

AGENDA ITEM SUMMARY

City Council



STAFF

Dashiell Bubar-Hall, Transportation Planner
Clay Frickey, Senior Manager, Planning
Marcus Coldiron, Chief Building Official

SUBJECT

Resolution 2025-103 Concerning Implementation of Standards for Electric Vehicle Charger Permitting.

EXECUTIVE SUMMARY

The purpose of this item is to adopt a resolution to comply with the requirements of House Bill (HB) 24-1173. This house bill was passed in 2024 and requires all municipalities with a population of 10,000 or more to adopt an ordinance or resolution based on one of three compliance options related to Electric Vehicle (EV) charger permitting. After reviewing the compliance options, staff determined that the existing approach to EV chargers within the Land Use Code and building code permitting process meets the standards proposed in compliance options #1 and #2. Based on these findings, staff has recommended compliance option #3, which is to adopt an ordinance or resolution that the City intends to utilize our existing permitting process, as the preferred option.

STAFF RECOMMENDATION

Staff recommends adoption of Resolution 2025-103 stating that the City is utilizing compliance option #3.

BACKGROUND / DISCUSSION

House Bill 24-1173 was passed in 2024 and requires all counties with a population of 20,000 or more and municipalities with a population of 10,000 or more to adopt an ordinance or resolution based on one of three compliance options related to Electric Vehicle (EV) charger permitting by December 31, 2025. The compliance options featured in the bill are:

1. Adopt an ordinance or resolution that incorporates the same standards and permitting process or less restrictive standards and permitting process as described in the Colorado Energy Office EV charger permitting model code.
2. Adopt an ordinance or resolution that establishes the municipality's own objective standards and administrative review process to be used in regard to EV charger permitting. Applicants must be provided with a checklist of all requirements and be notified within three days of their applications being approved or denied.

3. Adopt an ordinance or resolution that the municipality does not intend to adopt the EV charger model code or adopt the standards and administrative review process proposed in the bill language but instead will continue to utilize the municipality's existing permitting review process for EV charging systems.

Staff reviewed the three compliance options and determined that our existing standards and permitting process for EV chargers are preferable to the standards proposed in compliance options #1 and #2.

Compliance option #1: The state's EV Charger Permitting Model Code contains several standards that are designed to be integrated into municipal land use codes to reduce barriers to EV chargers and streamline permitting processes. The proposed standards and code language from compliance option #1 are not applicable to the City, as the City's current Land Use Code does not prevent EV chargers from being installed in any zone district and treats them as an allowable accessory use. The City's Land Use Code is already less restrictive than the proposed model code, as it does not contain any requirements of EV chargers that can be viewed as restrictive. For these reasons, staff does not recommend this compliance option and has determined that the preferred mechanism for permitting EV chargers is the existing standards and process set forth in the building code (Chapter 5 of City Code).

Compliance option #2: Staff has determined compliance option #2 to be unnecessary because the permitting process that EV chargers are currently subjected to under the City's building code already contains all the standards and processes proposed by this option (objective standards, administrative review process, checklist for applicants, notification of permit determination within 3 days).

City's Existing Permitting Process for EV Chargers: EV chargers are currently permitted through the City's building permit process under Chapter 5 of City Code. Generally, EV chargers are a separate step in the building permit process for new construction, and they must be inspected and approved before a building permit is issued. EV chargers that are added to existing buildings are viewed as an alteration and require an inspection before a building permit is approved. A completed building permit application, a site plan with dimensions, and plans (product specs, electrical drawings, accessibility details) are required for all commercial and multifamily building permit applications that include EV chargers.

Given that the City's existing Land Use Code and building permit process already meet or exceed the proposed standards and processes in compliance options #1 and #2, staff therefore recommends adopting a resolution establishing that the City is utilizing compliance option #3. After the adoption of the resolution, HB 24-1173 requires the City to track all EV charger permits submitted in 2026 and submit a report to the Colorado Energy Office by March 1, 2026. This report is required to contain the final determination for each application and the duration of time between the completed application being submitted and the date of the final determination of the permit.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Resolution 2025-103