



**TO:** Fruita City Council and Mayor

**FROM:** Planning & Development Department

**DATE:** January 20, 2025

**AGENDA TEXT:** RESOLUTION 2026-02, a Resolution by the Fruita City Council concerning electric vehicle charging systems.

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## **BACKGROUND**

Colorado House Bill 24-1173 mandates that certain local governments work to streamline the process for permitting electric motor vehicle charging systems. The Act details three methods by which local governments may comply. Local governments may either adopt permitting processes and standards from the Electric Vehicle Charging Model Land Use Code, adopt the permitting processes and standards prescribed by HB 24-1173, or adopt an ordinance or resolution stating that the City does not wish to change its existing land use codes and opts out of revising its codes.

HB24-1173 is intended to encourage a more standardized and streamlined local permitting process for EV charging development. The development of this bill and its passage as law was responsive to feedback from stakeholders noting that local land use permitting requirements and processes can be a barrier for EV charging development. Under the City's current Land Use Code, an EV charging development like a parking lot, would be reviewed administratively in zones where commercial parking areas are allowed.

Staff have reviewed the options available to local governments and have prepared a resolution by which the City of Fruita would opt out of revising its land use code. By adopting this resolution, Council would retain the currently in place land use regulations and permitting processes staff use to review electric vehicle charging systems.

## **FISCAL IMPACT**

Staff does not expect any negative fiscal impacts associated with this resolution.

## **APPLICABILITY TO CITY GOALS AND OBJECTIVES**

It is a commitment of Staff to continue to review the Land Use Code to help ensure that the regulations reflect the best promotion of Fruita's Core Services. The Land Use Code does not currently contain site-specific or supplemental land use standards applicable to electric vehicle charging systems. Electric

vehicle charging systems are currently reviewed using the municipalities' objective standards. Staff have the perspective that the retention of these standards reflects the best promotion of Fruita's Core Services.

#### **OPTIONS AVAILABLE TO THE COUNCIL**

1. Adopt Resolution 2026-02, a Resolution by the Fruita City Council concerning electric vehicle charging stations.
2. Deny Resolution 2026-02.

#### **RECOMMENDATION**

It is the recommendation of Staff that the Council by motion:

**ADOPT RESOLUTION 2026-02, A RESOLUTION BY THE FRUITA CITY COUNCIL CONCERNING ELECTRIC VEHICLE CHARGING SYSTEMS.**