To accommodate EV market transformation, communities need to consider clear and transparent zoning standards for enabling accessory use deployment of Level 1 and Level 2 charging infrastructure and, in some cases, for DCFC (fast charging) land uses. Using parking and development standards to ensure home-charging capacity in all forms of housing enables the EV market to accelerate. Equity concerns regarding access to charging infrastructure similarly need to be deliberately addressed in local codes and programs by making sure that charging infrastructure is accessible to people who might not have home-charging ability, including various forms of public charging, right-of-way charging, destination charging, and workplace charging. Finally, the small but critical market services of fast charging infrastructure needs to be thoughtfully incorporated into appropriate travel corridors.

About the Authors

Brian Ross, AICP, LEED GA, is a Vice President at the Great Plains Institute, leading GPI's renewable energy market transformation efforts in the Midwest and nationally. He joined the institute after 20 years as a consultant working with local, regional, and state governments on climate and energy planning, policy, and regulation.

Jessica Hyink serves as a Senior Program Manager and transportation planner for the Communities Program at the Great Plains Institute. She has more than 10 years of experience in transportation planning and program implementation, including research, analysis, data visualization, public outreach, and facilitation.

Rebecca Heisel is a Program Coordinator at the Great Plains Institute. Her focus is on electric vehicle initiatives and programs that help cities understand what it means to be electric vehicle ready and to take action to accelerate EV adoption. Prior to joining GPI as a staff member, Rebecca served as a GreenCorps member with GPI supporting cities' vehicle electrification efforts.

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APPLICABLE ZONING PROVISIONS FOR ELECTRIC VEHICLE CHARGING SPACES

January 2021

This memorandum supersedes the July 12, 2013, memorandum issued by the Zoning Administration Division related to electric vehicle charging (EVC) spaces. EVC spaces may be deemed a permitted accessory use serving another principal use, such as an office park, industrial park, institutional use, shopping center, retail sales establishment, or multiple family development, when the following conditions are met:

1. EVC spaces will be included in determining the required parking for the development. However, any reduction of parking spaces due to the installation of EVC spaces or associated equipment may require review and approval of a Parking Tabulation to ensure that there is enough parking to serve the development. If the tabulation determines there is not enough parking with the EVC installation, staff will evaluate the feasibility of potential options to meet a parking requirement for the site with the EVC installation. This evaluation does not ensure approval.
2. When located in any residential development, the type of EVC installed is limited to Level 1 or Level 2 facilities (as defined by the U.S. Department of Energy) unless it is located in a parking structure. The EVC is available only for use by the residents and their guests.
3. When located in any non-residential or mixed use development, any EVC space must be located in a parking structure or on a parking lot that serves a principal use.
4. The EVC space and equipment must be located so as not to interfere with any vehicular, bicycle, or pedestrian circulation or block any fire lanes or access into the site.
5. The maximum height of the EVC dispenser and any associated transformer, switchgear, or other similar items is nine feet. This standard applies only when the EVC dispenser is located in a surface parking lot and not mounted on the exterior of the principal structure, and when located on the top level of a parking structure and open to the sky. Furthermore, any EVC dispenser and associated equipment located on the top level of a parking structure may not exceed the maximum allowable height limit for the parking structure.
6. EVC spaces and related equipment cabinets or structures must not be located in any required transitional screening yard or impact any required internal parking lot landscaping.

PLANNING & DEVELOPMENT

Department of Planning & Development
Zoning Administration Division
Ordinance Administration Branch
12055 Government Center Parkway, Suite 807
Fairfax, Virginia 22035-5505
Phone 703-324-1314 FAX 703-803-6372
www.fairfaxcounty.gov/planning-development/

7. Related equipment, including transformers, switchgear, and other similar items must be screened with a fence, wall, berm, evergreen landscaping, or any combination. Any landscaping used for screening purposes must be maintained.
8. Each EVC dispenser is permitted to have a digital display area up to one square foot in size. A digital display area greater than one square foot is regulated as a sign and is subject to Article 12.
9. Any outdoor lighting associated with an EVC space must comply with the outdoor lighting requirements in Article 14.
10. A canopy is not permitted in association with an EVC space located in a surface parking lot unless it supports a solar collection system. Any canopy supporting a solar collection system must comply with height and setback requirements for a freestanding accessory structure in Article 10 and cannot include signage or illumination on the sides of the canopy. On the top level of a parking structure, a canopy may be allowed if it does not include signage or illumination on the sides of the canopy.
11. EVC spaces, including an associated equipment, must be in conformance with any zoning approvals.

EVC spaces that do not comply with the criteria above are considered a principal use and are deemed a service station use under the Zoning Ordinance.

Any proposal to establish EVC spaces that serve a principal use must submit the attached checklist to the Ordinance Administration Branch of the Zoning Administration Division at the address or facsimile number on this letterhead or by email at ordadmin@fairfaxcounty.gov. Proposals must include a letter of consent from the property owner or authorized agent, architectural/building plans for the EVC space, a site layout showing the proposed location of the EVC space and the number of parking spaces, if any, the EVC space will use.

All EVC spaces, whether permitted as an accessory or a principal use, may be subject to electrical and/or building permit approval and may require site plan approval if there is land disturbance of more than 2,500 square feet. Information pertaining to electrical and building permits is available from the Customer and Technical Support Center (CTSC) of the Land Development Services (LDS) at 703-222-0801 (option 2). Site plan information is available from LDS at 703-324-1720. Additionally, any reduction of parking spaces to less than what is required for the development due to the installation of EVC spaces or associated equipment will require a parking tabulation. For information on parking tabulations, please contact the Site Development and Inspections Division at 703-324-1720.