



City Council Communication

AGENDA DATE: December 15, 2025 **LEGISTAR ITEM #:** Res2025-173

PRESENTER: Heather Vidlock
Development

DEPARTMENT: Community

<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Public Hearing
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REQUEST

Staff is requesting Council adoption of a resolution stating the City's intent to adopt its own permitting process and standards for electric vehicle charger permit applications, consistent with the requirements of C.R.S. 31-23-316 (4) and (5).

BACKGROUND

About the State Law (HB24-1173)

In 2024, Colorado passed the Electric Vehicle Charging System Permits law (HB24-1173). This law requires local governments to adopt land use permitting processes and standards for public charging projects to foster more streamlined, transparent, and consistent permitting processes.

This law is particularly focused on Direct Current Fast Charging (DCFC) or commonly known as level three charging stations, which offer the fastest electric vehicle charging speeds. The vast majority of existing DCFC charging projects in Colorado are accessory in nature (e.g., Tesla Superchargers in commercial parking lots), rather than primary uses, which would require electric vehicle (EV) charging to be the main function and land use of the property – similar to a gas station, but for electric vehicles.

However, as more primary EV charging projects may be developed in the future, a key component of the law is to establish standards and processes specific to this type of use.

Under this law, municipalities with 10,000 or more people and counties with 20,000 or more people as of the 2020 Federal Census are required to take at least one of the following compliance actions by December 31, 2025:

CITY COUNCIL COMMUNICATION CONTINUED

1. **Model Code Adoption.** Adopt the permitting processes and standards from the EV Charging Model Land Use Code developed by the State;
2. **Statutory Code Adoption.** Adopt the municipality's own objective standards and administrative review process. Which must be consistent with the requirements of C.R.S. 31-23-316 (4) and (5).
3. **Retain Existing Permitting Process and Standards.** Opt out of revising the land use code via the EV Charging Model Code or statutory compliance paths, choosing instead to retain the existing EV charging permitting process and standards.

Reason for Staff Recommendation

Staff recommends that the City adopts its own objective standards and administrative review process. While the model code offers clear, broadly applicable standards to guide updates to the City's Land Development Code, adopting the City's own objective standards and administrative review process would provide greater flexibility. This approach allows staff to better tailor regulations that are more responsive to potential community concerns and aligned with the objectives of the Comprehensive Plan, the City's long-term land use vision.

Next Steps

If Council chooses to move forward with the resolution, the resolution declares our intent to implement processes that are in line with the state statute. In addition, staff will return early next year with an ordinance proposing specific amendments to the Land Development Code to further define the City's process. These amendments will incorporate permitting processes and standards that align with the Statutory Code.

JUSTIFICATION

<input type="checkbox"/> Council Goal	<input type="checkbox"/> Strategic Plan	<input type="checkbox"/> Work Plan	<input checked="" type="checkbox"/> Legal
Citation	Adopt a resolution stating the City's intent to adopt its own permitting process and standards for electric vehicle charger permit applications, consistent with the		

CITY COUNCIL COMMUNICATION CONTINUED

	requirements of C.R.S. 31-23-316 (4) and (5) to comply with HB24-1173.
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BOARDS & COMMISSIONS ASSIGNED

Board or Commission	N/A
Recommendation	N/A
Date of Recommendation	N/A

AVAILABLE ACTIONS

<ul style="list-style-type: none">• Available Action #1 Approve Resolution as submitted.• Available Action #2 Amend and approve the Resolution• Available Action #3 Continue action on the Resolution.• Available Action #4 Do not approve the Resolution.

STAFF RECOMMENDATION

Staff recommends Action #1 to approve the Resolution.
