



Planning Department

November 29, 2023

Honorable Mayor and Councilors
City Manager
City Attorney
Clerk of Council

This application comes at the request of the Columbus Consolidated Government.

Various requests to the UDO from staff.

Subject: (REZN-11-23-0218) Request to amend the text of the Unified Development Ordinance (UDO) for Key Lock Boxes and Electric Vehicle Infrastructure.

UNIFIED DEVELOPMENT ORDINANCE REVISIONS
(Explanation of Revisions)

1. Explanation of Revisions: Amend Section 4.2.25

Section 4.2.25. KEY LOCK BOXES.

- A. *Required; exemptions.* Residential structures which are not gated and do not require fire alarm or sprinkler systems.
The following structures shall be equipped with a key lock box within ten feet of the main entrance, or other such location required by the Fire Chief. The lock box shall be affixed in a location of not less than four feet and not more than six feet above final grade:
1. Any new commercial structure
 - (a) Any existing or new educational facility
 - (b) Any building or facility containing a quantity of hazardous materials which would require compliance with title III of SARA (superfund amendment reauthorization act).
 - (c) Any structure requiring a new or change of occupancy.
 2. This section shall not apply to one- and two-family dwellings unless requested by the owner, in which case, the provisions of this section shall apply.
- B. *Time for installation.* All newly constructed structures subject to this section shall have the key lock box installed and operational prior to occupancy. All existing structures described in section (A) on the effective date hereof shall have twelve months to have a key lock box installed and operational.
- C. *Fire Department approved padlock and gated locations.* Any structure meeting the requirements of divisions (A) and (B) surrounded by a locked fence in an area barring access to the structure shall be required to utilize a padlock in conjunction with the lock which is utilized by the property/business owner, which is keyed to match the approved key lock box as defined by this section. If there are

multiple locked entrances through the fence, only one shall be required to utilize the Fire Department approved lock. Any new gated apartment complex location or one which changes ownership shall install an approved lock box device allowing emergency access.

D. *Type of lock box.* The Fire Chief shall designate the type of key lock box system to be implemented within the jurisdiction and shall have the authority to require all structures to use the designated system.

E. *Keys required in box.*

1. The owner or operator of a structure required to have a key lock box shall keep a key in the lock box for the following:

- (a) The main entrance door;
- (b) Alarm room (if one exists);
- (c) Mechanical and/or sprinkler control rooms;
- (d) Fire alarm control panel;
- (e) Electrical room;
- (f) Special keys to reset pull station;
- (g) Elevator keys (if an elevator exists); and
- (h) Any other room as specified by the Fire Chief.

2. These keys shall be labeled for easy identification in the field.

F. *Rules and Regulations.* The Fire Chief shall be authorized to implement rules and regulations for the use of the lock box system.

G. *Penalty.* Any person, firm, corporation, or agent, in violation of any requirements set forth in this article or otherwise comply with the requirements of this article shall be guilty of an offense, punishable as set forth in section 1-8 of the Columbus Code. Each such person shall be considered guilty of a separate offense for each and every day, or portion thereof, during which any violation of any provision of this code is committed or continued, and upon conviction of any such violation, such person shall be punished as set forth in section 1-8 of the Columbus Code. Any person violating any provision of this article shall be fined a minimum of \$500.00 for the first offense and shall be fined a minimum of \$1,000.00 for a second and each subsequent offense at the same property location.

2. Explanation of Revisions: Amend Section 4.10.1

ARTICLE 10. ELECTRIC VEHICLE INFRASTRUCTURE

Section 4.10.1. Intent; purpose.

An ordinance of Columbus Consolidated Government, providing definitions relating to electric vehicle infrastructure and standards to guide the development of electric vehicle infrastructure in order to protect the public health, safety, and welfare and avoid significant impacts on resources and adjacent uses.

By enacting this ordinance, it is the intent of Columbus Consolidated Government to:

1. Respond to and/or prepare for the increased need for electric vehicle infrastructure resulting from increased ownership and usage of electric vehicles;
2. Encourage the establishment of convenient, cost-effective electric vehicle infrastructure that such use necessitates.
3. Encourage the location of electric vehicle infrastructure, to the extent possible, in areas where any potential adverse impacts on the community will be minimized;

Section 4.10.2. Definitions; general provisions.

Accessible electric vehicle charging station: An electric vehicle charging station where the battery charging station is located within accessible reach of a barrier-free access aisle and the electric vehicle to enable access by disabled persons.

Battery charging station: An electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles.

Battery electric vehicle: Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board via a battery for motive purpose. Any vehicle that operates exclusively on electrical energy from an offboard source that is stored in the vehicle's batteries and produces zero tailpipe emissions or pollution when stationary or operating.

Charging levels: The standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged. The terms 1, 2, and 3 are the most common charging levels, and include the following specifications:

1. Level-1 is considered slow charging. Voltage including the range from 0 through 120.
2. Level-2 is considered medium charging. Voltage is greater than 120 and includes 240.
3. Level-3 is considered fast or rapid charging. Voltage is greater than 240.

Electric vehicle: Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board via a battery for motive purpose. "Electric vehicle" includes: (1) a battery electric vehicle; and (2) a plug-in hybrid electric vehicle.

Electric vehicle charging station: A public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. An electric vehicle charging station equipped with Level-1 or Level-2 charging equipment is permitted outright as an accessory use to any principal use.

Electric vehicle charging station – private restricted use: An electric vehicle charging station that is (1) privately owned and restricted access (i.e., single-family home, executive parking, designated employee parking) or (2) publicly owned and restricted (i.e., fleet parking with no access to the general public).

Electric vehicle charging station – public use: An electric vehicle charging station that is (1) publicly owned and publicly available (i.e., commuter parking, public library parking lot, on-street parking) or (2) privately owned and available to visitors of the use (i.e., shopping center parking).

Electric vehicle infrastructure: Conduit/wiring, structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations and rapid charging stations.

Electric vehicle parking space: Any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

Non-electric vehicle: Any motor vehicle that is licensed and registered for operation on public and private highways, roads, and streets that does not meet the definition of electric vehicle.

Plug-in hybrid electric vehicle: Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board via a battery for motive purpose. An electric vehicle that (1) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; (2) charges its battery primarily by connecting to the grid or other off-board electrical source; (3) may additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and (4) has the ability to travel powered by electricity.

Section 4.10.3. Applicability .

- A. This ordinance shall apply to all electric vehicle infrastructure installed, constructed, or modified after the effective date of this Ordinance.
- B. Electric vehicle infrastructure in place prior to the effective date of this ordinance shall not be required to meet the requirements of this ordinance unless substantial modification to the infrastructure is proposed.
- C. All electric vehicle infrastructure shall be designed, built, and installed in accordance with applicable local, state, and federal codes, regulations, and standards.

Section 4.10.4. Requirements for Electric Vehicle Infrastructure.

- A. Permitted Location.
 - 1. Level-1 and Level-2 electric vehicle charging stations are permitted in every zoning

district

when accessory to the primary permitted use. Such stations located at one-family, multiple-family, and mobile home park dwellings shall be designated as private restricted use only. Installation shall be subject to permit approval administered by the Inspections and Codes Division.

2. Level-3 electric vehicle charging stations are permitted in all districts when accessory to the primary permitted use. Installation shall be subject to permit approval administered by the Inspections and Codes Division.

3. If the primary use of the parcel is the retail electric charging of vehicles, then the use shall be considered a gasoline service station for zoning purposes. Installation shall be subject to Inspections and Codes Division approval and located in zoning districts which permit gasoline service stations.

B. Application and Approval.

1. Charging stations located at one-family, multiple-family, and mobile home park dwellings as accessory uses shall comply with the requirements of this ordinance and any applicable permitting requirements.
2. Charging stations located at commercial sites and as accessory uses shall comply with site review and permitting requirements. Charging stations shall not be located in subterranean spaces such as underground or below grade parking structures.
3. Charging stations located at commercial sites and as primary uses shall be subject to approval by the Inspections and Codes Division, and located in zoning districts which permit gasoline service stations. Site review and permitting requirements shall also apply.

C. General Requirements for Residential and Non-Residential Development.

1. Electric vehicle charging stations within single family residences are exempt from the below general requirements. This does not exempt electrical or other permit obligations.
2. **Parking**
 - a. An electric vehicle charging station space may be included in the calculation for minimum required parking spaces required.
 - b. Public electric vehicle charging stations are reserved for parking and charging electric vehicles only. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
3. **Accessible Spaces:** It is strongly encouraged, but not required, that a minimum of one (1) accessible electric vehicle charging station be provided. Accessible electric vehicle charging stations shall not be located in close proximity to the building or facility entrance and connected to a barrier-free accessible route of travel. It is not necessary to designate the accessible electric vehicle charging station exclusively for the use of disabled persons.
4. **Lighting:** Site lighting shall be provided where an electric vehicle charging station is installed unless charging is for daytime purposes only.

5. Equipment Standards and Protection

- a. Battery charging station outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the surface where mounted. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designed and located as to not impede pedestrian travel or create trip hazards on sidewalks.
- b. Adequate battery charging station protection, such as concrete-filled steel bollards, shall be used. Curbing may be used in lieu of bollards, if the battery charging station is setback a minimum of 24 inches from the face of the curb.

6. Usage Fees: The property owner or operator is not restricted from collecting a service fee for the use of an electric vehicle charging station made available to visitors of the property.

7. Signage

- a. Information shall be posted identifying voltage and amperage levels and any time of use, fees, or safety information related to the electric vehicle charging station.
- b. Each electric vehicle charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. For purposes of this subsection, “charging” means that an electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station equipment.

8. Maintenance: Electric vehicle charging stations shall be maintained in all respects, including the functioning of the equipment. A phone number or other contact information shall be provided on the equipment for reporting when it is not functioning, or other problems are encountered.

9. Emergency Disconnect: For Electric Vehicle Charging Stations rated at more than 60 amps or more than 150 volts to ground, an approved remote means of disconnect must be installed in a readily accessible location and within sight of the electric charging connector. For Electric Vehicle Charging Stations designated for public use, a remote means of disconnect, approved by the fire code official, must be installed.

10. Decommissioning: Unless otherwise directed by the Columbus Consolidated Government, within ninety (90) days of cessation of use of the electric vehicle charging station, the property owner or operator shall restore the site to its original condition. Should the property owner or operator fail to complete said removal within ninety (90) days, the Columbus Consolidated Government shall conduct the removal and disposal of improvements at the property owner or operator’s sole cost and expense.

Section 4.10.5. Appeals.

If the owner of an electric vehicle charging station is found to be in violation of the provisions of this Ordinance, appeals should be made in accordance with the established procedures of the Columbus Consolidated Government code.

Section 4.10.6. Effectiveness, Interpretation, Separability.

- A. This ordinance shall become effective immediately upon its adoption.
- B. All other portions, parts and provisions of the Zoning Ordinance of Columbus Consolidated Government, as heretofore enacted and amended, shall remain in force and effect.

- C. All Ordinances, or parts of Ordinances, in conflict herewith are repealed.
- D. If any part of this ordinance conflicts with any other applicable federal, state, or local regulation, the more restrictive regulation shall control.
- E. If any section, clause, portion or provision of this ordinance is found unconstitutional, such invalidity shall not affect any other portion of this ordinance.

ADDITIONAL INFORMATION:

N/A

Recommendations:

The Planning Advisory Commission (PAC) considered this text amendment at their meeting on November 15, 2023. PAC recommended **approval** by a vote of 5-0.

The Planning Department recommends **approval**.

Sincerely,

Will Johnson
Planning Director
