

Memorandum



CITY OF DALLAS

DATE March 31, 2023

TO Honorable Mayor and Members of the City Council

SUBJECT **Electric Vehicle (EV) Charging Zoning Regulation Updates**

On April 12, 2023, City Council will consider the following agenda item:

DCA223-001: A public hearing to receive comments regarding consideration of amending Chapters 51 and 51A of the Development Code, Sections 51-4.212(13), "Service Station," 51-4.217(b)(18), "Accessory electric vehicle charging station," 51A-4.210(a)(19), "Motor vehicle fueling station," and 51A-4.217(b)(1.1), "Accessory electric vehicle charging station," and related sections with consideration to be given to appropriate zoning districts and developing appropriate standards associated with electric vehicle charging and an ordinance granting the amendments.

Background

On August 8, 2022, the City Council adopted Ordinance No. 28737 which amended the Dallas Development Code to add regulations for electric vehicle (EV) charging, established that the use will be classified as "motor vehicle fueling station," and allowed EV charging to occupy 10 percent or less of a parking lot as an accessory use, which allows charging facilities to be installed without being classified as the motor vehicle fueling station use.

In Fall 2022, Development Services presented to the Building Inspection Advisory Examining and Appeals Board (BIAEA) proposed amendments to the Dallas Building Code (Chapter 53) and the Dallas One- and Two-Family Dwelling Code (Chapter 57).

- One of the proposed amendments from Development Services includes a requirement for all new construction to install EV infrastructure that would often exceed the maximum 10 percent limitation in the Dallas Development Code to be considered an accessory use.
- If EV charging exceeds the threshold to be considered accessory (10% of the required parking), it would be considered a main use, "motor vehicle fueling station use" (AKA gas station), which is prohibited in many zoning districts.

DATE March 31, 2023
SUBJECT **Electric Vehicle (EV) Charging Zoning Regulation Updates**
PAGE **2 of 2**

If the Development Services amendments are adopted without an amendment to the Dallas Development Code, new construction would be required to go through the zoning change process in districts where gas stations are prohibited. For example, if a new multifamily project in a multifamily zoning district installs more than 10 percent of its parking spaces with EV charging equipment, as required by the proposed Development Services amendments, a zoning change to a district that allows gas stations would be necessary.

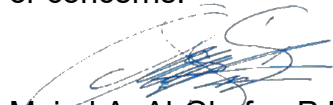
On January 5, 2023, CPC voted to recommend approval of the proposed Development Code amendments to City Council.

Planning and Urban Design Update Highlights

The proposed amendments to the Development Code include:

- Redefining when EV charging is an accessory or main use. EV charging would be considered an accessory use when it is provided on a lot with another main use, regardless of percentage. EV charging would be a “motor vehicle fueling station” (AKA gas station) main use if it is the only use on a lot.
- Allowing structures and equipment associated with EV charging that do not exceed six feet in height where an off-street parking space is allowed.
- Updating terminology to be consistent with the Development Services proposed amendment terminology.

Please contact Andreea Udrea, Assistant Director of the Department of Planning and Urban Design, at (214) 671-8911 or andreea.udrea@dallas.gov if you have any questions or concerns.



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