

BY AUTHORITY

ORDINANCE NO. **4330**

COUNCILLOR'S BILL NO. **54**

SERIES OF 2025

INTRODUCED BY COUNCILLORS

**Johnson, Nurmela**

A BILL

FOR AN ORDINANCE AMENDING TITLE XI OF THE WESTMINSTER MUNICIPAL CODE  
REGARDING EV CHARGING STATIONS

Whereas, the City of Westminster has prioritized sustainability throughout the City and seeks to encourage the adoption of electric vehicles as a lower polluting transportation method; and

Whereas, on May 21, 2024, the Governor signed House Bill 24-1173 – Concerning Streamlining The Process For Permitting Electric Motor Vehicle Charging Systems (“HB 24-1173”), which mandates that local governments adopt compliant regulations to allow for EV Charging Stations by the end of 2025; and

Whereas, the City already uses the same administrative procedures required under HB 24-1173 regarding permitting processes for EV Charging Stations.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Westminster Municipal Code (W.M.C.) Section 11-2-1(A) is hereby AMENDED to add the following new definitions, which shall be integrated into the definitions currently existing in such Section 11-2-1(A) in alphabetical order.

*Accessory Use EV Charging Project* shall mean the development of DCFC Charging Stations and EV Charging Equipment that are incidental and subordinate to the primary use on the subject property.

*Direct Current Fast Charging (DCFC)* shall mean high-speed charging that provides approximately 50-350 or more kW of power per hour and uses a 480V three-phase outlet. Also known as Level 3 Charging.

*Electric Vehicle* shall mean a motor vehicle which relies partially or entirely on electrical energy to power its movement, requiring periodic electrical current charging of its battery.

*EV Charging Equipment* shall mean all equipment necessary to provide electrical current charging for EVs. This may include power conversion equipment, electrical distribution equipment such as transformers, switchgear boxes, and distribution lines, and other supportive equipment. EV Charging Equipment shall not include EV Charging Stations.

*EV Charging Port* shall mean a power supply device that provides electrical current charging for one EV.

*EV Charging Project* shall mean a proposed development of Primary or Accessory Use EV Charging Stations and Equipment, which may include other supporting site improvements like landscaping, lighting, or weather protection.

*EV Charging Station* shall mean equipment that includes one or more EV Charging Ports to provide charging for EVs, located adjacent to dedicated space(s) for the vehicle(s) while charging. One EV Charging Station may provide power for one or more vehicles.

*Level 1 Charging* shall mean a slow charging that provides about 1-2 kW of power per hour and uses a 120V outlet.

*Level 2 Charging* shall mean a mid-speed charging that provides about 7-19 kW of power per hour and uses a 240V outlet.

*Primary Use EV Charging Project* shall mean any proposed development of DCFC EV Charging Stations and Equipment that serves as the primary function and land use on the Subject Property.

*Setback* shall mean the required distance, as measured from the subject property’s lot line, in which no structure or building can be built.

Section 2. The BUSINESS AND COMMERCIAL USES table in subsection 11-4-4(E), W.M.C., is hereby AMENDED to add the following new underlined categories, which shall be integrated into the categories currently existing in such BUSINESS AND COMMERCIAL USES table in alphabetical order:

BUSINESS AND COMMERCIAL USES	RE	R1	RA	R2	R3	R4	R5	T1	B1	C1	C2	M1	O1
[...]													
<u>EV Charging Project - Primary Use</u>					<u>P</u>								
<u>EV Charging Project - Accessory Use</u>					<u>P</u>								

Section 3. Section 11-4-6, W.M.C., is hereby AMENDED to add a new subsection (T), which shall read in its entirety as follows:

(T) *EV Charging Stations:* EV Charging Stations shall be permitted subject to the following:

- (1) All EV Charging Projects, with the exception of Level 2 and Level 1 Charging, shall require an ODP Amendment. The City Manager or designee may, but is not required to, approve the ODP Amendment without hearing or notice.
- (2) Installation of an Accessory Use EV Charging Project shall not trigger the requirement for conformance with other land use regulations, unless simultaneous changes are proposed for the site or its uses or structures, which changes would otherwise require such conformance.
- (3) For all PUD and SPD Districts, Primary Use EV Charging Projects and Accessory Use EV Charging Projects are permitted as uses by right where low-density housing is not allowed. For all PUD and SPD Districts where low-density housing is allowed, Primary Use EV Charging Projects and Accessory Use EV Charging Projects shall be subject to review by the City Council.
- (4) Any parking space served by an EV Charging Port or any parking space used to site EV Charging Stations or EV Charging Equipment shall count toward applicable parking minimums as at least one (1) standard automobile parking space.
- (5) Each van-accessible parking space shall count as at least two (2) standard automobile parking spaces toward applicable parking minimums if such van accessible parking space is: (i) designated to accommodate a person in a wheelchair; (ii) served by an EV Charging Port; and (iii) not designated as parking reserved for a person with a disability under § 42-4-1208, C.R.S.
- (6) The design of parking spaces and parking access for all EV Charging Projects shall comply with the US Access Board Design Recommendations for Accessible Electric Vehicle Charging Stations and any applicable accessibility regulations issued by the U.S. Department of Justice or the U.S. Department of Transportation, or in state statute.

- (7) For Accessory Use EV Charging Projects, EV Charging Stations, EV Charging Equipment, and any required screening material are permitted within the designated setbacks of the property.
- (8) The appearance, materials, and dimensions of EV Charging Stations and EV Charging Equipment shall be determined by current EV Charging manufacturing standards and utility design standards. All signs not attached to EV Charging Stations or EV Charging Equipment shall adhere to the requirements set forth in Chapter 11 of this Title XI.
- (9) Screening is required for all EV Charging Equipment for DCFC Charging through a masonry wall, complimentary fencing, or dense vegetation. For Accessory Use EV Charging Projects, screening is only required for equipment located along the perimeter of the property and parallel to the property line. Screening shall be to the full height of the equipment. Exceptions to the screening requirement will be reviewed through the ODP Amendment. Screening or landscaping may not be located within the electrical equipment safety and access distances in established national electrical safety standards, including National Fire Protection Association (NFPA) standards, the National Electric Safety Code, and other relevant national safety standards.
- (10) If weather canopies are included as part of an EV Charging Project, they are subject to the applicable siting, dimensional, setback, appearance, materials, and other standards in this Code.

Section 4. If any section, paragraph, clause, word or any other part of this ordinance shall be held to be invalid or unenforceable by a court of competent jurisdiction, such part deemed unenforceable shall not affect any of the remaining provisions.

Section 5. This ordinance shall take effect upon its passage after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 8th day of December, 2025.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 15th day of December, 2025.

ATTEST:

  
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City Clerk

*J. Claire Carmelia*  
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Mayor

APPROVED AS TO LEGAL FORM:

*David Frankel*  
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City Attorney's Office