

<b>Zoning Text Amendment PLPZ 2022 00546</b>	<b>Town of Greenwich Planning and Zoning</b>
	To incorporate applicable portions of the State’s Clean Air Act requiring Electric Vehicle Charging Stations
<b>Sections to be amended:</b>	Sec. 6-5(a.), 6-163.1

**STAFF REPORT UPDATE:**

An earlier draft was presented at the Commission’s last meeting on February 7, 2023. The text amendment was left open to include clearer language regarding the EV infrastructure parking requirements and some grammatical improvements. The following is an updated staff report.

**APPLICATION SUMMARY:**

Application PLPZ 2022 00546, is a Planning and Zoning authored Zoning Text Amendment to amend Sec. 6-5.(a), to define “Electric Vehicles”, “Electric Vehicle Charging Levels”, “Electric Vehicle Charging Station”, and create a new section, Sec 6-163.1, ELECTRIC VEHICLE OFF-STREET PARKING REQUIREMENTS, in the Town of Greenwich Building Zone Regulations.

The State of Connecticut in 2022 under Public Act No, 22-25, also known as the 2022 Connecticut Clean Air Act, requires new construction of State facilities, commercial and multi-unit residential buildings and schools to equip parking spaces with EV charging station infrastructure. State facilities and any public-school receiving State funds will need to equip 20% of available parking spaces with EV charging stations. Commercial and multi-unit buildings will have to equip 10% of available parking spaces with EV charging station infrastructure.

The act, adopted on 5/10/22, set the effective date for school projects to be 7/1/23, and for commercial and multi-unit buildings on 1/1/23. The Planning and Zoning Commission is considering language to bring the Town into compliance with this Act. It also exceeds the State’s requirements in three (3) specific areas:

1. Mandating new construction of private school buildings to also trigger a 20% EV parking requirement. This is in consideration of the higher number of electric vehicles the town and region has as well as providing convenience for parents and operators of electric vehicles who are picking up students to better operate nonpolluting electric vehicles, thereby improving air quality.
2. The act is silent on requirements for municipal buildings. Planning and Zoning are proposing a 10% mandate similar to commercial and multi-unit developments, for all municipal buildings, not public schools.
3. While the effective date for commercial and multi-unit developments has passed. The Commission does not want to wait until July 1st for requirements related to new school

construction and is proposing to make this language effective upon adoption of this or any revised language. Enacting these regulations sooner, would ensure that pending and future school projects are not in jeopardy of State funding and match the current and/or expected requirements regarding electric vehicles charging infrastructure.

The Commission has circulated the draft language to the Western Council of Governments (“WestCOG”), and it is the opinion of WestCOG staff that the proposal is, “...of local interest and with minimal intermunicipal impact. Therefore, it is not being forwarded to adjacent municipalities and the regional staff is making no comment.”

In addition, the proposed language would appear to speak to several objectives of the current POCD. Particularly:

- Objective 4.2 “Encourage sustainability initiatives and infrastructure to reduce negative impacts on the environment.”
- Objective 4.2 p, “Work through voluntary and regulatory channels to help prepare the community for the transition to electric vehicles by promoting publicly accessible EV charging stations. Integrate an EV charging standard in zoning regulations for new or redeveloped multifamily and commercial development.”; and
- Objective 6.2 b., “Provide electric vehicle chargers in public parking lots.”

The proposed language is as follows:

(Text in Bold to be added. Text in [Brackets] to be deleted.)

Amend Section 6-5.(a) DEFINITIONS as follows:

**(19.1) Electric Vehicle (EV) : Any vehicle that is partially or fully powered by electricity for propulsion: either 100% battery powered electric vehicles, or plug-in hybrid electric vehicles.**

**(19.2) Electric Vehicle Charging Levels: The standardized indicators of electrical force or voltage, at which an EV’s battery is recharged. The terms Level 1, 2, and 3 refer to charging voltage, electric power and speed ranges, and include the following specifications: (1.) Level 1 is considered slow charging. AC Voltage ranges from 0 through 120 producing 0 – 1.2 kilowatts of electricity per hour. (2.) Level 2 is considered medium charging. AC Voltage ranges from 208 through 240 producing 7 – 19 kilowatts of electricity per hour. (3.) Level 3 is considered fast or rapid charging. DC Voltage ranges from 400 - 900 producing 40 – 350 kilowatts of electricity per hour.**

**(19.3) Electric Vehicle Charging Station (EVCS): A public or private parking space that is served by battery charging station equipment for the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle.**

**(19.4)** [(19.1)] Emergency Youth Shelters shall mean sleeping and eating facilities for youths, birth through 18, who need short-term housing (approximately three weeks) in order to resolve family problems. Total occupancy in a single-family dwelling shall not exceed ten youths plus staff, with a minimum of six off-street parking spaces. To be eligible youths must be screened so as to eliminate drug and alcohol users or emotionally disturbed youths.

*Create a new Sec. 6-163.1. "Electric Vehicle Off-Street Parking Requirements" as follows:*

**Sec. 6-163.1. ELECTRIC VEHICLE OFF-STREET PARKING REQUIREMENTS.**

**For any new construction, EV off-street parking shall be provided as follows:**

- (a.) Any new construction of a commercial, multi-unit residential, or municipal building that requires 30 or more parking spaces for cars or light duty trucks as calculated by Sections 6-155, 6-158, and 6-162, Required Parking Spaces, shall have a minimum of 10% of the total number of parking spaces allocated to EVs. Every EV parking space must have access to an EVCS that meets or exceeds current Level 2 voltage and charging speed specifications.**
- (b.) Any new construction or major renovation of a public-school receiving State funds or of a private school building shall have a minimum of 20% of the total number of parking spaces for cars or light duty trucks allocated to EVs. Every EV parking space must have access to an EVCS that meets or exceeds the current Level 2 voltage and charging speed specifications.**
- (c.) EV parking spaces shall be for public use and have a sufficient number of ADA compliant EV spaces. The Planning & Zoning Commission may authorize a modified number of EVCSs to be installed. However, the total number of required EVCS ready parking spaces shall not be reduced and the project shall have the electrical capacity and install conduits sufficient to accommodate the future hardware installation of an EVCS that meets or exceeds the current Level 2 voltage and charging speed specifications.**
- (d.) EVCS Requirements: EVCSs shall be maintained to ensure continuous, proper functioning or, if necessary, be replaced. EVCSs shall have clear legible signage stating the voltage and ampere levels, 24 hour a day, 7 days a week, 365 days a year operation, safety information, usage fees and payment mechanism, and contact information for operating issues. EVCS outlets and connector devices shall be mounted to comply with applicable State Code(s) and all relevant ADA requirements. EVCS pedestals shall be designed to minimize potential accidents both by vehicles and pedestrians and be safe to use in inclement weather.**

## Dygert, Bianca

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**From:** Kristin Floberg <kfloberg@westcog.org>  
**Sent:** Friday, December 9, 2022 2:51 PM  
**To:** Dygert, Bianca  
**Cc:** DeLuca, Katie; Anastasio, Marisa  
**Subject:** RE: Proposed EV Regs  
**Attachments:** EV Regulations v3.docx

**[EXTERNAL]**

To: Bianca Dygert, Planner II

From: Kristin Floberg, Senior Planner

Re: CT Statutory Referral to WestCOG from Greenwich - Attached Zoning Amendment

Date: December 9, 2022

Thank you for submitting the attached referral to WestCOG.

The opinion of WestCOG staff is that the proposal is of local interest and with minimal intermunicipal impact. Therefore, it is not being forwarded to adjacent municipalities and the regional staff is making no comment.

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**From:** Dygert, Bianca <bianca.dygert@greenwichct.org>  
**Sent:** Wednesday, December 7, 2022 12:32 PM  
**To:** Referrals <referrals@westcog.org>  
**Cc:** Anastasio, Marisa <Marisa.Anastasio@greenwichct.org>; DeLuca, Katie <Katie.DeLuca@greenwichct.org>  
**Subject:** Proposed EV Regs

RE: Proposed Text amendment  
Zoning Referral: Proposed Text Amendment to Sec. 6-158(e) – Electric Vehicle Charging Stations

To Whom It May Concern,  
In accordance with C.G.S. Sec. 8-3b, the Town of Greenwich is forwarding a copy (below) of the proposed text amendment to Section 6-158(e) of the Town of Greenwich BZR – Electric Vehicle Charging Stations.

The Greenwich Planning and Zoning Commission will hold a public hearing on the applications on a date, time, and place to be published on the Town of Greenwich website. You may appear and be heard at any hearing on this application. Any questions and/or comments on the application may also be addressed to this agency by telephone (203-622-7894) between the hours of 8:00 am to 4:00 pm weekdays, in person at Greenwich Town Hall between the hours of 8:00 and 3:30 pm Mondays, Tuesdays, Thursdays and Fridays or by email to the address provided below.  
Thank you,

**Proposed Town Electric Vehicle Charging Station Regulations (Text Amendment PLPZ 2022 00546)**

To comply with the more recent CT Clean Air Act (PA No. 22-25, Approved 5/10/22), Planning and Zoning is amending the language of the Building Zone Regulations to define and reflect the quantity of Electric Vehicle (“EV”) charging station required for new developments. This Act would mandate EV charging stations for new construction of public schools funded by State funds and for State buildings. Additionally, the Act requires towns to enact regulations mandating EV charging station infrastructure for multi-family residences and office buildings.

(Text in **Bold** to be added. Text in [Brackets] to be deleted.)

Amend Section 6-5.(a) DEFINITIONS as follows:

**(19.1) Electric Vehicle (EV): Any vehicle that is partially or fully powered by electricity for propulsion: either 100% battery powered electric vehicles, or plug-in hybrid electric vehicles.**

**(19.2) Electric Vehicle Charging Levels: The standardized indicators of electrical force or voltage, at which an EV’s battery is recharged. The terms Level 1, 2, and 3 refer to charging voltage, electric power and speed ranges, and include the following specifications:**

- (1.) Level 1 is considered slow charging. AC Voltage ranges from 0 through 120 producing 0 – 1.2 kilowatts of electricity per hour.**
- (2.) Level 2 is considered medium charging. AC Voltage ranges from 208 through 240 producing 7 – 19 kilowatts of electricity per hour.**
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**(19.3) Electric Vehicle Charging Station (EVCS): A public or private parking space that is served by battery charging station equipment for the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle.**

**(19.4) [(19.1)] Emergency Youth Shelters shall mean sleeping and eating facilities for youths, birth through 18, who need short-term housing (approximately three weeks) in order to resolve family problems. Total occupancy in a single-family dwelling shall not exceed ten youths plus staff, with a minimum of six off-street parking spaces. To be eligible youths must be screened so as to eliminate drug and alcohol users or emotionally disturbed youths.**

Create a new Sec. 6-163.1. “Electric Vehicle Off-Street Parking Requirements” as follows”

## Key Sections from the CT Clean Air Act, PA No. 22-25, Approved 5/10/22

Sec. 5. (NEW) (Effective October 1, 2022) (a) As used in this section, (1) "electric vehicle charging station" has the same meaning as provided in section 16-19f of the general statutes, (2) "level two electric vehicle charging station" means an electric vehicle charging station that supplies two hundred eight to two hundred forty volt alternating current, and (3) "direct current fast charging station" means an electric vehicle charging station that utilizes direct current electricity providing forty kilowatts or greater.

### [State Facility Construction]

(b) On and after January 1, 2023, the Commissioner of Administrative Services shall require each new construction of a state facility, the total project costs of which exceed one hundred thousand dollars, to be installed with level two electric vehicle charging stations in at least twenty per cent of the designated parking spaces for cars or light duty trucks at such facility.

### [Commercial or Multiunit Residential Building Construction]

(c) On and after January 1, 2023, a municipality shall require each new construction of a commercial building or multiunit residential building with thirty or more designated parking spaces for cars or light duty trucks to include electric vehicle charging infrastructure that is capable of supporting level two electric vehicle charging stations or direct current fast charging stations in at least ten per cent of such parking spaces. A municipality may, through its legislative body, require any such commercial building or multiunit residential building to include such electric vehicle charging infrastructure in more than ten per cent of such parking spaces.

### [School Construction]

Sec. 17. Subsection (b) of section 10-291 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2022):

**(b) The Department of Administrative Services shall not approve a school building project plan or site, as applicable, if:**

(1) The site is in an area of moderate or high radon potential, as indicated in the Department of Energy and Environmental Protection's Radon Potential Map, or similar subsequent publications, except where the school building project plan incorporates construction techniques to mitigate radon levels in the air of the facility;

(2) The plans incorporate new roof construction or total replacement of an existing roof and do not provide for the following: (A) A minimum roof pitch that conforms with the requirements of the State Building Code, (B) a minimum twenty-year unlimited manufacturer's guarantee for water tightness covering material and workmanship on the entire roofing system, (C) the inclusion of vapor retarders, insulation, bitumen, felts, membranes, flashings, metals, decks and any other feature required by the roof design, and (D) that all manufacturer's materials to be used in the roofing system are specified to meet the latest standards for individual components of the roofing systems of the American Society for Testing and Materials;

(3) In the case of a major alteration, renovation or extension of a building to be used for public school purposes, the plans do not incorporate the guidelines set forth in the Sheet Metal and Air Conditioning

Contractors National Association's publication entitled "Indoor Air Quality Guidelines for Occupied Buildings Under Construction" or similar subsequent publications;

(4) In the case of a new construction, extension, renovation or replacement, the plans do not provide that the building maintenance staff responsible for such facility are trained in or are receiving training in, or that the applicant plans to provide training in, the appropriate areas of plant operations including, but not limited to, heating, ventilation and air conditioning systems pursuant to section 10-231e, with specific training relative to indoor air quality;

(5) In the case of a project for new construction, extension, major alteration, renovation or replacement involving a school entrance for inclusion on any listing submitted to the General Assembly in accordance with section 10-283 on or after July 1, 2008, the plans do not provide for a security infrastructure for such entrance; [or]

(6) In the case of a project for new construction, extension, major alteration, renovation or replacement on any listing submitted to the General Assembly in accordance with section 10-283 on or after July 1, 2022, the plans do not provide for the installation of at least one water bottle filling station (A) per one hundred students of the projected enrollment for the school building, (B) on each new floor or wing of the school building, and (C) in any food service area of the school building; or

**(7) In the case of a project for new construction of a school building on any listing submitted to the General Assembly in accordance with section 10-283 on or after July 1, 2023, the plans do not provide for the installation of level two electric vehicle charging stations, as defined in section 5 of this act, in at least twenty per cent of the designated parking spaces for cars or light duty trucks at the school building.**

**Sec. 6-163.1. ELECTRIC VEHICLE OFF-STREET PARKING REQUIREMENTS.**

**For any new construction, EV off-street parking shall be provided as follows:**

- (a.) Any new construction of a commercial, multi-unit residential, or municipal building that requires 30 or more parking spaces for cars or light duty trucks as calculated by Sections 6-155, 6-158, and 6-162, Required Parking Spaces, shall have a minimum of 10% of the total number of parking spaces allocated to EVs. Every EV parking space must have access to an EVCS that meets or exceeds current Level 2 voltage and charging speed specifications.**
- (b.) Any new construction or major renovation of a public-school receiving State funds or of a private school building shall have a minimum of 20% of the total number of parking spaces for cars or light duty trucks allocated to EVs. Every EV parking space must have access to an EVCS that meets or exceeds the current Level 2 voltage and charging speed specifications.**
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- (d.) EVCS Requirements: EVCSs shall be maintained to ensure continuous, proper functioning or, if necessary, be replaced. EVCSs shall have clear legible signage stating the voltage and ampere levels, 24 hour a day, 7 days a week, 365 days a year operation, safety information, usage fees and payment mechanism, and contact information for operating issues. EVCS outlets and connector devices shall be mounted to comply with applicable State Code(s) and all relevant ADA requirements. EVCS pedestals shall be designed to minimize potential accidents both by vehicles and pedestrians and be safe to use in inclement weather.**