PLANNING & DEVELOPMENT MEMORANDUM
#21-2025

DATE: Nov 10, 2025

TO: Honorable Mayor Meredith Leighty and City Council Members

THROUGH: Heather Geyer, City Manager

FROM: Brook Svoboda, Director of Planning & Development
Mara Owen, Sustainability Coordinator

SUBJECT: CB-2033 - Unified Development Ordinance (UDO) Amendment - Electric Vehicle Charging Land Use Permits

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PURPOSE

To consider CB-2033, an ordinance on second reading affirming the City of Northglenn's existing permitting review process for electric vehicle charger land use permit applications and opting out of the adoption of model land use permitting requirements in accordance with House Bill 24-1173.

BACKGROUND

House Bill 24-1173 ("HB 1173") requires municipalities with 10,000 or more residents to take compliance action by Dec. 31, 2025 regarding electric vehicle charger land use permitting. The City must choose one of three options:

1. Adopt the permitting processes and standards of the state-issued Electric Vehicle Charging Model Land Use Code;
2. Adopt the permitting processes and standards directly from HB 1173; or
3. 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.

The City of Northglenn currently addresses electric vehicle parking requirements in Northglenn Municipal Code Section 11-4-6(f)(5) and issues electric vehicle parking permits in accordance with Northglenn Municipal Code Section 10-2-1, the Building Code. Staff has determined that the City's existing permitting process adequately addresses electric vehicle charger applications and meets the City's regulatory needs.

The proposed ordinance would amend Section 11-4-6(f)(5) of the Northglenn Municipal Code to formally opt out of revising its existing land use codes pursuant to C.R.S. § 31-23-316(2)(a)(II), allowing the City to maintain its current land use codes and permitting process.

Regardless of which option the City selects, HB 1173 requires two reports to be submitted to the Colorado Energy Office:

- March 1, 2026 - A report on the City's compliance with one of the three options above
- Jan. 31, 2027 - A report on each EV charger permit application received between Dec. 31, 2025 and Dec. 1, 2026, with the determination and timeframe for each application

The proposed UDO amendment was presented to the Planning Commission on Oct. 21, 2025. The Commission approved a resolution recommending City Council adoption of CB-2033.

BUDGET/TIME IMPLICATIONS
If CB-2033 is adopted, the City will meet the deadline of Dec. 31, 2025 for compliance. There are no other budget or time implications.

STAFF RECOMMENDATION
Staff recommends adoption of CB-2033 on second reading.

STAFF REFERENCE
If Council members have any questions, please contact Brook Svoboda, Director of Planning & Development, at bsvoboda@northglenn.org or 303.450.8937.

ATTACHMENTS
1. House Bill 24-1173
2. Presentation

CB-2033 – UDO Amendment – Electric Vehicle Charging Land Use Permits

An Act

HOUSE BILL 24-1173

BY REPRESENTATIVE(S) Valdez, Amabile, Brown, deGruy Kennedy, Epps, Froelich, Garcia, Hernandez, Herod, Jodeh, Joseph, Lieder, Lindsay, Mabrey, Mauro, Ortiz, Parenti, Rutinel, Story, Woodrow, Boesenecker, Kipp, McLachlan, Ricks, Sirota, Young, McCluskie;
also SENATOR(S) Priola and Jaquez Lewis, Cutter, Fields, Hansen, Michaelson Jenet, Sullivan.

CONCERNING STREAMLINING THE PROCESS FOR PERMITTING ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) The transportation sector is a leading source of greenhouse gas emissions and pollution, and vehicle electrification is a key component in reducing greenhouse gas emissions in the transportation sector;

(b) According to the United States department of energy, an electric vehicle produces an average of less than one-fourth of the average emissions of a motor vehicle powered by an internal combustion engine

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

over its lifetime;

(c) To further promote the adoption of electric vehicles, the state needs to encourage the rapid development of a network of electric vehicle charging systems and other infrastructure to support those electric vehicles;

(d) As of January 2024, there are more than 108,000 electric vehicles on the road in Colorado but less than 5,000 Level 2 and only 980 DC fast charging electric vehicle charging ports available for public use;

(e) The "2023 Colorado EV Plan" calls for at least 5,800 Level 2 and 1,700 DC fast charging electric vehicle charging ports available for public use by 2025; and

(f) The promotion of electric vehicles and the development of electric vehicle charging systems is a matter of mixed state and local concern.

(2) The general assembly further declares that it is in the best interest of Coloradans and a matter of mixed state and local concern to facilitate the permitting of electric vehicle charging systems by streamlining the process for local governments to approve permits for developing electric vehicle charging infrastructure.

SECTION 2. In Colorado Revised Statutes, **add** 30-28-213 as follows:

30-28-213. Electric motor vehicle charging systems - county permitting procedures - permit application - approval process - definitions. (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ADMINISTRATIVE REVIEW PROCESS" MEANS A PROCESS:

(I) IN WHICH AN EV CHARGER PERMIT IS APPROVED, APPROVED WITH CONDITIONS, OR DENIED BY ADMINISTRATIVE STAFF OF A COUNTY PERMITTING AGENCY BASED SOLELY ON THE APPLICATION'S COMPLIANCE WITH OBJECTIVE STANDARDS SET FORTH IN COUNTY ZONING LAWS OR OTHER COUNTY LAWS; AND

(II) THAT DOES NOT REQUIRE A PUBLIC HEARING, A RECOMMENDATION, OR A DECISION BY AN ELECTED OR APPOINTED PUBLIC BODY OR HEARING OFFICER EXCEPT AS PROVIDED IN SUBSECTION (4)(d) OF THIS SECTION.

(b) "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY OFFICE CREATED IN SECTION 24-38.5-101.

(c) (I) "COUNTY PERMITTING AGENCY" MEANS THE ENTITY OR ENTITIES FOR A COUNTY THAT ARE RESPONSIBLE FOR ISSUING AN EV CHARGER PERMIT FOR THE CONSTRUCTION OF AN ELECTRIC MOTOR VEHICLE CHARGING SYSTEM.

(II) "COUNTY PERMITTING AGENCY" MAY INCLUDE:

(A) A COUNTY BUILDING DEPARTMENT OR AGENCY;

(B) A COUNTY PLANNING DEPARTMENT OR AGENCY; OR

(C) A COUNTY PUBLIC WORKS OR ROAD AND BRIDGE DEPARTMENT OR AGENCY.

(d) "DISPROPORTIONATELY IMPACTED COMMUNITY" HAS THE MEANING SET FORTH IN SECTION 24-4-109 (2)(b)(II).

(e) "ELECTRIC MOTOR VEHICLE CHARGING SYSTEM" OR "CHARGING SYSTEM" HAS THE MEANING SET FORTH IN SECTION 38-12-601 (6)(a).

(f) "EV CHARGER PERMIT" MEANS THE FINAL APPROVAL OF AN APPLICATION FOR INSTALLATION OF AN ELECTRIC MOTOR VEHICLE CHARGING SYSTEM THAT A COUNTY MAY REQUIRE TO AUTHORIZE AN APPLICANT TO COMMENCE CONSTRUCTION OF THE CHARGING SYSTEM AND A PERMIT APPLICATION FOR AN ELECTRICAL PERMIT ESTABLISHED UNDER ARTICLE 115 OF TITLE 12 AND ISSUED BY THE STATE ELECTRICAL BOARD.

(g) "OBJECTIVE STANDARD" MEANS A STANDARD THAT:

(I) IS UNIFORMLY VERIFIABLE AND ASCERTAINABLE BY REFERENCE TO AN AVAILABLE EXTERNAL OR UNIFORM BENCHMARK OR CRITERION BY THE APPLICANT AND COUNTY PERMITTING AGENCY STAFF PRIOR TO THE

APPLICANT'S FILING OF AN EV CHARGER PERMIT APPLICATION; AND

(II) DOES NOT REQUIRE COUNTY PERMITTING AGENCY STAFF TO MAKE A SUBJECTIVE DETERMINATION CONCERNING AN EV CHARGER PERMIT APPLICATION.

(2) (a) ON OR BEFORE DECEMBER 31, 2025, THE BOARD OF COUNTY COMMISSIONERS OF A COUNTY WITH A POPULATION OF TWENTY THOUSAND OR MORE ACCORDING TO THE 2020 FEDERAL CENSUS SHALL DO ONE OF THE FOLLOWING:

(I) ADOPT AN ORDINANCE OR RESOLUTION TO INCORPORATE THE SAME STANDARDS AND PERMITTING PROCESS OR LESS RESTRICTIVE STANDARDS AND PERMITTING PROCESS AS THE STANDARDS AND PERMITTING PROCESS DESCRIBED IN THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (3) OF THIS SECTION;

(II) (A) ADOPT AN ORDINANCE OR RESOLUTION THAT ESTABLISHES OBJECTIVE STANDARDS AND AN ADMINISTRATIVE REVIEW PROCESS TO BE USED BY THE COUNTY PERMITTING AGENCY DURING THE COUNTY'S REVIEW OF APPLICATIONS FOR EV CHARGER PERMITS IN ACCORDANCE WITH SUBSECTIONS (4) AND (5) OF THIS SECTION.

(B) AN ORDINANCE OR RESOLUTION ADOPTED BY THE COUNTY PURSUANT TO THIS SUBSECTION (2)(a)(II) SHALL BE DEVELOPED IN CONSULTATION WITH THE LOCAL FIRE DEPARTMENT OR FIRE DISTRICT, ANY ELECTRIC UTILITIES SERVING THE COUNTY, AND OTHER RELEVANT STAKEHOLDERS, AS DETERMINED BY THE COUNTY.

(III) ADOPT AN ORDINANCE OR RESOLUTION THAT ESTABLISHES THAT THE COUNTY DOES NOT INTEND TO ADOPT AN ORDINANCE OR RESOLUTION IN ACCORDANCE WITH SUBSECTION (2)(a)(I) OR (2)(a)(II) OF THIS SECTION AND THAT THE COUNTY PERMITTING AGENCY WILL CONTINUE TO UTILIZE THE COUNTY'S EXISTING PERMITTING REVIEW PROCESS FOR EV CHARGER PERMIT APPLICATIONS.

(b) ON OR BEFORE MARCH 1, 2026, A COUNTY THAT IS SUBJECT TO THE REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION SHALL SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE DESCRIBING THE COUNTY'S

COMPLIANCE WITH SUBSECTION (2)(a) OF THIS SECTION.

(c) ON OR BEFORE JANUARY 31, 2027, A COUNTY SUBJECT TO THE REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION SHALL SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE REGARDING EACH APPLICATION FOR AN EV CHARGER PERMIT THAT WAS RECEIVED BY THE COUNTY PERMITTING AGENCY BETWEEN DECEMBER 31, 2025, AND DECEMBER 1, 2026. THE REPORT MUST INCLUDE:

(I) THE FINAL DETERMINATION MADE BY THE COUNTY PERMITTING AGENCY FOR EACH EV CHARGER PERMIT APPLICATION; AND

(II) FOR EACH EV CHARGER PERMIT APPLICATION SUBMITTED TO THE COUNTY PERMITTING AGENCY, THE DURATION BETWEEN THE DATE THAT THE EV CHARGER PERMIT APPLICATION WAS DEEMED COMPLETE BY THE COUNTY PERMITTING AGENCY AND THE DATE THAT THE COUNTY PERMITTING AGENCY MADE A FINAL DETERMINATION ON THE EV CHARGER PERMIT APPLICATION.

(d) IF THE BOARD OF COUNTY COMMISSIONERS OF A COUNTY ADOPTS THE EV CHARGER PERMITTING MODEL CODE PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION OR ADOPTS AN ORDINANCE OR RESOLUTION IN ACCORDANCE WITH SUBSECTION (2)(a)(III) OF THIS SECTION, THE REQUIREMENTS OF SUBSECTIONS (4) AND (5) OF THIS SECTION DO NOT APPLY TO THE COUNTY.

(3) (a) ON OR BEFORE MARCH 31, 2025, THE COLORADO ENERGY OFFICE SHALL PUBLISH AN EV CHARGER PERMITTING MODEL CODE THAT CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER PERMIT STANDARDS AND PERMITTING PROCESSES FOR COUNTIES.

(b) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION MUST BE DEVELOPED IN CONSULTATION WITH COUNTIES, REPRESENTATIVES FROM DISPROPORTIONATELY IMPACTED COMMUNITIES, PUBLIC ELECTRIC UTILITIES, AND OTHER RELEVANT STAKEHOLDERS, AS DETERMINED BY THE COLORADO ENERGY OFFICE.

(c) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION (3) SHALL ONLY APPLY TO A COUNTY'S LAND USE AND ZONING PERMITTING

PROCESSES AND SHALL NOT CONTRAVENE:

(I) STATE ELECTRICAL PERMITTING REQUIREMENTS OR PROCEDURES;

(II) COUNTY ELECTRICAL PERMITTING REQUIREMENTS OR PROCEDURES;

(III) STATE ELECTRICAL INSPECTION REQUIREMENTS;

(IV) COUNTY ELECTRICAL INSPECTION REQUIREMENTS; OR

(V) NATIONAL ELECTRIC CODE REQUIREMENTS OR REGULATIONS RELATED TO ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS.

(d) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION (3) SHALL NOT CONTAIN REQUIRED TIMELINES THAT A COUNTY PERMITTING AGENCY MUST COMPLY WITH FOR THE REVIEW, APPROVAL, OR DENIAL OF EV CHARGER PERMIT APPLICATIONS.

(4) (a) A COUNTY PERMITTING AGENCY SHALL APPROVE, CONDITIONALLY APPROVE, OR DENY AN APPLICATION FOR AN EV CHARGER PERMIT USING THE COUNTY'S ADMINISTRATIVE REVIEW PROCESS TO DETERMINE IF THE PROPOSED ELECTRIC MOTOR VEHICLE CHARGING SYSTEM IS IN COMPLIANCE WITH THE COUNTY'S OBJECTIVE STANDARDS.

(b) A COUNTY PERMITTING AGENCY SHALL NOT DENY OR PLACE CONDITIONS ON AN EV CHARGER PERMIT APPLICATION UNLESS THE DENIAL OR CONDITIONS ARE FOR THE PURPOSE OF REASONABLY PROTECTING PUBLIC HEALTH OR SAFETY.

(c) IF A COUNTY PERMITTING AGENCY DENIES AN APPLICATION FOR AN EV CHARGER PERMIT, THE COUNTY PERMITTING AGENCY SHALL MAKE WRITTEN FINDINGS THAT THE PROPOSED ELECTRIC MOTOR VEHICLE CHARGING SYSTEM WOULD VIOLATE THE COUNTY'S OBJECTIVE STANDARDS OR WOULD NOT BE REASONABLY PROTECTIVE OF PUBLIC HEALTH OR SAFETY AND SEND THOSE WRITTEN FINDINGS TO THE APPLICANT WITHIN THREE BUSINESS DAYS AFTER THE DATE THE COUNTY PERMITTING AGENCY DENIES THE APPLICATION.

(d) AN APPLICANT FOR AN EV CHARGER PERMIT THAT IS DENIED A PERMIT OR HAS CONDITIONS PLACED ON THE APPROVAL OF AN EV CHARGER PERMIT BY A COUNTY PERMITTING AGENCY MAY APPEAL THE COUNTY PERMITTING AGENCY'S DECISION TO THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY.

(e) THE REQUIREMENTS OF THIS SUBSECTION (4) DO NOT APPLY TO COUNTIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION OR ADOPT AN ORDINANCE OR RESOLUTION IN ACCORDANCE WITH SUBSECTION (2)(a)(III) OF THIS SECTION.

(5) (a) THE COUNTY PERMITTING AGENCY MUST MAKE AVAILABLE TO PROSPECTIVE APPLICANTS FOR EV CHARGER PERMITS A CHECKLIST OF ALL REQUIREMENTS THAT MUST BE INCLUDED IN AN APPLICATION FOR AN EV CHARGER PERMIT.

(b) A COUNTY PERMITTING AGENCY SHALL REVIEW AN APPLICATION FOR AN EV CHARGER PERMIT TO CONFIRM THAT THE APPLICATION SUFFICIENTLY MEETS THE REQUIREMENTS OF THE CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION.

(c) A COUNTY PERMITTING AGENCY SHALL CONSIDER AN APPLICATION FOR AN EV CHARGER PERMIT THAT SATISFIES THE REQUIREMENTS OF THE CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION A COMPLETE APPLICATION.

(d) IF AN APPLICANT FOR AN EV CHARGER PERMIT SUBMITS AN APPLICATION THAT DOES NOT MEET ALL THE REQUIREMENTS OF THE CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION, THE COUNTY PERMITTING AGENCY SHALL, WITHIN THREE BUSINESS DAYS AFTER THE DATE THE COUNTY PERMITTING AGENCY DETERMINES THE APPLICATION IS NOT SUFFICIENT, SEND A WRITTEN NOTICE TO THE APPLICANT THAT DETAILS ALL OF THE DEFICIENCIES WITH THE APPLICATION AND ANY ADDITIONAL INFORMATION REQUIRED FOR THE APPLICATION TO BE CONSIDERED COMPLETE.

(e) THE REQUIREMENTS OF THIS SUBSECTION (5) DO NOT APPLY TO COUNTIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION OR ADOPT AN

ORDINANCE OR RESOLUTION IN ACCORDANCE WITH SUBSECTION (2)(a)(III) OF THIS SECTION.

(6) (a) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL ASSISTANCE TO COUNTIES TO ASSIST A COUNTY IN COMPLYING WITH THE REQUIREMENTS OF THIS SECTION, INCLUDING PROVIDING:

(I) SUPPORT FOR THE DEVELOPMENT AND ADOPTION OF COUNTY CODES; AND

(II) MATERIALS AND SUPPORT FOR TRAINING COUNTY PERMITTING AGENCY STAFF WITH INTERPRETING AND APPLYING EV CHARGER PERMIT STANDARDS AND PROCESSES.

(b) THE COLORADO ENERGY OFFICE SHALL USE MONEY IN THE ELECTRIC VEHICLE GRANT FUND, CREATED IN SECTION 24-38.5-103, TO PROVIDE TECHNICAL ASSISTANCE TO COUNTIES IN ACCORDANCE WITH THIS SUBSECTION (6).

(c) THE COLORADO ENERGY OFFICE SHALL PRIORITIZE PROVIDING TECHNICAL ASSISTANCE TO COUNTIES THAT HAVE A SIGNIFICANT NUMBER OF DISPROPORTIONATELY IMPACTED COMMUNITIES.

(7) REGARDLESS OF THE ORDINANCE OR RESOLUTION ADOPTED BY A BOARD OF COUNTY COMMISSIONERS IN ACCORDANCE WITH SUBSECTION (2)(a) OF THIS SECTION, A COUNTY PERMITTING AGENCY SHALL, WITHIN THREE BUSINESS DAYS AFTER THE DATE THE COUNTY PERMITTING AGENCY MAKES THE DETERMINATION TO APPROVE, CONDITIONALLY APPROVE, OR DENY AN APPLICATION, SEND NOTICE TO AN APPLICANT FOR AN EV CHARGER PERMIT THAT STATES THE COUNTY PERMITTING AGENCY'S DETERMINATION ON THE APPLICANT'S EV CHARGER PERMIT APPLICATION.

SECTION 3. In Colorado Revised Statutes, **add** 31-23-316 as follows:

31-23-316. Electric motor vehicle charging systems - municipal permitting procedures - permit application - approval process - definitions. (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ADMINISTRATIVE REVIEW PROCESS" MEANS A PROCESS:

(I) IN WHICH AN EV CHARGER PERMIT IS APPROVED, APPROVED WITH CONDITIONS, OR DENIED BY ADMINISTRATIVE STAFF OF A MUNICIPAL PERMITTING AGENCY BASED SOLELY ON THE APPLICATION'S COMPLIANCE WITH OBJECTIVE STANDARDS SET FORTH IN MUNICIPAL ZONING LAWS OR OTHER MUNICIPAL LAWS; AND

(II) THAT DOES NOT REQUIRE A PUBLIC HEARING, A RECOMMENDATION, OR A DECISION BY AN ELECTED OR APPOINTED PUBLIC BODY OR HEARING OFFICER EXCEPT AS PROVIDED IN SUBSECTION (4)(d) OF THIS SECTION.

(b) "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY OFFICE CREATED IN SECTION 24-38.5-101.

(c) "DISPROPORTIONATELY IMPACTED COMMUNITY" HAS THE MEANING SET FORTH IN SECTION 24-4-109 (2)(b)(II).

(d) "ELECTRIC MOTOR VEHICLE CHARGING SYSTEM" OR "CHARGING SYSTEM" HAS THE MEANING SET FORTH IN SECTION 38-12-601 (6)(a).

(e) "EV CHARGER PERMIT" MEANS THE FINAL APPROVAL OF AN APPLICATION FOR INSTALLATION OF AN ELECTRIC MOTOR VEHICLE CHARGING SYSTEM THAT A MUNICIPALITY MAY REQUIRE TO AUTHORIZE AN APPLICANT TO COMMENCE CONSTRUCTION OF THE CHARGING SYSTEM AND A PERMIT APPLICATION FOR AN ELECTRICAL PERMIT ESTABLISHED UNDER ARTICLE 115 OF TITLE 12 AND ISSUED BY THE STATE ELECTRICAL BOARD.

(f) (I) "MUNICIPAL PERMITTING AGENCY" MEANS THE ENTITY OR ENTITIES FOR A MUNICIPALITY THAT ARE RESPONSIBLE FOR ISSUING AN EV CHARGER PERMIT FOR THE CONSTRUCTION OF AN ELECTRIC MOTOR VEHICLE CHARGING SYSTEM.

(II) "MUNICIPAL PERMITTING AGENCY" MAY INCLUDE:

(A) A MUNICIPAL BUILDING DEPARTMENT OR AGENCY;

(B) A MUNICIPAL PLANNING DEPARTMENT OR AGENCY; OR

(C) A MUNICIPAL PUBLIC WORKS OR ROAD AND BRIDGE DEPARTMENT OR AGENCY.

(g) "OBJECTIVE STANDARD" MEANS A STANDARD THAT:

(I) IS UNIFORMLY VERIFIABLE AND ASCERTAINABLE BY REFERENCE TO AN AVAILABLE EXTERNAL OR UNIFORM BENCHMARK OR CRITERION BY THE APPLICANT AND MUNICIPAL PERMITTING AGENCY STAFF PRIOR TO THE APPLICANT'S FILING OF AN EV CHARGER PERMIT APPLICATION; AND

(II) DOES NOT REQUIRE MUNICIPAL PERMITTING AGENCY STAFF TO MAKE A SUBJECTIVE DETERMINATION CONCERNING AN EV CHARGER PERMIT APPLICATION.

(2) (a) ON OR BEFORE DECEMBER 31, 2025, THE GOVERNING BODY OF A MUNICIPALITY WITH A POPULATION OF TEN THOUSAND OR MORE ACCORDING TO THE 2020 FEDERAL CENSUS SHALL DO ONE OF THE FOLLOWING:

(I) ADOPT AN ORDINANCE OR RESOLUTION TO INCORPORATE THE SAME STANDARDS AND PERMITTING PROCESS OR LESS RESTRICTIVE STANDARDS AND PERMITTING PROCESS AS THE STANDARDS AND PERMITTING PROCESS DESCRIBED IN THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (3) OF THIS SECTION;

(II) (A) ADOPT AN ORDINANCE OR RESOLUTION THAT ESTABLISHES OBJECTIVE STANDARDS AND AN ADMINISTRATIVE REVIEW PROCESS TO BE USED BY THE MUNICIPAL PERMITTING AGENCY DURING THE MUNICIPALITY'S REVIEW OF APPLICATIONS FOR EV CHARGER PERMITS IN ACCORDANCE WITH SUBSECTIONS (4) AND (5) OF THIS SECTION.

(B) AN ORDINANCE OR RESOLUTION ADOPTED BY THE MUNICIPALITY PURSUANT TO THIS SUBSECTION (2)(a)(II) SHALL BE DEVELOPED IN CONSULTATION WITH THE LOCAL FIRE DEPARTMENT OR FIRE DISTRICT, ANY ELECTRIC UTILITIES SERVING THE MUNICIPALITY, AND OTHER RELEVANT STAKEHOLDERS, AS DETERMINED BY THE MUNICIPALITY.

(III) ADOPT AN ORDINANCE OR RESOLUTION THAT ESTABLISHES THAT THE MUNICIPALITY DOES NOT INTEND TO ADOPT AN ORDINANCE OR

RESOLUTION IN ACCORDANCE WITH SUBSECTION (2)(a)(I) OR (2)(a)(II) OF THIS SECTION AND THAT THE MUNICIPAL PERMITTING AGENCY WILL CONTINUE TO UTILIZE THE MUNICIPALITY'S EXISTING PERMITTING REVIEW PROCESS FOR EV CHARGER PERMIT APPLICATIONS.

(b) ON OR BEFORE MARCH 1, 2026, A MUNICIPALITY THAT IS SUBJECT TO THE REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION SHALL SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE DESCRIBING THE MUNICIPALITY'S COMPLIANCE WITH SUBSECTION (2)(a) OF THIS SECTION.

(c) ON OR BEFORE JANUARY 31, 2027, A MUNICIPALITY SUBJECT TO THE REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION SHALL SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE REGARDING EACH APPLICATION FOR AN EV CHARGER PERMIT THAT WAS RECEIVED BY THE MUNICIPAL PERMITTING AGENCY BETWEEN DECEMBER 31, 2025, AND DECEMBER 1, 2026. THE REPORT MUST INCLUDE:

(I) THE FINAL DETERMINATION MADE BY THE MUNICIPAL PERMITTING AGENCY FOR EACH EV CHARGER PERMIT APPLICATION; AND

(II) FOR EACH EV CHARGER PERMIT APPLICATION SUBMITTED TO THE MUNICIPAL PERMITTING AGENCY, THE DURATION BETWEEN THE DATE THAT THE EV CHARGER PERMIT APPLICATION WAS DEEMED COMPLETE BY THE MUNICIPAL PERMITTING AGENCY AND THE DATE THAT THE MUNICIPAL PERMITTING AGENCY MADE A FINAL DETERMINATION ON THE EV CHARGER PERMIT APPLICATION.

(d) IF THE GOVERNING BODY OF A MUNICIPALITY ADOPTS THE EV CHARGER PERMITTING MODEL CODE PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION OR ADOPTS AN ORDINANCE OR RESOLUTION IN ACCORDANCE WITH SUBSECTION (2)(a)(III) OF THIS SECTION, THE REQUIREMENTS OF SUBSECTIONS (4) AND (5) OF THIS SECTION DO NOT APPLY TO THE MUNICIPALITY.

(3) (a) ON OR BEFORE MARCH 31, 2025, THE COLORADO ENERGY OFFICE SHALL PUBLISH AN EV CHARGER PERMITTING MODEL CODE THAT CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER PERMIT STANDARDS AND PERMITTING PROCESSES FOR MUNICIPALITIES.

(b) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE

COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION MUST BE DEVELOPED IN CONSULTATION WITH MUNICIPALITIES, REPRESENTATIVES FROM DISPROPORTIONATELY IMPACTED COMMUNITIES, PUBLIC ELECTRIC UTILITIES, AND OTHER RELEVANT STAKEHOLDERS, AS DETERMINED BY THE COLORADO ENERGY OFFICE.

(c) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION (3) SHALL ONLY APPLY TO A MUNICIPALITY'S LAND USE AND ZONING PERMITTING PROCESSES AND SHALL NOT CONTRAVENE:

(I) STATE ELECTRICAL PERMITTING REQUIREMENTS OR PROCEDURES;

(II) MUNICIPAL ELECTRICAL PERMITTING REQUIREMENTS OR PROCEDURES;

(III) STATE ELECTRICAL INSPECTION REQUIREMENTS;

(IV) MUNICIPAL ELECTRICAL INSPECTION REQUIREMENTS; OR

(V) NATIONAL ELECTRIC CODE REQUIREMENTS OR REGULATIONS RELATED TO ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS.

(d) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION (3) SHALL NOT CONTAIN REQUIRED TIMELINES THAT A MUNICIPAL PERMITTING AGENCY MUST COMPLY WITH FOR THE REVIEW, APPROVAL, OR DENIAL OF EV CHARGER PERMIT APPLICATIONS.

(4) (a) A MUNICIPAL PERMITTING AGENCY SHALL APPROVE, CONDITIONALLY APPROVE, OR DENY AN APPLICATION FOR AN EV CHARGER PERMIT USING THE MUNICIPALITY'S ADMINISTRATIVE REVIEW PROCESS TO DETERMINE IF THE PROPOSED ELECTRIC MOTOR VEHICLE CHARGING SYSTEM IS IN COMPLIANCE WITH THE MUNICIPALITY'S OBJECTIVE STANDARDS.

(b) A MUNICIPAL PERMITTING AGENCY SHALL NOT DENY OR PLACE CONDITIONS ON AN EV CHARGER PERMIT APPLICATION UNLESS THE DENIAL OR CONDITIONS ARE FOR THE PURPOSE OF REASONABLY PROTECTING PUBLIC HEALTH OR SAFETY.

(c) IF A MUNICIPAL PERMITTING AGENCY DENIES AN APPLICATION FOR AN EV CHARGER PERMIT, THE MUNICIPAL PERMITTING AGENCY SHALL MAKE WRITTEN FINDINGS THAT THE PROPOSED ELECTRIC MOTOR VEHICLE CHARGING SYSTEM WOULD VIOLATE THE MUNICIPALITY'S OBJECTIVE STANDARDS OR WOULD NOT BE REASONABLY PROTECTIVE OF PUBLIC HEALTH OR SAFETY AND PROVIDE THOSE WRITTEN FINDINGS TO THE APPLICANT WITHIN THREE BUSINESS DAYS AFTER THE DATE THE MUNICIPAL PERMITTING AGENCY DENIES THE APPLICATION.

(d) AN APPLICANT FOR AN EV CHARGER PERMIT THAT IS DENIED A PERMIT OR HAS CONDITIONS PLACED ON THE APPROVAL OF AN EV CHARGER PERMIT BY A MUNICIPAL PERMITTING AGENCY MAY APPEAL THE MUNICIPAL PERMITTING AGENCY'S DECISION TO THE GOVERNING BODY OF THE MUNICIPALITY.

(e) THE REQUIREMENTS OF THIS SUBSECTION (4) DO NOT APPLY TO MUNICIPALITIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION OR ADOPT AN ORDINANCE OR RESOLUTION IN ACCORDANCE WITH SUBSECTION (2)(a)(III) OF THIS SECTION.

(5) (a) THE MUNICIPAL PERMITTING AGENCY MUST MAKE AVAILABLE TO PROSPECTIVE APPLICANTS FOR EV CHARGER PERMITS A CHECKLIST OF ALL REQUIREMENTS THAT MUST BE INCLUDED IN AN APPLICATION FOR AN EV CHARGER PERMIT.

(b) A MUNICIPAL PERMITTING AGENCY SHALL REVIEW AN APPLICATION FOR AN EV CHARGER PERMIT TO CONFIRM THAT THE APPLICATION SUFFICIENTLY MEETS THE REQUIREMENTS OF THE CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION.

(c) A MUNICIPAL PERMITTING AGENCY SHALL CONSIDER AN APPLICATION FOR AN EV CHARGER PERMIT THAT SATISFIES THE REQUIREMENTS OF THE CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION A COMPLETE APPLICATION.

(d) IF AN APPLICANT FOR AN EV CHARGER PERMIT SUBMITS AN APPLICATION THAT DOES NOT MEET ALL THE REQUIREMENTS OF THE CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION, THE MUNICIPAL PERMITTING AGENCY SHALL, WITHIN THREE BUSINESS DAYS

AFTER THE DATE THE MUNICIPAL PERMITTING AGENCY DETERMINES THE APPLICATION IS NOT SUFFICIENT, SEND A WRITTEN NOTICE TO THE APPLICANT THAT DETAILS ALL OF THE DEFICIENCIES WITH THE APPLICATION AND ANY ADDITIONAL INFORMATION REQUIRED FOR THE APPLICATION TO BE CONSIDERED COMPLETE.

(e) THE REQUIREMENTS OF THIS SUBSECTION (5) DO NOT APPLY TO MUNICIPALITIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION OR ADOPT AN ORDINANCE OR RESOLUTION IN ACCORDANCE WITH SUBSECTION (2)(a)(III) OF THIS SECTION.

(6) (a) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL ASSISTANCE TO MUNICIPALITIES TO ASSIST A MUNICIPALITY IN COMPLYING WITH THE REQUIREMENTS OF THIS SECTION, INCLUDING PROVIDING:

(I) SUPPORT FOR THE DEVELOPMENT AND ADOPTION OF MUNICIPAL CODES; AND

(II) MATERIALS AND SUPPORT FOR TRAINING MUNICIPAL PERMITTING AGENCY STAFF WITH INTERPRETING AND APPLYING EV CHARGER PERMIT STANDARDS AND PROCESSES.

(b) THE COLORADO ENERGY OFFICE SHALL USE MONEY IN THE ELECTRIC VEHICLE GRANT FUND, CREATED IN SECTION 24-38.5-103, TO PROVIDE TECHNICAL ASSISTANCE TO MUNICIPALITIES IN ACCORDANCE WITH THIS SUBSECTION (6).

(c) THE COLORADO ENERGY OFFICE SHALL PRIORITIZE PROVIDING TECHNICAL ASSISTANCE TO COUNTIES THAT HAVE A SIGNIFICANT NUMBER OF DISPROPORTIONATELY IMPACTED COMMUNITIES.

(7) REGARDLESS OF THE ORDINANCE OR RESOLUTION ADOPTED BY THE GOVERNING BODY OF A MUNICIPALITY IN ACCORDANCE WITH SUBSECTION (2)(a) OF THIS SECTION, A MUNICIPAL PERMITTING AGENCY SHALL, WITHIN THREE BUSINESS DAYS AFTER THE DATE THE MUNICIPAL PERMITTING AGENCY MAKES THE DETERMINATION TO APPROVE, CONDITIONALLY APPROVE, OR DENY AN APPLICATION, SEND NOTICE TO AN APPLICANT FOR AN EV CHARGER PERMIT THAT STATES THE MUNICIPAL PERMITTING AGENCY'S DETERMINATION ON THE APPLICANT'S EV CHARGER

PERMIT APPLICATION.

SECTION 4. In Colorado Revised Statutes, 24-38.5-102, **amend** (1)(l) and (1)(m); and **add** (1)(n) and (1)(o) as follows:

24-38.5-102. Colorado energy office - duties and powers - definitions. (1) The Colorado energy office shall:

(l) Develop basic consumer education or guidance about leased solar installation and purchased solar installation in consultation with industries that offer these options to consumers; ~~and~~

(m) In consultation with the appropriate industries, develop basic consumer education or guidance about purchased or, if available, leased installation of a system that uses geothermal energy for water heating or space heating or cooling in a single building or for space heating for more than one building through a pipeline network;

(n) DEVELOP AND PUBLISH AN EV CHARGER PERMITTING MODEL CODE THAT CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER PERMIT STANDARDS AND PERMITTING PROCESSES FOR COUNTIES AND MUNICIPALITIES IN ACCORDANCE WITH SECTIONS 30-28-213 (3) AND 31-23-316 (3); AND

(o) PROVIDE ASSISTANCE AND SUPPORT TO A BOARD OF COUNTY COMMISSIONERS OR THE GOVERNING BODY OF A MUNICIPALITY IN DEVELOPING ORDINANCES OR RESOLUTIONS FOR THE PERMITTING OF ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS IN ACCORDANCE WITH SECTIONS 30-28-213 (6) AND 31-23-316 (6).

SECTION 5. In Colorado Revised Statutes, 24-38.5-103, **amend** (1)(a) as follows:

24-38.5-103. Electric vehicle grant fund - creation - administration - legislative declaration. (1) (a) (I) There is ~~hereby~~ created in the state treasury the electric vehicle grant fund, referred to in this section as the "fund". The Colorado energy office shall use the fund to:

(A) Provide grants to state agencies, public universities, public transit agencies, local governments, landlords of multifamily apartment

buildings, private nonprofit or for-profit corporations, and the unit owners' associations of common interest communities as defined in article 33.3 of title 38 to install charging stations for electric vehicles;

(B) ~~The Colorado energy office may also use the fund for~~ COVER the administrative costs of providing ~~these~~ grants PURSUANT TO SUBSECTION (1)(a)(I)(A) OF THIS SECTION; AND

(C) PROVIDE ANALYSIS AND TECHNICAL SUPPORT RELATED TO THE DEVELOPMENT, PERMITTING, AND ENERGIZATION OF ELECTRIC VEHICLE CHARGING STATIONS, INCLUDING PROVIDING TECHNICAL ASSISTANCE TO COUNTIES AND MUNICIPALITIES IN ACCORDANCE WITH SECTIONS 30-28-213 (6) AND 31-23-316 (6).

(II) The Colorado energy office shall prioritize ~~these~~ grants PROVIDED PURSUANT TO SUBSECTION (1)(a)(I) OF THIS SECTION based upon:

~~(I) Repealed.~~

~~(II)~~ (A) The extent to which the proposed recipients' charging locations are likely to effectively serve existing electric vehicles or encourage the acquisition of additional electric vehicles;

~~(III)~~ (B) The extent to which one or more charging stations would not be installed but for the financial assistance provided by a grant from the fund; and

~~(IV)~~ (C) Any other criteria defined by the Colorado energy office.

SECTION 6. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED Tuesday May 21st 2024 at 11:33 am
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO

ELECTRIC VEHICLE CHARGING LAND USE PERMITS

Mara Owen
Sustainability Coordinator
303.450.8722
mowen@northglenn.org

Council Meeting
Nov. 10, 2025

CITY OF Northglenn

HOUSE BILL 24-1173 REQUIREMENTS

What Does HB 1173 Require?

Municipalities with 10,000+ residents must comply by Dec. 31, 2025

Three Options for Compliance:

1. **Adopt** the state-issued EV Charging Model Land Use Code
2. **Adopt** the permitting standards directly from HB 1173
3. **Opt out** by affirming existing land use codes

Reporting Requirements for All Options:

- **March 1, 2026** - Report describing compliance method selected
- **Jan. 31, 2027** - Report on all EV charger permit applications received between Dec. 31, 2025 and Dec. 1, 2026

NORTHGLENN'S EV LEADERSHIP

Charging Smart Gold Designation (U.S. Department of Energy)

- Awarded Oct. 23, 2025 at the Drive Clean Colorado Summit.
- Northglenn is the third community in the nation to achieve Gold designation.
- Recognizes best practices for EV readiness and infrastructure deployment.


CHARGING SMART GOLD

This certificate recognizes Northglenn, Colorado as the recipient of the U.S. Department of Energy's Charging Smart Gold Designation.

Expanding electric vehicle infrastructure brings benefits for the community, the environment, and the local economy. The entire Charging Smart team congratulates Northglenn's commitment to fostering a clean transportation future for all.

Toyah Callahan
Vice President—Local Initiatives
Interstate Renewable Energy Council (IREC)

Ed Gilliland
Senior Director, Strategic Initiatives
Interstate Renewable Energy Council (IREC)

NORTHGLENN'S CURRENT PROCESS & PROPOSED ACTION

Current Process:

- EV parking requirements in Northglenn Municipal Code Section 11-4-6(f)(5)
- EV charger permits issued through N.M.C. Section 10-2-1, the Building Code
- Process works well and earned national Gold recognition

Staff Recommendation:

- Opt out of new state requirements (Option 3)
- Maintain current effective process
- Amend Section 11-4-6(f)(5) to document decision to opt out

Planning Commission:

- Unanimously recommends adoption of CB-2033 (Oct. 21, 2025)

IMPLICATIONS AND NEXT STEPS

Why Opt-out?

- Current process adequately addresses EV charger applications
- No additional costs - avoids the expenses of adopting new standards
- No additional staff time needed - maintains existing efficient process
- Maintains local control of land use permitting

If Approved Tonight:

- The City will comply with HB 1173 deadline (Dec. 31, 2025)
- Staff will prepare required reports for March 2026 and Jan. 2027

Staff Recommendation: Adopt CB-2033 on second reading

QUESTIONS?

CITY OF Northglenn

SPONSORED BY: MAYOR LEIGHTY

COUNCIL MEMBER'S BILL

ORDINANCE NO.

No. CB-2033
Series of 2025

Series of 2025

A BILL FOR AN ORDINANCE AFFIRMING THE CITY OF NORTHGLENN'S EXISTING PERMITTING REVIEW PROCESS FOR ELECTRIC VEHICLE CHARGER PERMIT APPLICATIONS, OPTING OUT OF THE ADOPTION OF ADDITIONAL PERMITTING REQUIREMENTS IN ACCORDANCE WITH HOUSE BILL 24-1173, AND AMENDING SECTION 11-4-6 OF THE NORTHGLENN MUNICIPAL CODE REGARDING THE SAME

WHEREAS, Northglenn Municipal Code Section 11-4-6(f)(5) addresses electric vehicle parking requirements;

WHEREAS, the City issues electric vehicle parking permits in accordance with its building code, Northglenn Municipal Code Section 10-2-1, *et seq.*; and

WHEREAS, the City desires to opt out of revising its existing land use codes pursuant to C.R.S. § 31-23-316(2)(a)(II).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Section 11-4-6(f)(5) of the Northglenn Municipal Code is amended to read as follows:

11-4-6(f) Minimum and Maximum Off-Street Parking.

* * *

(5) Electric vehicle parking regulations. For electronic vehicle parking regulations, see the adopted building regulations outlined in Chapter 10 of the City of Northglenn Municipal Code. THE CITY HEREBY OPTS OUT OF ELECTRIC VEHICLE PARKING AND PERMITTING REQUIREMENTS PURSUANT TO C.R.S.§ 31-23-316(2)(A)(II).

* * *

INTRODUCED, READ AND ORDERED POSTED this 27th day of October, 2025.

MEREDITH LEIGHTY
Mayor

ATTEST:

JOHANNA SMALL, MMC
City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____, 2025.

MEREDITH LEIGHTY
Mayor

ATTEST:

JOHANNA SMALL, MMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney