Make Your Town Electric Vehicle Friendly

15 Points

Updated January 2022

Action revisions include:

A. Requirement to adopt the Department of Community Affairs (DCA) Model Statewide Municipal EV Ordinance;

B. Requirement to Update the Land Use Code (Code of Ordinances);

C. Electric vehicle outreach activities are moved to a new EV Outreach action;

D. The gold star section of this action has been revised, successful completion of this action now satisfies one of the transportation action requirements for the Gold Star in Energy and one of the additional action requirements for the Gold Star in Health.

For assistance with this action, please call 609-771-2938 or email info@sustainablejersey.com.

The action guides municipalities in the development of an ordinance to ensure the orderly installation of electric vehicle service equipment (EVSE) in their communities. The action also provides guidance on other steps municipalities and municipal staff can undertake to promote EVSE installation. Points are earned by completing all three of the mandatory tasks and at least one of the additional tasks listed below.

The following **mandatory tasks** must be completed in order to earn points:

1. Adopt the Department of Community Affairs (DCA) Model Statewide Municipal EV Ordinance. **NOTE: The reasonable Standards section of the ordinance must address ADA accessibility, lighting, parking enforcement, safety (bollards, etc.), and signage**.
2. Update the Land Use Code (Code of Ordinances)
3. First Responder Electric Vehicle and EVSE Training

Additional tasks: select ONE task from the list below.

Option 1. Post permitting application process on municipal website

Option 2. Post inspection process on municipal website

Option 3. Amend municipal master plan to incorporate EVSE.

The Sustainable Jersey Annotated Statewide Model Ordinance (coming soon) provides guidance for locally adopting the DCA Model Statewide Municipal EV Ordinance.

This action can count toward Gold Stars in both Energy and Health. See the Gold Star Standard section of this action for more information.

Why is it important?

The transportation sector New Jersey's largest source of GHG emissions according to New Jersey's Global Warming Response Act 80X50 Report (GWRA 80 x 50 Report). The 80x50 Report confirms that to meet the State's 80x50 mandate to reduce statewide greenhouse gas emissions to 80% below 2006 levels by 2050, 100% of new passenger car and truck sales need to be electric by 2035. According to a report issued by the New Jersey Department of Environmental Protection, "The accelerated rate of transportation electrification in a short timeframe requires coordinated government action to ensure New Jersey towns are prepared to meet the EV charging needs of their citizens, businesses, and visitors" (Excerpt from forthcoming NJDEP. 2022. *Charge Up Your Town: Best Management Practices for Ensuring Your Town is EV-Ready*. p.1).

Municipalities play a critical role in meeting New Jersey's goals to install EV charging stations throughout the state. Municipal planning, zoning, permitting, and construction officials will be called on to facilitate the installation and integration of EV charging stations into the fabric of their towns. This action is intended to help municipalities prepare for increasing demand for electric vehicle support infrastructure. Municipal efforts to encourage and support installation of residential, workplace, and public electric vehicle charging infrastructure, can directly contribute to increased consumer adoption of electric vehicles (EVs). The more electrically fueled miles driven in New Jersey, the greater reduction in state petroleum consumption. This, in turn, provides direct and immediate improvements in air quality while also reducing greenhouse gas emissions.

In the months and years ahead, municipalities can anticipate being asked to review EVSE applications in higher numbers. Homeowners, landlords, developers, and third-party installers are all eligible for various incentive programs to facilitate the installation of EVSE. Municipalities are encouraged to address local reasonable standards to provide a predictable path forward for installation of EVSE.

Who should lead and be involved with this action?

The first step is for green team members, municipal staff, and municipal officials to meet and decide which tasks are the best fit for the municipality to implement. Once the set of tasks is identified, the people involved will vary by task.

1. **Adopt the Department of Community Affairs (DCA) model EVSE Ordinance**. The model ordinance will require input from municipal professionals (legal, planning, engineering) and may also require participation from the planning board, governing body and other professionals involved in the development of parking regulations and management. Ultimately the ordinance must be approved by the municipal governing body.
2. **Update the Land Use Code (Code of Ordinances)**. Municipal staff and professionals (zoning official, code enforcement, legal,) involved with making changes to the municipal land-use code (also known as Code of Ordinances, Land Development Regulations, Land Use ordinances) Update the code and all relevant zoning chapters to ensure the list of permitted accessory uses includes EVSE; as well as relevant chapters relating to parking requirements for commercial and multifamily dwellings to reflect the requirements for EVSE and make-ready parking spaces found in the newly adopted ordinance.
3. **First Responder Training**. This action requires that key emergency response personnel participate in training and education programs related to Plug-in EVs as well as EV charging infrastructure and integrate that training into department policies and procedures.

SELECT *ONE* ADDITIONAL TASK

Option 1. Permitting application process

- **Post on municipal website** the process for obtaining permits for installation of EVSE at an existing location. This may require working with the zoning/land use code officer or administrator; and other relevant staff, to draft information to update the municipal website and may include a consultant or other staff involved in website information management.

Option 2. Inspection process

- **Post on municipal website** information on inspection requirements to lay out clear expectations on what will be inspected, documents needed, and who should be present for inspections on the municipal website. This may require working with the zoning officer/administrator, code officials, and planning department; and may include a consultant or other staff involved in website information management.
    - **Option 3. Master Plan**
- **Update municipal Master Plan to incorporate EVSE** in next Master Plan or recertification report. The Planning Board is responsible for maintaining the municipal Master Plan, updates to it and recertification reports. They should lead in the development of this component of the action.

Timeframe

The specific initiatives chosen will dictate the overall timeframe to complete this action. As guidance, the green team should plan on 5-12 months to complete the required number of initiatives.

Mandatory Tasks

- Adopt EVSE ordinance: 2-3 months
- Update Land Use code: 1-2 months
- First Responder Training: Less than one month

Additional Tasks (only **one** needs to be completed)

- Post permitting application process and information on municipal website: 1-2 months
- Post inspection process and information on municipal website: 1-2 months
- Amend Master Plan:
  4-8 months for Master Plan (or if part of a re-examination report) NOTE: This time frame assumes amending the Master Plan for EVSE is part of a larger Master Plan update or regularly scheduled re-examination report.

Project costs and resource needs

Costs and other resource requirements will vary by task. Specific resources are also identified per-task to help identify cost and other resource needs. See the general resources section below for more information.

The primary cost for all activities outlined in this action will consist of municipal staff time for the permitting and zoning professions to undertake streamlining and clarifying code review, planning and legal professionals to adopt master plan and ordinances, and time for emergency responders to participate in training.

What to do, and how to do it ("How to")

The goal of this action is to complete a set of tasks, which together influence the use of EVs by the community. There are three mandatory tasks, and a set of three other tasks from which one (or more) may be chosen.

MANDATORY ACTIVITIES

Adopt DCA Model Statewide Municipal EV Ordinance

In 2021, New Jersey passed Public Law 2021, C 171, which called for the creation of a model ordinance that allows installation of EVSE in all zones and contains provisions on “make-ready” requirements for EVSE.

The DCA Model Statewide Municipal EV Ordinance went into effect in all New Jersey municipalities upon publication on September 1, 2021. This action requires the municipality to adopt the model ordinance to: 1) include in the municipal zoning/land use code; and 2) clarify at the local level the requirements for setbacks, sightlines and other health and safety standards for EVSE installations.

The model ordinance:

- stipulates that electric vehicle supply/service equipment (EVSE) and make-ready parking spaces (parking spaces prepared for future installation) be designated as a permitted accessory use in all zoning or use districts
- establishes EVSE installation and parking requirements for new:
  a. multi-unit dwellings with five or more living units
  b. parking lots or garages that require site plan approval
  c. retail properties that need to provide 25 or more off-street parking spaces
- includes rules for installation, sightline, and setback requirements and other health- and safety-related specifications (“Reasonable Standards”) for EVSE and make-ready parking spaces.

The municipality may not change the sections of the ordinance that are prescribed by state law (Portions of Section B – Definitions; Section C – Approvals and Permits; Section D – Requirements for New Installations of EVSE and Make-Ready Parking Spaces; Section E – Minimum Parking Requirements).

NOTE: For municipalities with existing EV charging ordinances, the statewide ordinance supersedes requirements established in those ordinances.

The first step to adopting the model ordinance is to schedule a meeting with municipal officials to explain the reason for the ordinance. If desired, the municipality may revise the “Reasonable Standards” section of the model ordinance to address design standards for EV charging stations related to health and safety, as well as establish local parking regulations for EV charging stations. Typically, the municipal attorney will be involved in drafting these changes.

The DCA Model Statewide Municipal EV Ordinance is available here.

NOTE: In order to receive points in this action, the ordinance passed by the municipality must address accessibility, lighting, parking enforcement, safety (bollards, etc.), and signage.

Update Municipal Zoning/Land Use Code
Working with the municipal zoning officer or administrator, update the relevant sections of the zoning/land use code (often an online document) to reflect the EVSE zoning ordinance.

Training
Because alternative fuel vehicles differ from conventional vehicles it is critical that first responders, including law enforcement, fire, and/or emergency response departments, be properly trained to deal with accidents involving these vehicles. At the scene of an accident, first responders should know: how to quickly identify an electric, hybrid, biofuel, natural gas, hydrogen, or propane vehicle; where the high-voltage cables are located in an electric drive vehicle; how long it takes for a high-voltage system to fully discharge once disabled; and what type of fire extinguisher should be used for an electric vehicle.

Electric vehicles involved in collision and fire incidents may present unique hazards associated with the high voltage system (including the battery system). These hazards can be grouped into three distinct categories: chemical, electrical, and thermal. The potential consequences can vary depending on, but not limited to,

the size, configuration, and specific battery chemistry. EVs contain high voltage batteries and electrical components that present a risk of shock or possibly electrocution to first responders if not properly handled. These are hazards not typically encountered during responses to fires in conventional internal combustion engine-powered highway vehicles. Emergency response personnel could be at risk for severe shock/injury/electrocution if they breach an energized high voltage electrical component or the high voltage battery. First responders may also be shocked by coming in contact with an energized high voltage component that has been compromised by fire or collision damage.

Throughout stabilization and extrication, response personnel must avoid inadvertent contact with all high voltage cabling and high voltage components. Response personnel should never cut through any high voltage electrical component. Personnel performing the extrication should visually check for the presence of high voltage electrical cabling and components of the supplemental restraint system prior to initiating every cut or displacement. The location and routing of high voltage components may prevent some advanced extrication techniques, such as trunk tunneling and gaining access through the underside or floor pan of the vehicle.

This action requires that key emergency response personnel participate in training and education programs for local first responders and integrate that training into department policies and procedures. Listed below are examples of trainings.

- *National Fire Protection Association. Alternative Fuel Vehicles Safety Training Program*. https://www.nfpa.org/EV A listing of the alternative fuel vehicle first responder training options currently available through the National Fire Protection Association.
- *New Jersey Division of Fire Safety & Kean University Fire Safety Training*. https://www.keanfiresafety.com EV fire safety trainings are offered periodically, check the schedule for available trainings.

ADDITIONAL TASKS SELECT ONE ADDITIONAL TASK

Option 1. Post on municipal website: permitting application process. Communicate the steps involved in permit review for installation of EVSE by clearly identifying the application process, application forms and their location, fees, timelines, and point of contact and post this information on the municipal website. Sustainable Jersey has created a permitting checklist template (coming soon) which can be amended to reflect local permitting information.

For existing buildings, this information should provide details about the process for obtaining permits for installation of EVSE, including:

1. Identify if the process for residential installation is different from installation for other uses – e.g., commercial or multifamily.
2. Identify if the municipality requires a zoning permit for different types of EVSE and under what conditions. For example:

   a. For Level 1: no zoning permit required, and construction permit is required if installation is considered “Ordinary Maintenance” or “Minor Work”.

   b. For Level 2: requirements include: zoning permit; construction permit, electrical tech sheet, etc.
3. If zoning permit is needed, provide a list of drawings and information requirements that must accompany the permit application. Many municipalities develop specific submission requirements for common applications such as “decks”, “fences” and “pools”. For example, a survey or aerial photo (to scale) that shows the location of the EVSE and distance to the property line with information on lighting, signs, landscaping, etc.
4. Provide information on each step of the process and what is next. For example:

   a. All completed zoning permit applications will be reviewed by the Zoning Officer.

   b. After review, the Zoning Officer will respond with an approval or an explanation for denial within ten (10) business days.

   c. A completed application means that all required documents have been submitted and all application fees have been paid.

For new buildings, this information should provide details about the process for obtaining permits for installation of EVSE, including:

1. Identify if applications with EVSE need any additional information.
2. If the municipality uses checklists in the review process, update the checklist –e.g., site plan drawing checklist; development review checklist–to provide information on EVSE and any requirements for setback, parking stall size, lighting, signs, and landscaping.

Option 2. Post on municipal website: inspection process. Provide information on inspection requirements to lay out clear expectations on what will be inspected, documents needed, and who should be present for inspections on the municipal website. If your municipality currently requires multiple inspection processes prior to approval (e.g., electrical, construction, etc.), consider the need for those inspections for this type of installation, and, if needed, attempt to coordinate those inspections to occur simultaneously.

Option 3. Amend municipal Master Plan to incorporate EVSE. Amend municipal Master Plan to incorporate EVSE in next Master Plan or recertification report to align with Public Law 2019, Chapter 267 (November 2019).

- The law requires municipalities, if updating their Master Plan, to show existing and proposed locations of public electric vehicle charging infrastructure.
- If a municipality is undertaking a reexamination report, the law requires the planning board to include recommendations for development of EVSE in commercial districts; transit facilities; transportation corridors; and public rest stops; and recommend changes, if any to the local development regulations to provide for EVSE infrastructure.
- The Planning Board is responsible for maintaining the municipal Master Plan, updates to it and recertification reports. They should lead the development of this component of the action.

What to submit to earn points for this action

In order to earn points for this action, the following documentation must be submitted as part of the online certification application in order to verify that the action requirements have been met.

1. **Description of Implementation** – In the text box provided on the submission page for this action provide a short narrative (300 words or less) of what has been accomplished and the impact it has or will have on the community.
2. **Upload a certified copy of the adopted EVSE ordinance**. The ordinance must be in alignment with the Department of Community Affairs (DCA) Model Statewide Municipal EV Ordinance. The Reasonable Standards section of the ordinance must address accessibility, lighting, parking enforcement, safety (bollards, etc.), and signage.
3. **Upload a document listing all the sections of the municipal land-use code that have been updated to reflect the EVSE ordinance**.
4. **Upload a summary of the training and education programs related to EVs and EVSE local first responders (law enforcement, fire, and/or emergency response departments) have participated in within the previous two years**. The summary should include participant names, course title and description, data, length of training, training provider, and how key learnings were put into practice in the municipality.
5. **Upload the required documentation for one of the following three options**:
   - **Option 1. Permitting application process and information. Upload** a screen shot of municipal website to demonstrate the application process and information is posted. Additionally in the text box provide a link to the location of this information on the municipal website.
   - **Option 2. Inspection information. Upload** a screen shot of the municipal website to demonstrate the inspection process and information is posted. Additionally in the text box provide a link to the location of this information on the municipal website.
   - **Option 3. Amend Master Plan. Upload** a copy of the sections of the Master Plan or Re-examination report that demonstrate the inclusion of EVSE. If the entire plan or report is posted, please identify the appropriate page numbers that address EVSE.

Resubmission Requirements

For resubmission, the municipality must document that the EVSE ordinance is still in effect, aligns to the most current version of the Department of Community Affairs (DCA) Model Statewide Municipal EV Ordinance and document if any changes have been made to the ordinance. Training for first responders must be

completed in the year of submission or the previous two calendar years. Other activities must be current at the time of resubmission as described in the documentation requirements above.

Also, document that the EVSE/Make-Ready requirements included in ordinance are in place for permits issued after September 1, 2021 for multi-unit dwellings with five or more living units; parking lots or garages that require site plan approval; and retail properties that need to provide 25 or more off-street parking spaces. Requirements include:

- prepare as make-ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of make-ready parking spaces;
- within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of make-ready parking spaces; and
- within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of make-ready parking spaces.
- Throughout the installation of EVSE in the make-ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.

Approved Action Expiration Date

Approved actions will be set to expire five full calendar years after the adoption of the EV Ordinance. For example, an action approved in 2021 will be set to expire on December 31, 2026.

Gold Star Standard

Energy Gold Star. Successful completion of this action satisfies one of the transportation action requirements for the Gold Star in Energy.

Health Gold Star. Successful completion of this action satisfies one of the additional action requirements for earning a Gold Star in Health.

For more information on earning a Gold Star in Energy or Health, see the Gold Star Standards section of the website.

Spotlight: What NJ municipalities are doing

Sustainable Jersey is currently working on identifying municipalities that have successfully completed this action. If you would like to showcase your municipality's accomplishments, please contact us at info@sustainablejersey.com.

Resources

The following resources may be helpful in completing this action.

Sustainable Jersey Resources

Sustainable Jersey Purchasing Resource Center
The Sustainable Jersey Purchasing Resource Center is an online tool that assists municipalities and schools in accessing sustainable goods and services, such as alternative fuel vehicles and charging infrastructure. This resource offers a directory of cooperative purchasing options from state, county, and collaborative organizations, and a quote library showcasing eligible equipment and services customized to meet your needs.

Sustainable Jersey Annotated Statewide Model Ordinance. (coming soon) Guidance on adopting the Model Statewide Municipal EV Ordinance.

Sustainable Jersey Alternative Fuel Vehicle Procurement Guide.
https://www.sustainablejersey.com/fileadmin/media/Actions_and_Certification/Actions/Energy/Sustainable_Jersey_Alternative_Fuel_Vehicle_Procurement_Guide.pdf

Sustainable Jersey Template Permitting Checklist. (coming soon)
Template permitting checklist that can be amended to include local permitting rules and used to meet the online permitting application process component of this action.

Other Resources
New Jersey Department of Community Affairs

- *Model Statewide EV Ordinance Information page*
  https://www.nj.gov/dca/dlps/home/modelEVordinance.shtml
- *Model Statewide EV Ordinance*
  https://www.nj.gov/dca/dlps/pdf/modelEVordinance_08321_FinalDraft.docx
- *Electric Vehicle Charging Stations: What You Need to Know*
  http://www.state.nj.us/dca/divisions/codes/publications/pdf_other/homeowners_guide_electric_vehicles_charging_stations.pdf

New Jersey Department of Environmental Protection, Bureau of Mobile Sources

- *Charge Up Your Town: Best Management Practices for Ensuring Your Town is EV-Ready*. 2021 https://nj.gov/dep/drivegreen/pdf/chargeupyourtown.pdf?fbclid=IwAR11zD3l-y5f52p3f7iEDgxjWFloSkDWceueGmHGy7zLazQuS41EyNP7H38
- *Drive Green New Jersey Webpage*
  http://www.drivegreen.nj.gov/
- *Electric Vehicle Resources for Local Governments*
  https://www.drivegreen.nj.gov/localresources.pdf
- Delaware Valley Regional Planning Commission (DVRPC). *Electric Vehicle Information Clearinghouse*.
  https://www.dvrpc.org/energyclimate/ElectricVehicle/

EV Safety Training

Training for Local Officials

U.S. Department of Energy Alternative Fuel Data Center. *Electric Vehicle Infrastructure Training Program*.
http://evitp.org/ -- or -- https://www2.eere.energy.gov/cleancities/evitp.html

National Alternative Fuels Training Center (NAFTC). *Courses and Workshops*. https://naftc.wvu.edu/courses-and-workshops/

First Responder Safety Training

National Fire Protection Association. *Alternative Fuel Vehicles Safety Training Program*.
https://www.nfpa.org/EV
A listing of the alternative fuel vehicle first responder training options currently available through the National Fire Protection Association.

New Jersey Division of Fire Safety & Kean University. *Fire Safety Training*.
https://www.keanfiresafety.com
EV fire safety trainings are offered periodically, check the schedule for available trainings.