

ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE CHAPTER 25-2 TO ESTABLISH A NEW USE AND SITE DEVELOPMENT REGULATIONS FOR ELECTRIC VEHICLE CHARGING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Subsection (B) of City Code Section 25-2-4 (*Commercial Uses Described*) is amended to add a new use of “Electric Vehicle Charging” and to renumber the remaining uses accordingly:

- (25) ELECTRIC VEHICLE CHARGING use is the use of a site for the charging of an electric vehicle, including battery charging stations and rapid charging stations, each as defined by the United States Department of Energy.

PART 2. City Code Chapter 25-2, Subchapter C, Article 4, Division 2 (*Commercial Uses*) is amended to add a new Section 25-2-819 to read:

§ 25-2-819 ELECTRIC VEHICLE CHARGING USE.

- (A) This section applies to an electric vehicle charging use as a principal use.
- (B) This section does not apply to an electric vehicle charging use as an accessory use.
- (C) This section governs over a conflicting provision of this title or other ordinance unless the conflicting provision is more restrictive.
- (D) In this section:
 - (1) a roadway description has the meaning assigned in Article 5 (*Definitions*) of Subchapter E; and
 - (2) distance is measured from lot line to lot line.
- (E) Electric vehicle charging stations must be located at ground level or above.
- (F) Electric vehicle charging use is a permitted use on a site with a commercial or industrial base zoning district and:
 - (1) an existing service station use; or
 - (2) a discontinued service station use, if a subsequent use on the site did not include a restaurant (general) use, a restaurant (limited) use, or a residential use.

30 (G) Subject to the requirements of Subsections (H), (I), and (J), electric vehicle
31 charging use is a permitted or conditional use on a site zoned:

- 32 (1) General Commercial Services (CS);
- 33 (2) Commercial Liquor Sales (CS-1);
- 34 (3) Commercial Highway (CH);
- 35 (4) Industrial Park (IP);
- 36 (5) Major Industry (MI);
- 37 (6) Limited Industrial Services (LI); or
- 38 (7) Research and Development (R&D).

39 (H) Electric vehicle charging use is a permitted use if:

- 40 (1) the site is:
 - 41 (a) zoned with a zoning district included in Subsection (G); and
 - 42 (b) located at least 1,000 feet from another lot with electric vehicle
 - 43 charging use as its primary use; and
 - 44 (c) 25,000 square feet or less.
- 45 (3) the site front-faces or side-faces one of the following roadways:
 - 46 (a) a core transit corridor;
 - 47 (b) a future core transit corridor; or
 - 48 (c) an urban roadway.

49 (I) Electric vehicle charging use is a permitted use if the site:

- 50 (1) is zoned with a zoning district included in Subsection (G); and
- 51 (2) front-faces or side-faces one of the following roadways:
 - 52 (a) a suburban roadway;
 - 53 (b) a highway;
 - 54 (c) a hill country roadway; or
 - 55 (d) an internal circulation route.

56 (J) Electric vehicle charging use is a conditional use if the site:

- 57 (1) is zoned with a zoning district included in Subsection (G); and

- 58 (2) front-faces or side-faces one of the following roadways:
- 59 (a) a core transit corridor;
- 60 (b) a future core transit corridor; or
- 61 (c) an urban roadway.

62 **PART 3.** This ordinance takes effect on _____, 2024.

63 **PASSED AND APPROVED**

64 _____, 2024

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68 Kirk Watson
69 Mayor

70 **APPROVED:** _____

71 **ATTEST:** _____

72 Anne L. Morgan
73 City Attorney

74 Myrna Rios
City Clerk