ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2023-021 Electric Vehicle Charging Land Use

Description:

Amend City Code Title 25-2 (Zoning) to create a new land use for Electric Vehicle Charging.

Background: Initiated by City Council Resolution No. 20230608-082.

On June 8, 2023, City Council approved Resolution No. 20230608-082, initiating amendments to City Code Title 25 (Land Development) to create a new land use for "Electric Vehicle Parking."

The resolution directed staff to consider options that would prevent the use from becoming concentrated within activated or residential areas, allow the use through the conditional permit process, and limit the use to General Commercial Services CS or less restrictive zoning districts.

Summary of Proposed Code Amendment:

Amend City Code 25-2, Subchapter A, Article 4 (*Commercial Uses Described*) to add a new use of "electric vehicle charging" and to renumber the remaining uses accordingly: *(26) Electric Vehicle Charging use is the use of a site for the charging of an electric vehicle (EV), including battery charging stations and rapid charging stations, each as defined by the United States Department of Energy*.

Amend City Code 25-2-491 (*Permitted, Conditional, and Prohibited Uses*) to add Electric Vehicle Charging to the use chart.

Create a new section of Austin City Code (25-2-819 – *Electric Vehicle Charging Use Regulations*) to describe additional requirements applicable to the use, including:

- Permitting the use in General Commercial Services (CS), Commercial Liquor Sales (CS-1), Commercial Highway (CH), Industrial Park (IP), Major Industry (MI), Limited Industrial Services (LI), and Research and Development (R&D) zoning districts, with the following requirements:
    - The use is permitted on sites abutting suburban roadways, highways, hill country roadways, or internal circulation routes.
    - The use is permitted on sites abutting core-transit corridors, future core-transit corridors, and urban roadways if:
        - The nearest Electric Vehicle Charging use is at least 1,000 feet away; and
        - The site does not exceed 25,000 square feet in area.
    - The use is conditional on sites abutting core-transit corridors, future core-transit corridors, and urban roadways if:
        - The nearest Electric Vehicle Charging use is less than 1,000 feet away; or

    - The site exceeds 25,000 square feet in area.
- Permitting the use on a site when the base zoning district is commercial or industrial and a service station use is an existing use or was a previous use for the site unless the use was already converted to a residential, restaurant (general), or restaurant (limited) use.
- Prohibiting the use underground.

Code Amendment Text: See attached draft ordinance.

Staff Recommendation: Recommended

Staff supports the creation of the Electric Vehicle Charging land use. The proposed Electric Vehicle Charging use plays a crucial role in Austin's transportation infrastructure as the city transitions towards cleaner and more sustainable modes of transportation. It provides the opportunity for charging stations to be positioned in various locations throughout the city where electric vehicle owners and fleets can recharge their automobiles.

The light rail transit system expansion will be supported by providing users with transportation options to arrive at their destination from the transit stops. Strategically permitting charging stations in commercial districts on specific roadway types will give users accessible, convenient, and efficient access to charging infrastructure while providing development regulations, like distance requirements, that limit the use from interrupting the public realm or the walkability of an area. Integrating EV charging infrastructure with public transit systems and other sustainable transportation options contributes to a more comprehensive and interconnected urban mobility network.

Creating an Electric Vehicle Charging primary use allows for the creation of a network of accessible charging stations throughout the city. The Austin Climate Equity Plan 2020-21 endorses a new goal of "equitably reaching net-zero community-wide greenhouse gas emissions by 2040, utilizing a steep decline path, followed by negative emissions." To meet this ambitious target, the city has put importance on electrifying the transportation system with several goals, including the following:

Goal 1: By 2030, 40% of total vehicle miles traveled in Austin will be electrified, and electric vehicle ownership will be culturally, geographically, and economically diverse. This translates to approximately 460,000 electric vehicles on the road.

> Strategies to meet this goal include electrifying the public and private sector fleet vehicles. The proposed Electric Vehicle Charging use will give these types of businesses the opportunity to charge fleet vehicles within the city as a primary use.

Goal 2: By 2030, Austin will have a compelling and equitably distributed mix of level 1, 2, and DC fast charging infrastructure to accommodate 40% of the city's total vehicle miles traveled. This translates to 226 megawatts of electrical load and could mean more than 37,000 charging ports.

A strategy to meet this goal includes creating a network with more accessible charging stations by incentivizing the installation of public and private electric vehicle charging infrastructure by the City, businesses, auto manufacturers, and third-party charging companies to create a compelling (convenient, reliable, and low-cost) network accessible to all. Creating a primary Electric Vehicle Charging use allows for more flexibility around where the charging stations can be located for public and private purposes.

Staff recommends the proposed Electric Vehicle Charging use and associated regulations to advance the goals of the Climate Equity Plan.

Board and Commission Actions

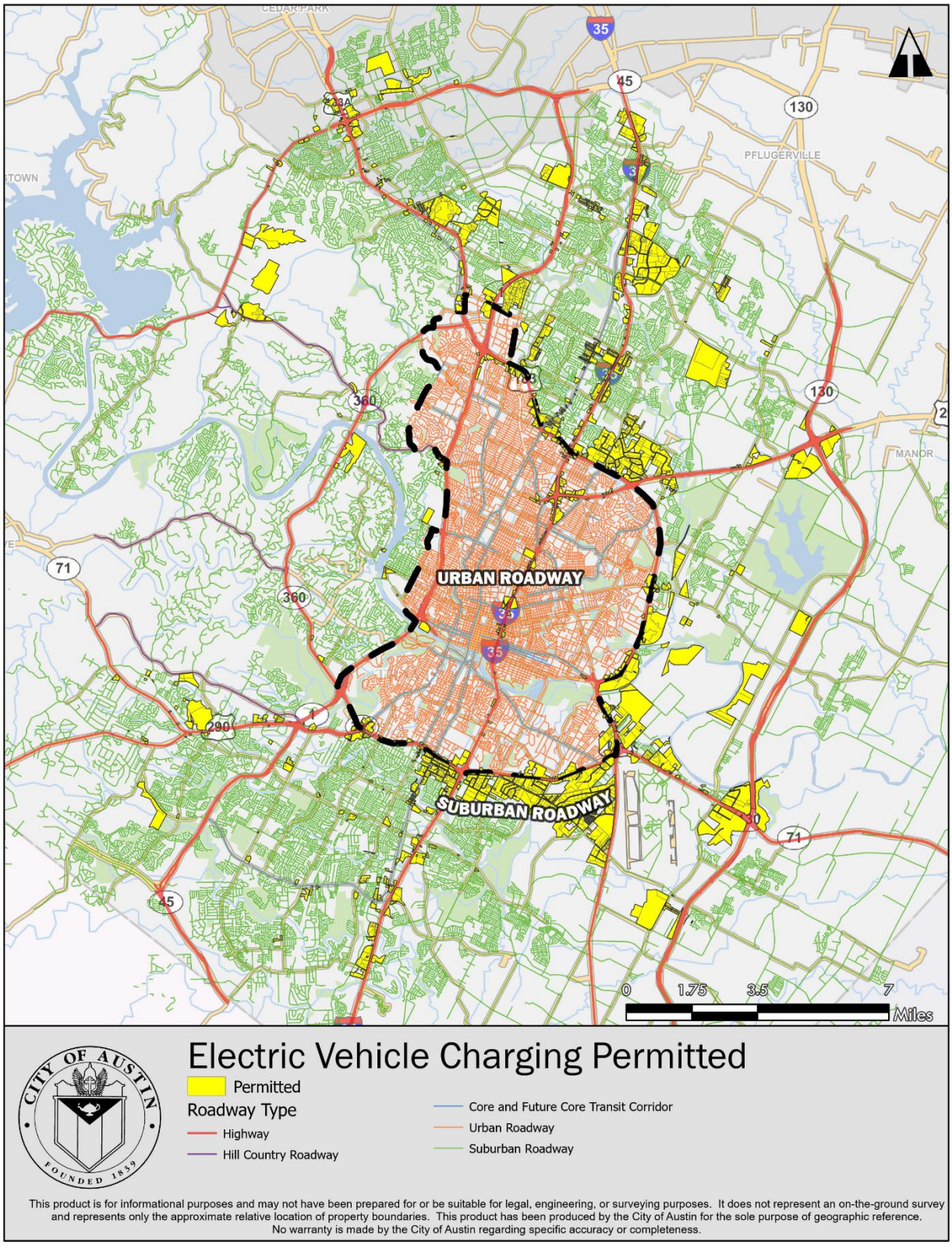
April 23, 2024 – Planning Commission held a public hearing on the proposed changes and recommended approval on a 13-0 vote. The Commission recommended three amendments to the staff recommendation. For more details on the amendments, please see EV Charging Planning Commission Amendments and Staff Responses.

Council Action

May 16, 2024 – To be considered by City Council

City Staff:

Eric Thomas, LDCupdates@austintexas.gov, 512-974-7220 (Case Manager)


CEDAR PARK
PFLUGERVILLE
MANOR
URBAN ROADWAY
SUBURBAN ROADWAY
0 1.75 3.5 7
Miles
Electric Vehicle Charging Permitted
Permitted
Roadway Type
Highway
Hill Country Roadway
Core and Future Core Transit Corridor
Urban Roadway
Suburban Roadway
CITY OF AUSTIN
FOUNDED 1839
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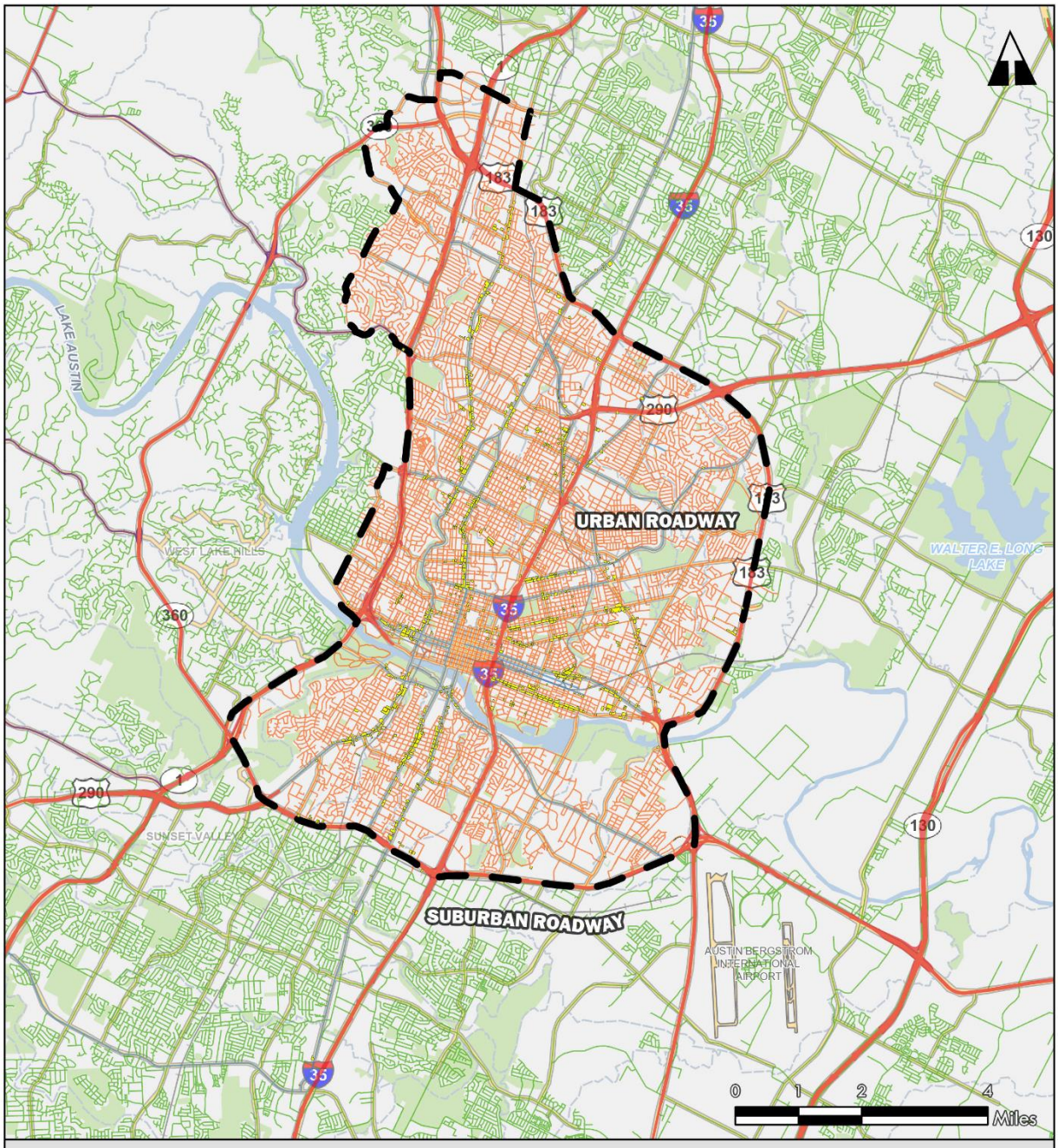

Electric Vehicle Charging Small Site

Permitted or Condiotional - Small Site

Roadway Type

- Highway
- Hill Country Roadway
- Core and Future Core Transit Corridor
- Urban Roadway
- Suburban Roadway

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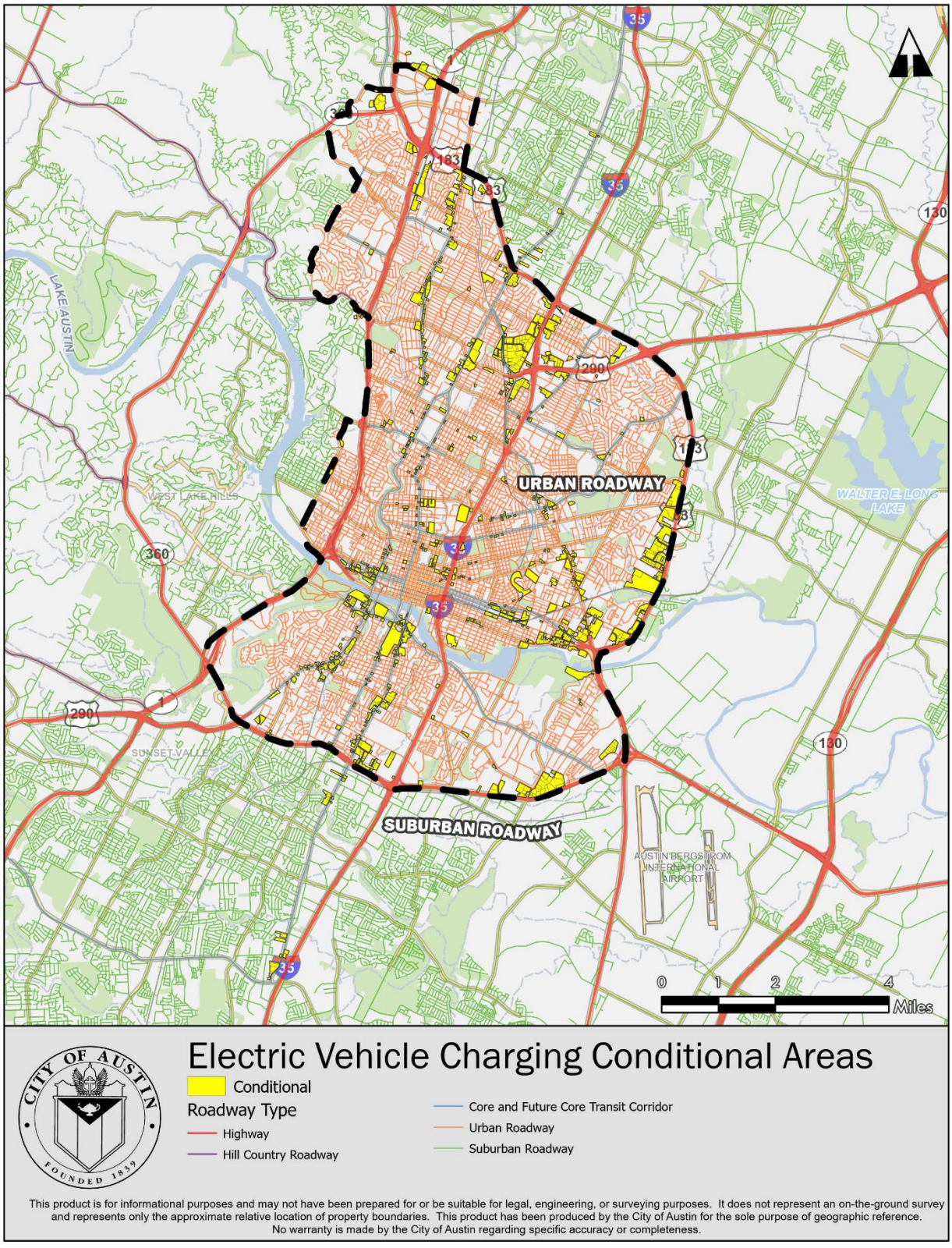
URBAN ROADWAY
SUBURBAN ROADWAY
LAKE AUSTIN
WEST LAKE HILLS
SUNSET VALLEY
WALTER E. LONG LAKE
AUSTIN BERGSTROM INTERNATIONAL AIRPORT
0 1 2 4
Miles
Electric Vehicle Charging Conditional Areas
Conditional
Roadway Type
Highway
Hill Country Roadway
Core and Future Core Transit Corridor
Urban Roadway
Suburban Roadway
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Affordability Impact Statement

Electric Vehicle Charging

Initiated by: Resolution No. 20230608-082
Case number: C20-2023-021
Date: March 15, 2024

Proposed Regulation

The proposed amendment would do the following:

- Add a new zoning use category of “electric vehicle charging”
- Add a new section establishing electric vehicle charging as a use in certain commercial and industrial zoning categories, and defining the conditions under which the use is permitted or conditional

Land Use/Zoning Impacts on Housing Costs

The proposed changes would have a **neutral** impact on housing costs via land use and zoning.

Impact on Development Cost

The proposed changes would have a **neutral** impact on development costs.

Impact on Affordable Housing

The proposed changes would have a **neutral** impact on affordable housing.

City Policies Implemented

- The proposed amendment helps to implement the 2020 Climate Equity Plan goal that, “40% of total vehicle miles traveled in Austin are electrified, and electric vehicle ownership is culturally, geographically, and economically diverse.”
- The proposed amendment aligns with principles identified in Chapter Three of Imagine Austin: “We use and inspire new technologies that create more sustainable communities, while reducing our dependence on environmentally costly practices,” and “Austin is a leader in reducing greenhouse gas emissions.”

Other Housing Policy Considerations

None.

Manager’s Signature Marla Torrado