

**ARAPAHOE COUNTY PLANNING COMMISSION  
PUBLIC HEARING  
JANUARY 20, 2025  
6:30 P.M.**

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**SUBJECT: CASE NO. LDC25-001 – ELECTRIC VEHICLE CHARGING STATIONS  
LAND DEVELOPMENT CODE AMENDMENT AND DEVELOPMENT APPLICATION  
MANUAL AMENDMENT**

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**MOLLY ORKILD-LARSON, PRINCIPAL PLANNER & RAYE FIELDS, PLANNER I**

**PURPOSE AND REQUEST**

The Planning Division proposes to add Electric Vehicle (EV) Charging Stations to Table 3-2 (Permitted Uses Table), Section 3-3.11, Transportation, and Chapter 7 (Definitions) of the Arapahoe County Land Development Code (LDC) and update various portions of Section 2 of the Development Application Manual (DAM).

**BACKGROUND**

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 compliance EV charger options into their land development codes. Arapahoe County has over 20,000 residences and therefore is required to comply with this house bill.

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 and 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, local municipalities and Board of County Commissioners must develop and adopt an administrative review process with objective standards in their Land Development Codes (LDC) to facilitate EV charging station permitting. This code amendment was to be incorporated into the LDC on or before December 31, 2025, per the legislation. However, the CEO informed 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 Board of County Commissioners (BOCC).

A study session with the BOCC was held on July 21, 2025, whereby the Board gave staff directions to move forward with adding EV Charging Station regulations to the LDC. County staff prepared a draft code amendment over the summer and sent out the code amendment to land developers and consultants, fire districts, utility companies, and other County divisions for comment. The LDC amendments were also posted on the County's website. Comments received are summarized below.

On October 21, 2025, staff had a study session with the PC. The PC had no comments on the proposed amendments and supported adding EV standards to the County's code.

A second study session was held with the BOCC on November 17, 2025, to provide an update on the comments and concerns received from the PC. At this meeting, the Commissioners requested staff to clarify where zoning setbacks could be found in the code and requested clarification on who maintains the Electric Vehicle Charging Stations. These comments have been addressed in the draft LDC for this public hearing.

### **PROPOSED REGULATION SUMMARY AND ANALYSIS**

Under Table 3-2 (Permitted Uses Table), Section 3-3.11.B, Transportation, and Chapter 7 (Definitions) of the Land Development Code, the following items will be added:

1. Permitted Use Table: Add Electric Vehicle Charging Stations.
2. Add language describing EV Charging Stations.
3. Parking: Establish parking regulations for EV Chargers.
4. Setbacks: Establish setbacks per existing district zone. If this cannot be met, the Planning Division Manager has the authority to make allowances.
5. Station and Equipment Design: Describes which stations and equipment are permitted and how to meet design standards.
6. Screening: Highlights what screening is allowed and where, to the benefit of the chargers, and potential residents affected by EV Charging users during evening hours.
7. Equipment Access: Equipment must be accessible in case of emergency.
8. Lighting: Describes lighting standards. Charging stations must be well lit.
9. Pavement Marking and Striping: Charging station spaces must comply with existing LDC paving and striping standards.
10. Visibility: EV Charging Stations must comply with existing LDC regulations for sight lines and sight triangles.
11. Landscaping: If landscaping must be changed due to the installation of an EV Charging Station, applicants will need to call out which plants will be removed and show where those plants will be relocated to.
12. Signage: Signage may be provided, but must be in accordance with the LDC signage section.
13. Weather Canopies: This section discusses where weather canopies are permitted and what standards they must meet.
14. Definitions: New definitions to be added to the LDC in relation to Electric Vehicle Charging.

Amendments to the DAM will include the following:

Under the following Sections, the phrase “Electric Vehicle Charging Stations and/or Chargers, if applicable” will be added to the Site Plan Sheet(s) requirements:

- a. Section 2-2.2, Specific Development Plan (2- Step Process)
- b. Section 2-2.3, Specific Development Plan (3- Step Process)
- c. Section 2-2.4, Administrative Site Plan (PUD)
- d. Section 2-4, Use by Special Review
- e. Section 2-9, Administrative Site Plan (Non-PUD)
- f. Section 2-26, Location and Extent

### **REFERRALS AND PUBLIC COMMENTS**

The draft LDC amendment was sent out for public and referral comments between

- September 15, 2025, and October 3, 2025. Notice was posted on social media (Facebook and NextDoor), in the Englewood Herald, Littleton Independent, Centennial Citizen, and

I-70 Scout newspapers, and an email blast was sent to stakeholders in the electric vehicle charging industry.

- Staff received the following comments:
  - A recommendation was made that the County provide cost differential waivers on building permit fees for multifamily developments over 10,000 square feet. However, building division fees are not part of the Land Development Code, and staff have referred this suggestion to the Building Division for consideration.
  - As part of the public outreach, staff received concerns about the potential for EV fires at charging stations. Staff discussed those concerns with South Metro Fire Rescue, and they have the technology and equipment to fight these fires. However, Bennett-Watkins Fire Rescue doesn't have the means to address these fires. 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.
  - Staff researched fire risk associated with EV Charging Stations. It was found that fire risk associated with EV Charging Stations is low compared to "similar" uses, such as gas stations. EV Charging Stations must follow the National Electric Code, the National Fire Protection Association Code, and the charger must be provided by a nationally recognized testing laboratory to be installed. Comments received from fire districts included that they have training and equipment and are very comfortable with EV Charging Stations. One Fire District mentioned that they did not have the training or equipment to handle an EV Charging Station, staff are working with the Colorado Energy Office to see if there is funding or grant pools to pull from to assist with training and equipment.

#### Referral Agencies

Staff reached out to the fire districts within Arapahoe County with proposed LDC changes and received the following responses:

- Sable Altura: No comments on the general update to the Land Development Code to include EV Charging Stations.
- South Metro Fire Rescue: No objection to the proposed code.
- Strasburg Fire: No comments.

#### FISCAL IMPACT

There's no direct fiscal impact related to the adoption of the EV Charging Station regulations other than the time required for staff to review and approve building permit applications.

#### RECOMMENDATION

Planning recommends adoption as it is a State requirement.

#### ALTERNATIVES

The Planning Commission could take the following actions:

1. Recommend approval of the Land Development Code and Development Application Manual amendments as proposed or with modifications.
2. Continue the amendment to a time and date certain for more information.
3. Recommend denial of the Land Development Code and Development Application Manual amendments.

## **CONCURRENCE**

Arapahoe County Public Works, CEO, and the Fire Districts have reviewed the proposed regulations and are in support of the amendments.

## **PLANNING COMMISSION DRAFT MOTIONS – LDC25-001, Electric Vehicle Charging Stations Land Development Code Amendment and Development Application Amendment**

### **Recommend Approval**

In the case of LDC25-001, Electric Vehicle Land Development Code Amendment, and Development Application Manual Amendment, I have reviewed the staff report, including all exhibits and attachments, and have listened to the staff presentation and any public comment as presented at the hearing and hereby move to recommend approval of the proposed amendment of the Land Development Code and Development Application Manual as presented in the staff report.

Further, the County Attorney, and Staff with the approval of the County Attorney, is authorized to make appropriate modifications to correct errors or omissions as necessary to incorporate the approved amendment into the text of the Land Development Code and Development Application Manual.

***Staff provides the following Draft Motions listed below as general guidance in preparing an alternative motion if the Planning Commission reaches a different determination:***

### **Recommended Denial**

In the case of LDC25-001, Electric Vehicle Charging Stations Land Development Code Amendment, and Development Application Manual Amendment, I have reviewed the staff report, including all exhibits and attachments, and have listened to the presentation and any public comment as presented at the hearing, and hereby move to recommend denial of the proposed amendment to the Land Development Code.

1. *State new findings in support of denial as part of the motion.*

### **Continue to Date Certain:**

In the case of LDC25-001, Electric Vehicle Charging Stations Land Development Code Amendment, and Development Application Manual Amendment, I move to continue the hearing to [date certain], 6:30 p.m., to obtain additional information and to further consider the information presented.