1 2 3 4	PROPOSED LOCAL LAW Electric Vehicle Recharging Infrastructure Amendments Executive Summary
5 6 7	This proposed local law will update the Town's zoning definitions and zoning district regulations to facilitate the development of electric vehicle charging.
7 8 9	The proposed local law will:
10 11 12	1. Amend the zoning definitions (Section 140-4.C) to define terms relating to electric vehicle charging infrastructure.
13 14 15 16	2. Amend the use table (Section 140-8.B.) to include electric vehicle charging stations (i.e., parking equipped with level-1 and level-2 EVSE) as a permitted accessory use and structure to a principal use in all districts of the Town.
17 18 19 20	3. Amend the use table (Section 140-8.B.) to allow electric vehicle charging stations equipped with DC Fast Charge EVSE as a permitted accessory use and structure to all principal uses in the all districts where service stations are allowed.
21 22 23 24	4. Amend off-street parking requirements to specify that parking spaces equipped with EVSE shall continue to be considered as a parking space for the purpose of meeting minimum parking requirements
25 26 27	5. Amend the site plan regulations to require that all non-residential uses having at least ten (10) contiguous paved parking spaces provide at least one space with EVSE installed.
28 29 30 31 32 33	6. Amend the site plan regulations to authorize the Planning Board to waive the requirement to install an EVSE when it finds that circumstances warrant such waiver, provided that a sufficient number of spaces have provided with conduit and such other equipment as may be necessary to enable EVSE to be installed in the future with minimal inconvenience or disturbance of parking areas
34 35 36 37	7. Amend the site plan regulations to authorize the Planning Board to apply the simplified site plan waiver procedure, where it finds the circumstances warrant, when an applicant proposes installation of an EVCS.
38 39 40 41 42 43 44 45	8. Concurrently with adoption of a local law amending Chapter 140, the Town Board by resolution authorizes the Planning Board, in consultation with the Building Inspector, to develop and implement regulations that specify design standards and criteria related to electric vehicle parking and charging stations in parking facilities so as to simplify and streamline procedures for installation, provide guidance for applicants and design professionals on locating EVSE installations, implementing best practices for installation of an EVSE, and where appropriate, providing wayfinding, parking and safe use signage.

1 2	RESOLUTION INTRODUCTORY LOCAL LAW
3 4	AMENDING THE ZONING CODE TO PROVIDE DEFINITIONS RELATED TO ELECTRIC VEHICLE CHARGING STATIONS,
5	AMENDING THE CRITERIA FOR SIMPLIFIED SITE PLAN REVIEW FOR EVCS
6	AND CERTAIN MINOR WIRELESS COMMUNICATION FACILITIES,
7	AND ESTABLISHING CERTAIN REGULATIONS RELATED THERETO.
8	
9	WHEREAS, emissions from vehicles using fossil fuels contribute a substantial percentage of all air
10 11	pollution and greenhouse gas emissions in the Town of New Paltz and elsewhere in the United States; and
12	WHEREAS, air pollution, in high levels, has been shown to contribute to premature death and to
13	aggravate lung illnesses such as acute respiratory infections, asthma, chronic bronchitis, emphysema, and
14	lung cancer, all of to which children and the elderly are more susceptible; and
15	
16	WHEREAS, the use of electric vehicles for transportation reduces air pollutants, including greenhouse
17	gases, emitted from said sector and ameliorates the effects of air pollution; and
18	WHEREAS the State is undertaking offerts to reduce air pollution and grouphouse and emissions by
19 20	WHEREAS, the State is undertaking efforts to reduce air pollution and greenhouse gas emissions by encouraging the transition to electric vehicle use and facilitating the development of a convenient, cost-
20 21	effective electric vehicle charging infrastructure; and
21	encenve electric venicle charging infrastructure, and
22 23 24 25 26	WHEREAS, electric vehicles need to be electrically recharged, and the driving distance between battery
24	charges in current electric vehicle models is limited, which limited driving distance is a fundamental
25	disadvantage to broad consumer adoption of electric vehicles, and
26	
27	WHEREAS, this disadvantage inhibits consumer acceptance and usage of electric vehicles, and an
28	infrastructure that allows convenient electric vehicle charging opportunities is essential; and
29	
30	WHEREAS, electric charging of private electric vehicles typically takes place in residential settings,
31	allowing and establishing regulations for electric vehicle charging infrastructure in the districts of the
32 33	Town that permit residential uses is in the public interest; and
33 34	WHEREAS, businesses in non-residential areas may want to install electric vehicle infrastructure for their
35	business uses or for their clients and/or employees to use, allowing and establishing regulations for an
36	electric vehicle charging infrastructure in commercial districts of the Town is in the public interest; and
37	
38	WHEREAS, the development of an electric vehicle charging infrastructure and of related regulations will
39	allow the residents and businesses of Town to use safe electric vehicle charging equipment at their place
40	of residence and employment, and will give the opportunity for commercial and industrial projects to
41	provide electrical vehicle charging services to customers and employees; and
42	
43	WHEREAS, the Town supports the goals of the regional Sustainability Plan, including improving air
44 45	quality by reducing pollutants, and making possible sustainable land use and transportation policies by
43 46	incorporating development standards support the use of electric vehicles; and
46 47	WHEREAS, it is in the best interest of the Town to define terms related to electric vehicles and their
48	charging infrastructure, to provide that such infrastructure meets the definition of "permitted accessory
49	use and structure" in all zoning district regulations, and to provide site plan and other land use regulations
50	relevant to such use;
51	

1 2	TOWN OF NEW PALTZ INTRODUCTORY LOCAL LAW
- 3 4	AMENDMENT TO CHAPTER 140 ZONING LAW DEFINITIONS, TABLE OF USES, SITE PLAN
5	RELATING TO ELECTRIC VEHICLE CHARGING STATIONS
6 7	BE IT ENACTED by the Town Board of the Town New Paltz, Ulster County, New York as
8	follows:
9	Section 1. Chapter 140 of the Code of the Town of New Paltz, entitled "Zoning," is hereby
10	amended by adding the underlined text that follows as new definitions to existing Section 140-4.C,
11 12	entitled "Definitions":
12	ELECTRIC VEHICLE Any motor vehicle that is registered with the NYS DMV and
14	authorized to operate on public and private highways, roads, and streets, and uses
15	electrical energy stored on-board for motive purpose. Electric vehicle includes battery
16	electric vehicles and plug-in hybrid electric vehicles.
17	
18	PLUG-IN HYBRID ELECTRIC VEHICLE (PHEV) An electric vehicle that (1)
19	contains an internal combustion engine and also allows power to be delivered to drive
20	wheels by an electric motor; (2) charges its battery primarily by connecting to the grid or other off-board electrical source; (3) may additionally be able to sustain battery charge
21 22	using an on-board internal-combustion-driven generator; and (4) has the ability to travel
23	powered by electricity.
23 24	• · · · · · · · · · · · · · · · · · · ·
25	ELECTRIC VEHICLE CHARGING STATION A public or private parking space
26 27	that is served by electric vehicle supply equipment that has as its primary purpose the
27	transfer of electric energy (by conductive or inductive means) to a battery in an electric
28	vehicle.
29 30	ELECTRIC VEHICLE CHARGING STATION — RESTRICTED USE An electric
31	vehicle charging station that is (1) privately owned and restricted access (e.g., single-
32	family home, designated employee parking) or (2) publicly owned and restricted (e.g.,
33	fleet parking with no access to the general public).
34	
35	ELECTRIC VEHICLE CHARGING STATION — PUBLIC USE An electric vehicle
36 37	charging station that is (1) publicly owned and publicly available (e.g., parking spaces on a public street or municipal parking lot) or (2) privately owned and publicly available
38	(e.g., shopping center parking, non-reserved parking in multi-family parking lots).
39	(e.g., shopping conter parking, non reserved parking in mater raining parking lots).
40	CHARGING When an electric vehicle is connected to electric vehicle supply equipment
41	(or standard outlet) for the purpose of recharging batteries on board the electric vehicle.
42	
43	CHARGING LEVEL The standardized indicators of electrical force, or voltage, at
44 45	which an electric vehicle's battery is recharged.
45 46	1. LEVEL 1 is considered "slow" charging level, typically requiring a 15 or 20 amp
40 47	breaker on a 120-volt AC circuit and standard outlet.
48	
49	2. LEVEL 2 is considered "medium" charging level, typically requiring a 40 amp to 100
50	amp breaker on a 240-volt AC circuit.

1	
2	3. DC FAST CHARGE is considered "rapid" charging, typically requiring a 60 amp or
3	higher dedicated breaker on a 480-volt or higher three-phase circuit with special
4	grounding equipment. DC Fast Charging uses an off-board charger to provide the AC to
5 6	DC conversion, delivering AC directly to the car battery.
6	
7	ELECTRIC VEHICLE INFRASTRUCTURE The structures, machinery, and
8 9	equipment necessary and integral to support an electric vehicle, including the electrical
9	conduit and premises wiring requirements for the installation of electric vehicle supply
10	equipment, as well as battery exchange stations.
11	
12	ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) The conductors, including
13	the ungrounded, grounded, and equipment grounding conductors and the electric vehicle
14	conductors, attachment plugs, and all other fittings, devices, power outlets, or apparatus
15	installed specifically for purposes of delivering energy from the premises wiring to the
16	electric vehicle, complying and conforming with National Electric Code Article 625 and
10	Society of Automotive Engineers J1772 Standard.
17	Society of Automotive Engineers J1772 Standard.
	Section 2 Section 140.9 D is smanded to include Electric Valiate Changing Stations conjugad
19	Section 2. Section 140-8.B. is amended to include Electric Vehicle Charging Stations equipped
20	with EVSE capable of charging an electric vehicle at Level 1 or Level 2, as defined in Section 140-4.C.,
21	as a "permitted accessory use and structure" in all zoning districts.
22	
23	Section 3. Section 140-8.B. is amended to include Electric Vehicle Charging Stations equipped
24	with DC Fast Charge EVSE, as defined in Section 140-4.C., as a "permitted accessory use and structure"
25	in the B-2 or I-1 zoning districts.
26	
27	Section 4. Section 140-8.B. is amended to include Electric Vehicle Charging Stations equipped
28	with DC Fast Charge EVSE, as defined in Section 140-4.C., as a "permitted principal use and structure"
29	in the B-2 zoning district, subject to site plan approval.
30	
31	Section 5. Section 140-51.3. is amended to add the following underlined text:
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33	. § 140-51.3 Planning Board review.
34	
35	Notwithstanding the provisions contained in § 140-52 of this chapter regarding site plan review
36	and approval, the Planning Board, upon recommendation of the Building Inspector and after
37	consultation with the Town Engineer, is authorized to waive site plan approval and the Building
38	Inspector is authorized to issue any building or other required permit for the alteration,
39	modification, improvement, conversion or change in the nature of the occupancy of the building,
40	structure or permitted use for which the application is being made, provided that:
41	subourd of polimited use for which the upprovident is coming indee, provided and
42	A. the applicant has demonstrated: (1) that the proposed activity for which the application is
43	being made will not require any enlargement, extension, relocation, removal or reduction of any
44	existing buildings, structures, parking areas, exterior lighting or other improvement shown on any
44	
	site plan approved by the Planning Board prior to the date of the application; (2) the applicant is
46 47	the owner or operator of a lawfully established wireless communications facility, and the
47 48	proposed action is to collocate, remove, or replace transmission equipment on an existing
48	wireless tower, provided the proposed action does not substantially change the physical
49	dimensions of the tower or existing base equipment; or (3) the applicant proposes to install a
50	Type I or Type II electric vehicle charging station (EVCS), and installation of the EVCS is not
51	part of an action that otherwise requires site plan approval.

1 2 3 4 5	B. That the applicant has demonstrated that the proposed activity for which the application is being made will not significantly increase the anticipated vehicle trips generated by the site, the anticipated parking requirements or traffic circulation on the site, the volume or quality of stormwater discharges from the site, or the use of water and septic/sewer facilities;
6 7 8 9 10	C. That the applicant has demonstrated that the proposed activity for which the application is being made is a Type II action pursuant to the provisions of 6 NYCRR Part 617 for purposes of SEQRA. For purposes of this paragraph, collocation, removal or replacement of antennas on an existing minor wireless communications facility consistent with subparagraph A(2) and Section 140-77 shall be deemed a Type II action; and
11 12 13 14 15	D. That the applicant has demonstrated that the proposed activity for which the application is being made will not have an adverse effect or impact upon the physical or environmental conditions of properties in the immediate vicinity nor upon the existing use or uses of such properties.
16 17 18 19 20	Section 6. Section 140-52.B. is amended to redesignate existing Subsection 140-52.B.(2)(o) as new Subsection 140-52.B.(2)(p), and to then add as new Subsection 140-52.B(2)(n) the following underlined text:
20 21 22	(n) Any site plan for (1) a residential use that proposes more than three dwelling units, or
23 24 25	(2) a non-residential use that proposes more than ten (10) contiguous parking spaces, shall make provision for the installation and use of one or more electric vehicle charging stations (EVCS) in accordance with the following:
26 27 28	[1]Residential structures shall include at least one parking space with an EVCS per dwelling unit;
29 30	[2] Office, business, commercial, recreational and other non-residential uses, including civic, cultural and not-for-profit uses (for instance, libraries, daycare centers, schools,
31 32	churches, etc.) shall provide at least one parking space with convenient and suitable access to an EVCS for every 10 automobile parking spaces;
33 34	[3] Parking spaces for non-residential uses shall be designed and arranged so that electric vehicle parking spaces are available for the parking of an electric vehicle. Parking spaces
35 36	designated on an approved site plan for a public EVCS shall be used exclusively for the parking of a vehicle that is connected to the EVCS for charging.
37 38	[4] All installed EVSC parking facilities shall be maintained in good operating order at all times during the duration of the proposed use.
39 40	[5] In the event that the Planning Board determines that the applicant has demonstrated good cause to waive the installation of EVCS facilities otherwise required by this
41 42	Section, it shall require that a sufficient number of spaces be provided with conduit and such other equipment as may be necessary to enable EVSE to be installed in the future
43 44 45	with minimal inconvenience or disturbance of parking areas. [6] A parking space available for use by an electric vehicle shall continue to deemed a parking space for surpass for calculating the number of parking spaces required by
45 46 47	parking space for purposes for calculating the number of parking spaces required by Section 140-34.A.
47 48 49	Section 7. Section 140-52.D. is amended to add the underlined text shown as follows:
50 51	D. Standards for site development plan approval. In acting on any site development plan application, the Planning Board shall take into consideration the public health, safety and

50D. Standards for site development plan approval. In acting on any site development plan51application, the Planning Board shall take into consideration the public health, safety and

1 general welfare, the comfort and convenience of the general public, the recommendations 2 of the Town Master Plan and the Official Map; the proposed height, bulk, location, 3 materials and architectural features of main and accessory buildings and their 4 appropriateness and relationship to the site and to one another; screening of paved and 5 surfaced outdoor areas and areas devoted to outdoor storage from abutting residence 6 districts and from abutting streets; traffic circulation within and without the site; 7 provision of off-street parking and loading space; the provision of sufficient electric 8 vehicle charging stations and related infrastructure to meet the reasonably anticipated 9 needs of the proposed use; the nature and design of exterior lighting, signs, landscaping, 10 buffer areas and other open spaces; and the availability of supporting services and facilities, so that any development on the site will satisfactorily and harmoniously relate 11 12 to the existing or permitted development of neighboring land and buildings, and so that 13 pedestrian and vehicular traffic will be handled safely and adequately both within the site 14 and in relation to the adjoining street system. In considering any proposed site 15 development plan, the Planning Board may require review by appropriate professionals 16 of the Town's choosing. 17

18 <u>Section 8.</u> This local law shall take effect immediately upon filing in the Office of the Secretary
19 of State.