

COG EV Policy & Processes Work Group
November 29, 2011 DRAFT Meeting Highlight

COG Rooms 4 and 5
Washington Metropolitan Council of Governments
777 North Capitol Street NE
Washington, DC 20002

Attendance

Andy Flavin, Dominion
Austina Casey, District Department of the Environment
Claude Willis, Greater Washington Regional Clean Cities Coalition
Daivamani Sivasailam, COG DTP
Daniel White, District Department of the Environment
Dyan Backe, City of Gaithersburg
Emil King, District Department of the Environment
Howard Simons, Maryland Department of Transportation
Hussain Karim, District Department of the Environment
Ignacio Ayala, OpConnect
Jeannette Callendar, District Department of Public Works
Jeff King, COG DEP
Joan Rohlf, COG DEP
Kambiz Agazi, Fairfax County*
Kenneth Saunders, Fairfax County
Leah Boggs, COG DEP
Mair McCafferty, Fairfax County
Noel Kaplan, Fairfax County
Olayinka Kolawole, District Department of the Environment
Raphael Isaac, Transportation Policy Professional
Stephen Schey, ECOtality
Steve Rosenstock, Edison Electric Institute
Theresa Cusick, DC DPW
Vernon Wade, Prince George's County Chamber of Commerce

Conference Call

Jill Sorensen, Baltimore Electric Vehicle Initiative (BEVI)
Kip Reynolds, MNCPPC-PG
Mike Alexander, Cassidy Turley

Tim Long, ECOtality
Tina Schneider, MNCPPC-M
Tony Bizjack, Fairfax County

*** Work Group Chair**

1. Introductions (Chair)

- October 18, 2011 meeting minutes changed to reflect Rafael Isaac in attendance.

2. Comprehensive Planning and ADA Requirements

Comprehensive Planning

- Presenter: Noel Kaplan for Fairfax County (See PowerPoint presentation for full details)
 - How do regulatory and policy context work together
 1. County code and zoning ordinances - set specific standards for use, density/intensity, size, setbacks, height and open space
 2. Comprehensive Plans are guides that describe general policies and text regarding land use, transportation, environmental and Ex. – proposals to rezone property are evaluated for conformance with the comprehensive plan
 - The County's plan is a guide for the County's land use, forecasting changes over the next 20 years and is required by the Code of VA to shape orderly development of the county
 1. It identifies the county's goals, objectives and policies regarding land use, transportation, housing, environment, economic development, heritage resources, human services, parks and recreation, revitalization and public facilities.
 - Two ways to amend the plan
 1. Area Plans Review (APR)
 2. Board of Supervisors Plan Amendment
 - County By-right Development and Review
 1. Development conducted in accordance w/existing zoning and must be allowed as long as it complies w/zoning and other County code requirements
 2. Developers are *not* required to comply w/Comprehensive Plan policies
 3. Development must be approved subsequent to a public hearing

4. Comprehensive plan conformance is not mandated; however is a major consideration
 5. Rezoning: proffer commitments can be negotiated and are offered voluntary by developer or property owner
 - a. Once accepted, a proffer is a legally binding condition in addition to the applicable zoning district regulations
 6. Public hearings are mandatory
- EVs and the Comprehensive Plan
1. Plan guidance provides text for negotiation of commitments from developers during zoning process
 2. Plan recommendation language establishes level of expectation or guidance; not regulation
 3. Plan guidance for EV commitment must be specifically established during zoning process; otherwise is not a requirement

Example Text

- a. *“Encourage the provision of charging stations and related infrastructure for EVs within new development and redevelopment proposals.”*
 - i. Establishes general support by the BOS for EV charging; however not a requirement
- b. *“Encourage the provision of charging stations and related infrastructure for electric vehicles within new development and redevelopment proposals, particularly for residential proposals where other vehicle charging opportunities would not be available.”*
 - i. Emphasis on residential projects
 - ii. Refer to Mitre report which focuses on residential
- c. *“Encourage readiness for charging stations and related infrastructure for electric vehicles within new development and redevelopment proposals.”*
 - i. Emphasis on EV ready design
- d. *“Ensure that zoning proposals will incorporate the provision of charging stations and related infrastructure for electric vehicles.”*

- i. Establishes an expectation for installation of EV charging facilities **for all development proposals, without the identification of specific thresholds.**
- e. *“Ensure that zoning proposals for multifamily residential development at or above the mid-range of the Plan density range will incorporate the provision of charging stations and related infrastructure for electric vehicles.”*
 - i. Establishment of an expectation for installation of electric vehicle charging facilities **for certain development proposals**, without the identification of specific thresholds.
- f. *“Ensure that zoning proposals will incorporate the provision of charging stations and related infrastructure for electric vehicles. There should be at least one charging station provided for every XXXX parking spaces; charging stations should have charging times no longer than those of Level 2 charging stations as described in ‘{insert name of guidance document}.’”*
 - i. Establishment of an expectation for installation of electric vehicle charging facilities for all development proposals, **with specific thresholds established.**

○ Q/A

1. How does the Dillon Rule affect the process? Proffer is a voluntary commitment by developer
 2. Has the county done work regarding EVs? There are couple applications in Tyson’s corner; however none committed to any stations – one is to look at the cost for multifamily, the other is cost study by SAIC application
 3. Will this fall under LEED? The incentive for EVs is currently available; however, it needs to be a stand alone
 4. Commercial permitting is now available online.
- Presenter: Emil King, DC
 - The District is in its early stages of zoning transportation and environmental issues.

- Sustainable DC just launched July 2011
 1. Kickoff meeting that evening
 2. Several work groups; EV activities under energy and transportation work group
 3. Sustainability plan will feed into the Comprehensive Energy Plan
- Currently there are many rules for private property installations
- Stimulus money initial targeted for 20 sites; however, no longer able to install 19 sites; inside the District there are some privately owned sites
- DCRA is responsible for the electrical contract; working with baseline guidance
- Presenter: Tina Schneider, Montgomery County
 - County in the process of reviewing zoning
 - Process seems to be receptive of including EVs
- Leah Boggs (on behalf of City of Alexandria)
 - The City is currently addressing EV infrastructure and planning via its Small Area Plan process.
 - Example draft language for the transportation section of the Beauregard Small Area Plan for the currently under development:
 1. *Electric Vehicles / Charging Stations:*
 “Electric vehicle (EV) charging stations will become ever more important as drivers consider the switch to vehicles that reduce fuel use and emissions contributing to global warming. Charging stations should be installed in key locations to serve drivers using plug-in hybrid vehicles so they can “top off” their batteries and ensure a round trip. These key locations may include residential, commercial and office parking areas, either within a structure or on-street.”
 2. Similar language will also be referenced in the sustainability section of the plan.

ADA Compliance

- Presenter: Hussain Karim, District of Columbia
 - The District currently does not have any specific rule or guidance on the issue; suggested that ADA is encoded into the building codes
 - General provision is if the charging station provides access to the public it must also be handicap accessible
 - For new buildings it suggest there are no limitations on placement; however for existing buildings it suggest that it is up to zoning and permitting
- Presenter: Leah Boggs (on behalf of City of Alexandria)

- ADA compliance issues as it relates to EV infrastructure is not currently under review by City staff; information from the work group is welcomed
- Presenter: Kenneth Saunders, Fairfax County (See handout for more details)
 - American Disabilities Act (ADA) enacted in 1990; later amended in the ADA Amendments Act of 2008 became effective in 2009
 - ADA provides a national mandate for the elimination of discrimination against individuals with disabilities
 - Title II covers all activities of State and local governments regardless of size or federal title; under title II private individuals may bring lawsuits to enforce their rights under title II; they may also file complaints with 8 designated Federal agencies, including DOJ and DOT
 - Title III covers all businesses and nonprofit service providers that are public accommodations, privately operated entities offering certain types of courses, etc.
 - March 15, 2012 compliance with 2010 ADA Standards for Accessible Design will be required for new construction and alterations.
 - Although federal accessibility standards do not specifically address EV charging stations, it is required to incorporate ADA accessibility requirements in the design and installation of commercial charging
 - Other Considerations – connector and receptacle heights and special cutouts
 - Other Jurisdiction's
 1. California's Division of State Architects has issued "Interim Disables Access Guidelines for EV Charging Stations"
 2. Washington State has developed EV Infrastructure Deployment Guidelines which include accessible equipment, signage and barrier free routes to charging equipment
 - Alterations made to provide accessibility are deemed disproportionate to the overall alteration when the costs exceed 20% of the cost of the alteration to the primary function area.

3. ECotality Lessons Learned (Stephen Schey, ECotality)

- Overview of the EV Project
 - \$230 million project - \$115 million from US DOE + \$115 million match
 - Up to 8300 Residential EVSE (Nissan Leaf and Chevy Volt)
 - Up 5000 Publically available AC Level 2 EVSE
 - Up to 225 Dual Port DC level 2 EVSE
 1. Currently a total of 400 in all market areas

- Elements of general parking accessibility
 1. location
 2. Spaces
 3. Route
- Challenges for EVSE installations
 1. Design for ADA required – local enforcement; permitting
 2. No federal or official state guidelines – many interpretations
 3. Location near facility entrance – not ideal for EVSE and EV image
 4. Exclusivity for EV charging – ensure EVSE is available, local ordinance enforcement
 5. Exclusivity for Disabled – Cannot add EVSE to existing ADA space, may add to adjacent space
 6. New accessible EVSE space – not exclusive to disabled, location near power supply, may eliminate spaces
 7. Accessible EVSE – EVSE design requirements
 8. Accessible Route – may require curb cuts
- ECOTality Guidance on ADA
 1. Provide an accessible EVSE to be compatible
 2. Provide a path to the EVSE – allow disabled to get to EVSE
 3. Provide accessibility to EVSE – allow connecting EVSE to EV
 4. Provide accessible route to facility
 5. Disproportionate space – costs for creating accessible space
 6. Disproportionate route
 7. Maximum extent feasible

4. Next Meeting Topics

- Land use planning
 - regional guidance related to private sector development; should non-residential be considered as well (as oppose to recommendation in the Mitre report)
 - land use ordinance; proffers – state of the art initiatives and parking management
- EVs and green building requirements
- Air quality as it pertains to non-attainment

5. Next Meeting

- December 14th meeting cancelled
- Next meeting - January 17, 2012
 - Possibly hosted by PEPCO