



Board Summary Report

File #: 26-131

Agenda Date: 3/10/2026

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To: Board of County Commissioners

Through: Bryan Weimer, Director of Public Works and Development

Prepared By:
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Presenter: Molly Orkild-Larson, Principal Planner; Raye Fields, Planner II, Public Works and Development

Subject:
LDC25-001-EV Charging Stations - Land Development Code Amendment and Development Application Manual Amendment

Purpose and Request:

Planners are seeking approval from the Board of County Commissioners (BOCC) on the proposed code amendment to include electric vehicle (EV) standards as required by House Bill 24-1173 (HB24-1173).

Alignment with Strategic Plan: Sustainable Growth and Infrastructure - Support environmentally responsible development and energy efficiency in county operations.

Background and Discussion: The Colorado State Legislature passed HB24-1173, and Governor Polis signed it into law on May 21, 2024. The law requires subject municipalities (with 10,000 or more residents) and counties (with 20,000 or more residents) to implement one of the three EV charger compliance options by resolution or ordinance. The goal of HB24-1173 is to expand EV use, cost-effectiveness, convenience, and viability across the state and to advance Colorado's goals to reduce local air pollution and greenhouse gas emissions. This bill also encourages a more standardized and streamlined local permitting process for EV charging development. The Colorado Energy Office (CEO) produced a model EV charging code and is responsible for auditing the adopted codes of affected jurisdictions.

As per HB24-1173, "A county permitting agency shall approve, conditionally approve, or deny an application for an EV Charger permit using the county's administrative review process to determine if the proposed electric motor vehicle charging system is in compliance with the county's objective standards." Per the statute, this code amendment should have been incorporated into the Arapahoe County Land Development Code (LDC) on or before December 31, 2025. However, the CEO told County staff that code adoption could occur in early 2026 due to the amount of review required by the public, staff, Planning Commission (PC), and BOCC.

A study session was held with the BOCC in July of 2025, where staff provided a range of options to meet the code adoption requirement. After the staff received direction from the Board, a draft code

amendment was prepared, and public outreach was conducted from September to October 2025. As part of the public outreach, we received concerns about the potential for EV fires at charging stations. Staff discussed those concerns with South Metro Fire Rescue and Bennett-Watkins Fire Rescue. While South Metro Fire indicated that they were confident that they have the technology and equipment to fight these fires, Bennett-Watkins Fire expressed concerns. Staff have reached out to the CEO to see if there are any grants or funding to assist fire districts with training and equipment, and they're looking into this matter.

A public hearing on the draft regulations was held before the Planning Commission on January 20, 2026. No members of the public wished to speak on the matter. The PC had questions about the following topics:

- Clarification on what constitutes a primary use versus an accessory use;
- Whether staff have considered requiring gas station applications to provide EV charging docks;
- Whether the County has considered creating incentives for construction of EV charging stations;
- Whether EV charging stations are profitable, and who bears the financial burden of the electrical costs if they are free;
- Whether there will be significant impacts to the electrical grid as EV charging stations increase in popularity.

After the public hearing, the Planning Commission recommended approval of the draft Code amendment unanimously on a 4-0 vote.

Alternatives: Arapahoe County has a population over 20,000 and therefore is required to implement this bill to incorporate EV Charging Systems into the LDC. The BOCC can, at their discretion, direct staff to make amendments to this final draft of the code.

Fiscal Impact: No fiscal impacts anticipated.

Alignment with Strategic Implementation Strategies: The attached framework helps Arapahoe County institutionalize values-based, transparent decision-making, documenting how we make decisions and carry out actions to achieve the county's strategic plan.

Staff Recommendation: Staff have worked diligently with the CEO in crafting the draft regulations and have incorporated any necessary edits as a result of public comments and recommends approval of the draft code amendment as proposed.

Concurrence: CEO collaborated with County staff on this draft code amendment before the Board. In the public hearing held on January 20, 2026, the PC supported adding EV Charging Stations standards to the LDC and Development Application Manual and recommended approval to the BOCC with a vote of 4-0.