

AGENDA
Planning and Zoning Commission
October 5, 2022 – REGULAR MEETING

5:30 PM

The New Business items have been placed on the agenda in the order they were received. Please note that at 9:00 p.m., the Commission will evaluate the remainder of the agenda to determine if time constraints will permit the full agenda to be heard at this meeting. All items not heard at this meeting will be postponed to the next regularly scheduled PC/BOA meeting of October 19, 2022 or to a special meeting scheduled by the Commission.

NOTICE: THE VIDEO AND AUDIO FOR THIS MEETING ARE STREAMED TO THE PUBLIC VIA THE INTERNET AND MOBILE DEVICES WITH VIEWS THAT ENCOMPASS ALL AREAS, PARTICIPANTS AND AUDIENCE MEMBERS

PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING

1. LOG INTO PC/BOA MEETING
 - I. Link to ZOOM:
<https://us02web.zoom.us/j/86934071771?pwd=VTZpcTNXWFVGY0NTYXU5UTRLc2hYQT09>
2. CALL TO ORDER
3. ROLL CALL
4. MATTERS FROM THE PUBLIC
5. APPROVAL OF MINUTES
 - I. September 21, 2022 Minutes
6. OLD BUSINESS
7. NEW BUSINESS
8. BOARD OF ADJUSTMENT
9. PLANNING COMMISSION
 - I. **P22-176:** LDR Text Amendment - Div. 6.2.2 - Required Parking and Loading and Division 9.5 - Defined Terms - to require electric vehicle charging infrastructure in parking facilities
10. MATTERS FROM THE COMMISSION
11. AGENDA FOLLOWUP
12. MATTERS FROM STAFF
13. ADJOURNMENT

**MINUTES
PLANNING AND ZONING COMMISSION
TOWN OF JACKSON, WYOMING
September 21, 2022**

The meeting of the Planning and Zoning Commission was called to order at 5:30 p.m. on 09/21/2022, via ZOOM and in Town Hall Chambers.

ROLL CALL:

☒ Anne Schuler ☐ Wendy Martinez, ☒ Katie Wilson, ☒ Abby Petri, ☒ Christie Schutt,
☒ Thomas Smits

STAFF: Paul Anthony, Tyler Valentine

MATTERS FROM THE PUBLIC: None

APPROVAL OF 8/3/22 MINUTES: A motion was made by: Schuler seconded by:
Schutt

Motion approved by a 5 to 0 vote

OLD BUSINESS: None

PLANNING COMMISSION

ITEM P22-156: Development Plan Amendment – Hotel Jackson – 135 N Cache, 120 & 145 N Glenwood

STAFF PRESENTATION: Tyler Valentine

QUESTIONS FOR STAFF: Commissioner Schuler asked if the reason why the original space wasn't filled in was a lack of FAR. Valentine answered that yes, and same situation on ground level.

APPLICANT PRESENTATION: Sadek Darwiche –the maximum FAR on the Town Square overlay is 1.83 and with this addition the FAR will still fall below 1.83. In terms of bulk and scale, the property won't feel any bigger than other properties on the Town Square.
Financially makes more sense to enclose the open area in the building now during construction vs. having a hole in the middle of the building.
Additionally, the valet lifts are working very well and additional lifts will be added that will be for electric vehicles.

QUESTIONS FOR THE APPLICANT: None

PUBLIC COMMENT: None

COMMISSION DISCUSSION:

Commissioner Schuler feels it's a good use of FAR and likes the use of lifts in the valet parking. Commissioner Smits asked about the parking, if it was available only to guests or also for transient clients of the restaurant. Darwiche responded that it's available to transients. No issues with project, that it's a better use of FAR.

Motion: I move to recommend approval to the Town Council of Development Plan Amendment P22-156 to incorporate 145 N Glenwood St. into the Hotel Jackson Development Plan and to transfer approximately 4463 sf of floor area to 135 N Cache St, based upon the findings presented in the staff report, departmental reviews, and subject to this staff report dated September 21, 2022

A motion was made by: Schutt seconded by: Smits

Motion approved by a 5 to 0 vote

MATTERS FROM COMMISSION: Planning Commission asked to get heads up on larger projects coming up. Discussed using Planning Commission meetings to work on reviewing LDRs and codes that need attention, such as lack of guest parking requirements, and make recommendations to the Town Council.

MATTERS FROM STAFF: Paul Anthony discussed open Planning Commission seat and encouraged recommendations. Discussed protocol with Council that when reviewing applications, if applications meet the letter of the law, they should be approved. Any dissenting votes should be based on the belief that the project doesn't meeting the requirements rather than not liking the requirements. Can still have their voices heard by the Council with recommendations of changes to the regulations. Mountain Town conference is coming up, Commissioner Schutt is attending, along with some staff members. We are seeing a lot of large buildings and how do we apply Design Guidelines to these larger projects. We don't have maximum building size so aggregating lots is happening aggressively. We're fully staffed but with Tyler Sinclair acting as interim Town Manager, we've lost some capacity. We've increased the building permit review timelines changed from 30 to 60 days as the Engineering Department is backed up.

Adjourn: A motion was made by: Schuler seconded by: Smits

Motion approved by a 5 to 0 vote at 6:15 pm.

STAFF REPORT



Meeting Date:	October 5, 2022	Meeting Title:	Regular Planning Commission
Submitting Department:	Planning	Presenter:	Katelyn Page
Agenda Item:	ITEM P22-176: Request for a Land Development Regulation (LDR) Text Amendment to the Parking and Loading Standards to Require EVSE Infrastructure	Public Comment:	Yes

Purpose & Policy Considerations.

All Text Amendments to the Town of Jackson Land Development Regulations (LDRs) require review and recommendation by the Planning Commission according to LDR Section 8.7.2. The Town Council makes the final decision on all LDR Text Amendments.

Requested Action.

The applicant, Yellowstone-Teton Clean Cities (YTCC), is proposing an LDR Text Amendment to the Town of Jackson's Parking and Loading Standards relating to parking facility requirements. Specifically, to require off-street parking lots to include tiered minimum requirements electric vehicle supply equipment (EVSE) infrastructure.

The proposed text amendment would modify the following sections of the LDRs: Section 6.2.2 - Required Parking and Loading and Division 9.5 - Defined Terms

Recommendation.

The Planning Director recommends **approval** of LDR Text Amendment P22-176 as modified by staff and shown in this staff report.

Background.

YTCC is a nonprofit which works to advance alternative fuels, vehicles, infrastructure and sustainable transposition opportunities in Wyoming, Idaho, and Montana. The organization is approaching multiple communities in the greater Yellowstone-Teton Region to address local text amendments in support of ESVE infrastructure.

The Jackson/Teton County Comprehensive Plan was adopted on April 6, 2012, establishing Common Values, Principles, and Policies to support the Community's overall vision. As part of that Comprehensive Plan, Policy 2.1 was established to "Reduce consumption of non-renewable energy."

On April 6, 2020, the Town of Jackson adopted Resolution 20-05 (attached), committing to a goal of achieving carbon neutrality by the year 2030. The proposed text amendment supports reaching that goal through minimum infrastructure requirements in parking lots to accommodate vehicles which reduce GHG emissions. As referenced by the applicant, ground transportation accounted for about 63% of greenhouse gas (GHG) emissions in 2021 per the 2022 Jackson/Teton County Comprehensive Plan Indicator Report.

Based on recent vehicle registration trends, and by utilizing the Department of Energy's Electric Vehicle Infrastructure Projection Tool (EVI-Pro) Lite, the applicant estimates that infrastructure for 5,500 Electric Vehicles (EVs) will be required to meet the goal of carbon neutrality by 2030 set forth in Resolution 20-05.

Proposed Requirement.

YTCC's aim focuses on preparing parking facilities for electronic vehicles upon future development or major reconstruction because retrofitting a parking facility to support EVSE – thus charging capability – can be more difficult and costly when compared to planning ahead for the technology. To do this, the applicant suggests inclusion of minimum requirements for EVSE Capable and EVSE Installed parking spaces under the LDR standard for Required Parking and Loading (Section 6.2.2). Staff includes suggested changes to Defined Terms (Division 9.5) to support the proposed text amendment. The application submitted by YTCC proposes EVSE Capable and EVSE Installed spaces at the below ratios. Please note, Staff suggests changes to the proposed use categories and EVSE Capable and EVSE Installed amount requirements. See redlined changes presented later in this Staff report.

Use	EVSE Capable	EVSE Installed
Residential	30%	5%
Lodging	30%	5%
Other nonresidential (Office, Commercial, etc.)	10%	5%

The requirements are not additive. For example, if 6 EVSE Capable spaces are required based on the above percentages, then of those 6 required EVSE Capable spaces, 1 would need to meet the EVSE Installed requirements of a higher technology and installation threshold. Where the text amendment addresses a requirement based on "parking lot(s)" this reflects the LDR definition of parking lot which is means 4 or more adjacent parking spaces.

In total, there are 15 proposed changes to the LDRs summarized below under the **Staff Analysis** section.

Staff Analysis.

Below is a summary analysis of the proposed text amendment which shows proposed changes, the applicant's justification, and staff's recommendation. Please refer to the applicant's submittal for the specific language as the summary below is mostly intended to simplify the proposed changes.

The text amendment changes will effectively set higher standards for parking facilities in most new development and align with the goals of the following Comprehensive Plan language:

Policy 2.1.a (Shift community energy consumption behavior) states – "The community commits to shifting its behaviors to consume less energy. Reducing energy demand is the simplest way to consume fewer nonrenewable energy resources. Achieving communitywide energy conservation requires reducing individual consumption of energy with every decision. The Town, County, and partnering organizations will educate the community on best available methods for reducing energy demand and facilitate and encourage each community member to reduce personal energy consumption."

Policy 2.1.c (Increase local use and generation of renewable energy) states – "Using solar, wind, geothermal, and/or hydro energy that has less impact to the climate is the community's preference. The community will work with local utilities and other agencies, nonprofits, and businesses to identify local renewable energy generation opportunities so that it is not necessary to add non-renewable energy"

sources to the community's energy portfolio. Integration of renewable energy into the community's energy portfolio should be done consistently with the community's Vision."

Proposed Changes Section 6.2.2 Required Parking and Loading

#	Current	Proposed Change	Applicant's Justification
1	N/A	"All nonresidential uses and residential uses served by a parking lot shall provide infrastructure for electric vehicle supply equipment (EVSE)."	To introduce EVSE requirement to new development.
Staff Recommendation: Staff <u>supports</u> this change with the following modified language: "All new and expanded uses served by a parking lot, as defined in Division 9.5, shall provide infrastructure for electric vehicle supply equipment (EVSE) unless otherwise exempt by this subsection." Staff Reasoning: It is preferable to apply to all uses then later address specific exemptions or thresholds. Noting "new and expanded" means that existing parking lots are not impacted by this proposal.			
#	Current	Proposed Change	Applicant's Justification
2	N/A	The applicant suggests adding a required minimum for EVSE Capable and EVSE Installed based on the number of off-street parking spaces.	To set required minimum standards effectively increasing access to EVSE infrastructure.
Staff Recommendation: Staff <u>supports</u> this change with the following modified language: "as a percentage of total off-street parking spaces..." Staff Reasoning: Required parking and total parking provided is not always the same amount. It is Staff's opinion that if an applicant wishes to provide more parking spaces than required by the LDRs, they should be required to provide additional EVSE.			
#	Current	Proposed Change	Applicant's Justification
3	N/A	Requirement table breakdown – "Residential"	The proposed use categories aim to capture locations where EVSE infrastructure is most likely used or most effectively placed for charging.
Staff Recommendation: Staff <u>supports</u> this change with the following modified breakdown of uses: Breakout Detached Dwelling Unit and Accessory Residential Unit separately from all other residential uses. Staff Reasoning: Staff supports breaking out "residential uses" into subcategories of "Detached Dwelling Unit", "Accessory Residential Unit" and all "other Residential uses". Detached Dwelling Units and ARUs are inherently different than all other residential or accessory uses because they are typically served by a driveway rather than a parking lot which may be problematic when measuring the amount of provided parking on a driveway.			
#	Current	Proposed Change	Applicant's Justification
4	N/A	Requirement table breakdown – Amount requirement	N/A (Staff driven)
Staff Recommendation: Staff <u>supports</u> inclusion of a separate requirement for Detached Dwelling Units and Accessory Residential Units of 1 EVSE Capable parking space per DU and N/A for EVSE Installed parking space in the EVSE requirement table.			

	Staff Reasoning: Staff notes Detached Dwelling Units and ARUs are inherently different than other residential uses such as attached single family or apartments as they are typically served by a driveway rather than a parking lot.		
#	Current	Proposed Change	Applicant's Justification
5	N/A	The applicant suggests that required EVSE spaces count towards fulfilling the overall parking requirement.	This is similar to allowing ADA spaces to count toward fulfillment of overall parking requirement.
	Staff Recommendation: Staff supports this change with the following modified language: "Those parking spaces required for EVSE by this Subsection shall count toward fulfilling the total parking requirement of this Division." Staff Reasoning: Verbiage is more consistent with current LDR language for ADA spaces.		
#	Current	Proposed Change	Applicant's Justification
6	N/A	Posted Signage	N/A (Staff driven)
	Staff Recommendation: Staff supports the inclusion of a posted signage requirement for EVSE Installed spaces as follows: " EVSE installed spaces shall be posted with clear signage designating them as intended for electric vehicles. " Staff Reasoning: Verbiage is consistent with LDR requirement for posted signage for parking spaces intended for specific users.		
#	Current	Proposed Change	Applicant's Justification
7	N/A	Location	N/A (Staff driven)
	Staff Recommendation: Staff supports the inclusion of a language subjecting EVSE Installed equipment to be subject to parking setbacks as follows: " Above ground EVSE components taller than 4' in height and less than 8' in height, such as charging stands, shall be subject to the parking setbacks of the applicable zone, unless permanently affixed to a building or structure. " Staff Reasoning: Including EVSE equipment in the parking setback standards ensures the equipment is not subject to structure setbacks which are more conservative.		
#	Current	Proposed Change	Applicant's Justification
8	N/A	The applicant suggests guidelines for the technology required for EVSE Capable and EVSE Installed parking spaces.	To define technology sufficient to be considered "EVSE Capable" or "EVSE Installed"
	Staff Recommendation: Staff supports this change with the following modified language and organization within the LDRs: Include in a separate subsection entitled " EVSE Standards ", include " minimum 40-amp ", and " version 1.6 or higher ". Staff Reasoning: This organization better aligns with current organization of the LDRs and accommodates for future changes in technology.		

#	Current	Proposed Change	Applicant's Justification
9	N/A	An EVSE Installed space may count toward the EVSE Capable space requirement.	EVSE Required Facilities shall have some applicability and exemption guidelines in terms of amount of spaces provided.
Staff Recommendation: Staff <u>supports</u> this change with the following modified organization within the LDRs: Include in proposed EVSE Section 6.2.2.E.1 (Amount of Off-Street Infrastructure) Staff Reasoning: This organization better mirrors current LDRs.			
#	Current	Proposed Change	Applicant's Justification
10	N/A	EVSE Installed requirement only applies to parking lots of 10 or more spaces.	EVSE Required Facilities shall have some applicability and exemption guidelines in terms of amount of spaces provided.
Staff Recommendation: Staff <u>supports</u> this change with the following modified organization within the LDRs: Include in proposed EVSE Section 6.2.2.E.1 (Amount of Off-Street Infrastructure) Staff Reasoning: This organization better mirrors current LDRs.			
#	Current	Proposed Change	Applicant's Justification
11	N/A	The EVSE Installed requirement is waived in residential and lodging parking lot where all spaces are EVSE Capable.	EVSE Required Facilities shall have some applicability and exemption guidelines in terms of amount of spaces provided.
Staff Recommendation: Staff <u>supports</u> this change with the following modified language and organization within the LDRs: Remove "residential and lodging" so requirement applies to all applicable uses. Include in proposed EVSE Section 6.2.2.E.1 (Amount of Off-Street Infrastructure) Staff Reasoning: This organization better mirrors current LDRs.			
#	Current	Proposed Change	Applicant's Justification
12	N/A	Exemption for Temporary and some Accessory Uses	N/A (staff driven)
Staff Recommendation: Staff <u>supports</u> inclusion of flexibility in the form of an exemption for temporary and Accessory Uses apart from Accessory Residential Units with the following language: "The standards of this section shall not apply to Temporary Uses or Accessory Uses other than Accessory Residential Units. Staff Reasoning: Temporary uses do not need permanent parking infrastructure of this type. An accessory use is a use that constitutes a minority of the use or character of the property and is secondary and subordinate to another use of the same property. In this case, Staff feels a site's primary parking impact (thus requirements) are captured by the Primary use and that Accessory Uses, other than ARUs, may be exempt.			
#	Current	Proposed Change	Applicant's Justification
13	N/A	Organization and language of EVSE Requirement table	Clearly present EVSE requirements in table form
Staff Recommendation: Staff <u>supports</u> inclusion of table with modified language in header and description of what measurement the proposed percentages are based. See redlined table below. Staff Reasoning: Clarity			

#	Current	Proposed Change	Applicant's Justification
14	N/A	General Exemption as determined by Planning Director	N/A (staff driven)
Staff Recommendation: Staff <u>supports</u> inclusion of flexibility in the form of an exemption by the following language: "The Planning Director may exempt or lessen the EVSE requirement if it is determined the requirement is infeasible, burdensome, or unnecessary due to use, geography, or changes in technology." Staff Reasoning: Offering such flexibility is consistent within the LDRs. This give staff and applicants a tool to respond to and accommodate unique and sometimes unforeseen aspects which may not necessarily be able to meet this proposed standard.			

Proposed Changes to Defined Terms (Division 9.5)

#	Current	Proposed Change	Applicant's Justification
15	N/A	Definition – Electric Vehicle Supply Equipment (EVSE)	N/A (staff driven)
Staff Recommendation: Staff <u>supports</u> inclusion of this defined term with the following language: "Any equipment or electrical component used in charging electric vehicles at a specific location. EVSE does not include equipment located on the electric vehicles themselves." Staff Reasoning: Communicates LDR intent of what encompasses EVSE infrastructure.			

Proposed Text Amendment.

E. Required Electric Vehicle Supply Equipment

All new and expanded uses served by a parking lot, as defined in Division 9.5, shall provide infrastructure for electric vehicle supply equipment (EVSE) unless otherwise exempt by this subsection.

1. Amount of Off-Street Infrastructure. The table below specifies the minimum percentage of total off-street parking spaces that shall include EVSE. See subsection E5 for EVSE standards.

EVSE Requirement for New Development		
Use	EVSE Capable	EVSE Installed (E.1.b)
Detached Dwelling Unit	1 per DU	NA
Accessory Residential Unit	1 per DU	NA
Other residential	30% of total parking spaces in parking lot	5% of total parking spaces in parking lot
Lodging	30% of total parking spaces in parking lot	5% of total parking spaces in parking lot
Other nonresidential (Office, Commercial, etc.)	10% of total parking spaces in parking lot	5% of total parking spaces in parking lot

- a. An EVSE Installed space may count toward the EVSE Capable space requirement.
 - b. The EVSE Installed requirement only applies to parking lots of 10 or more spaces.
 - c. The EVSE Installed requirement is waived when all spaces are EVSE Capable.
2. **Counts Toward Required Parking.** Those parking spaces required for EVSE by this Subsection shall count toward fulfilling the total parking requirement of this Division.
3. **Posted.** EVSE installed spaces shall be posted with clear signage designating them as intended for electric vehicles.
4. **Location.** Above ground EVSE components taller than 4' in height and less than 8' in height, such as charging stands, shall be subject to the parking setbacks of the applicable zone, unless permanently affixed to a building or structure.
5. **EVSE Standards.**
 - a. **EVSE Capable** – A parking spaces is EVSE Capable if it is provided with conduit sized for a minimum 40-amp, 208/240-volt dedicated branch circuit from an electrical panelboard with sufficient physical space to accommodate a minimum 40-amp, dual-pole circuit breaker.
 - b. **EVSE Installed** – A parking spaces is EVSE Installed equipped with a Level 2 charging station networked with hardware that uses the Open Charge Point Protocol (OCCP) version 1.6 or higher.
6. **Exemptions.**
 - a. The standards of this section shall not apply to Temporary Uses or Accessory Uses other than Accessory Residential Units.
 - b. The Planning Director may exempt or lessen the EVSE requirement if it is determined the requirement is infeasible, burdensome, or unnecessary due to use, geography, or changes in technology.

Fee Waiver Request (P22-212)

In addition to the above text changes, the applicant is requesting a fee waiver for the \$1,803.00 Text Amendment fee. Per Resolution 21-08 (Fee Schedule), the Town Council may reduce, defer, or waive application fees upon request if the proposed project advances significant community goals, which include projects that provide an extraordinary charitable, civic, educational, or similar benefit. Staff is supportive of the fee waiver being that the proposed text amendment furthers the community-wide goal of GHG reduction through use of renewable energy in ground transportation.

Staff Factors

Pursuant to Section 8.7.2 of the Town of Jackson Land Development Regulations, the advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed LDR text amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. *Is consistent with the purposes and organization of the LDRs;*

Complies. The purposes of the LDRs per Division 1.3 and are generally to implement the Comprehensive Plan and to promote the health, safety, and general welfare of the present and future inhabitants of the community. This amendment is consistent with those purposes in that it considers the impacts of GHG emissions on the health of residents and wildlife in the community and considers changing trends in technology and infrastructure available to support that goal. Specifically, the proposed amendment supports implementation of Policy 2.1.a (*Shift community energy consumption behavior*) and Policy 2.1.c (*Increase local use and generation of renewable energy*).

2. *Improves the consistency of the LDRs with other provisions of the LDRs;*

Complies. The amendment proposes a new and specific standard for EVSE infrastructure. The current Required Parking and Loading Standards (Section 6.2.2), last amended in 2018, do not specifically address changing trends in EVSE infrastructure.

3. *Provides flexibility for landowners within standards that clearly define desired character;*

Complies. The amendment defines minimum regulations for EVSE infrastructure while offering the flexibility of allowing the proposed requirement to count toward the overall parking requirement on a property as well as including language to allow for exceptions where, when strictly applied, the proposed EVSE standard is infeasible, burdensome, or unnecessary. Applicants also retain the option for an Administrative Adjustment provided as part of the broader Parking and Loading Standards (Division 6.2.2).

4. *Is necessary to address changing conditions, public necessity, and/or state or federal legislation;*

Complies. The amendment proposes a new and specific standard for EVSE infrastructure. The current Required Parking and Loading Standards (Section 6.2.2), last amended in 2018, do not specifically address changing trends in EVSE infrastructure.

5. *Improves implementation of the Comprehensive Plan; and*

Not Applicable per Wyoming State statute.

6. *Is consistent with other adopted Town Ordinances.*

Complies. The proposed amendment does not conflict with any other Town Ordinances.

Fiscal Impact.

None.

Staff Impact.

Staff has spent approximately 60 hours to complete research on this topic and prepare this staff report.

Attachments or Links.

Application packet

Departmental reviews

Suggested Motion.

I move to recommend approval to the Town Council of LDR Text Amendment P22-176 as modified by staff and shown in this staff report dated October 5, 2022.

9/19/2022

**Town of Jackson
Project Reviews**

Project Number P22-176 **Applied** 7/11/2022 **AL**
Project Name LDR Text Amendment - Yellowstone-Teton Clean Cities **Approved**
Type LAND DEV REGS **Closed**
Subtype TEXT AMENDMENT **Expired**
Status STAFF REVIEW **Status**
Applicant Yellowstone Teton Clean cities **Owner**
Site Address **City** **State** **Zip**

Subdivision **Parcel No**

Type of Review Notes	Status	Dates			Remarks
		Sent	Due	Received	
Building	NO COMMENT	7/11/2022	8/2/2022	7/19/2022	
Parks and Rec	NO COMMENT	7/11/2022	8/2/2022	8/4/2022	
Planning	APPROVED W/CONDITI	7/11/2022	8/2/2022	9/19/2022	See Forthcoming Staff Report
Public Works	NO COMMENT	7/11/2022	8/2/2022	8/9/2022	



PLANNING PERMIT APPLICATION
Planning & Building Department

150 E Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

For Office Use Only

Fees Paid _____ Date & Time Received _____
Application #s _____

Please note: Applications received after 3 PM will be processed the next business day.

PROJECT.

Name/Description: EVSE Text Amendment
Physical Address: Townwide
Lot, Subdivision: _____ PIDN: _____

PROPERTY OWNER.

Name: Alicia Cox, Yellowstone Teton Clean Cities Phone: 810-955-5811
Mailing Address: PO Box 11756, Jackson, WY ZIP: 83002
E-mail: alicia@ytcleancities.org

APPLICANT/AGENT.

Name: Alex Norton, OPS Strategies Phone: 307-690-9892
Mailing Address: PO Box 1349, Jackson, WY ZIP: 83001
E-mail: alex@opsstrategies.com

DESIGNATED PRIMARY CONTACT.

☒ X Property Owner ☐ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; review the type of application at www.townofjackson/200/Planning

Use Permit

☐ Basic Use
☐ Conditional Use
☐ Special Use

Relief from the LDRs

☐ Administrative Adjustment
☐ Variance
☐ Beneficial Use Determination
☐ Appeal of an Admin. Decision

Physical Development

☐ Sketch Plan
☐ Development Plan
☐ Design Review

Subdivision/Development Option

☐ Subdivision Plat
☐ Boundary Adjustment (replat)
☐ Boundary Adjustment (no plat)
☐ Development Option Plan

Interpretations

☐ Formal Interpretation
☐ Zoning Compliance Verification

Amendments to the LDRs

☒ X LDR Text Amendment
☐ Map Amendment

Miscellaneous

☐ **Other:** _____
☐ Environmental Analysis

PRE-SUBMITTAL STEPS. To see if pre-submittal steps apply to you, go to www.townofjackson.com/200/Planning and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: _____ Environmental Analysis #: _____

Original Permit #: _____ Date of Neighborhood Meeting: _____

SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to www.townofjackson.com/200/Planning and select the relevant application type for submittal requirements.

Have you attached the following?

X **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

n/a **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at <http://www.townofjackson.com/DocumentCenter/View/845/LetterOfAuthorization-PDF>.

X **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at www.townofjackson.com/200/Planning under the relevant application type.

Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

Alicia Cox

Signature of Property Owner or Authorized Applicant/Agent

Alicia Cox

Name Printed

7/11/2022

Date

Executive Director

Title



July 9, 2022

Town of Jackson Planning Department
150 E Pearl Ave
P.O. Box 1687
Jackson, WY 83001

Greetings,

Attached please find an application to amend the text of the Land Development Regulations to require electric vehicle infrastructure in parking lots in the Town of Jackson.

Pursuant to the second provision of the Fee Waiver policy that allows for the waiver of fees for projects that “provide extraordinary charitable, civic, educational, or similar benefits to the community,” Yellowstone Teton Clean Cities respectfully requests waiver of the application fee of \$1,803 given the alignment of this project with Council’s strategic priorities. Yellowstone Teton Clean Cities understands if the Town would prefer to find the extraordinary benefit through the application review process and refund the application fee upon approval.

Thank you for your consideration,

Alicia Cox
Executive Director
Clean Cities Coordinator
Yellowstone-Teton Clean Cities

Request

Amend the text of the Land Development Regulations pursuant to Sec. 8.7.1 to:

1. Require that the following spaces in off-street parking lots include electric vehicle supply equipment (EVSE Installed) and conduit and circuit capacity for future installation (EVSE Capable) at the following ratios.

Use	EVSE Capable	EVSE Installed
Residential	30%	5%
Lodging	30%	5%
Other Nonresidential	10%	5%

Project Description

Background

Ground transportation accounted for about 63% of greenhouse gas (GHG) emissions in 2021.¹ Ground transportation emissions are a function of miles driven and the fuel efficiency of the vehicle driving those miles. While the Integrated Transportation Plan and other efforts focus on reducing per capita vehicle miles traveled, this proposal is focused on enabling fuel efficiency by making electric vehicles (EVs) more feasible. Because the electricity we use in Jackson is predominantly low-emission hydropower, an EV emits 97% less GHG than a typical internal combustion engine vehicle. Electrifying our ground transportation is an opportunity to significantly reduce our GHG emissions without asking for significant changes in behavior.

There are currently 146 electric vehicles and 88 plug-in hybrid electric vehicles registered in Teton County. If EV adoption follows recent trends in Teton County and the United States, there will be over 3,500 EVs registered in Teton County by 2030. To fully reduce the greenhouse gas emissions associated with travel on local roads in the Town of Jackson, 5,500 gasoline vehicles need to be replaced by electric vehicles. Utilizing the Department of Energy's Electric Vehicle Infrastructure Projection Tool (EVI-Pro) Lite (calculation attached), the following infrastructure is needed to support 5,500 EVs.

¹ 2022 Jackson/Teton County Comprehensive Plan Indicator Report

Electric Vehicle Infrastructure to Support 5,500 EVs			
	Needed	Existing	Gap
Public DC Fast Charging Plugs	69	10	59
Public Level 2 Charging Plugs	214	21	193
Workplace Level 2 Charging Plugs*	266	0	266

*A workplace level 2 charging plug is only available to fleet vehicles and employees of the workplace.

The parking inventories completed by the Town of Jackson in 2017 and 2019 counted about 5,900 public parking spaces and 6,100 off-street parking spaces in the Town of Jackson. If 4% of these spaces included EV charging plugs we could accommodate 5,500 EVs. However, retrofitting an unprepared, existing parking space with electric vehicle supply equipment (EVSE) is at least 4-times as expensive as if the parking space was built with EVSE in mind.

Home is an EV owner's preferred charging location. After the home, the workplace is considered to be the next most likely location for EV owners to charge, especially those who do not have access to Level 2 Charging Stations at home.² Deployment of charging stations in multi-unit residential structures, lodging structures, and workplaces will make EV ownership viable for a broader set of drivers and decrease range anxiety for those worried about having enough charge. This amendment focuses on preparing parking lots for EVs upon construction or major reconstruction because retrofitting a parking lot to support EV charging can be far more difficult and costly than retrofitting a single-family home. The primary challenge in retrofitting is finding the necessary circuit capacity in the existing building. Finding capacity for one charger in an existing single-family home is far easier than finding capacity for a parking lot full of chargers in an existing multi-unit building and then coordinating the metering to be equitable for all users. If considered in the initial design, the challenges are greatly reduced.

Local governments have a critical role to play in the development of both public and private charging infrastructure due to their authority over zoning, parking and signage, building codes, and permitting and inspection processes. Local ordinances can also present opportunities to support and offer incentives for charging station installations. On April 6, 2020, the Town Council adopted Resolution 20-05, committing to carbon neutrality by 2030. To reach that goal, it is essential to implement strategies like this text amendment.

Installation of EVSE has 4 main components.

1. The first component is the electrical supply. The building has to have enough service (transformer and wire) to provide the needed amperage to accommodate the EVSE. To add service, a developer coordinates with Lower Valley Energy on design and then pays LVE to provide the needed service.

² In 2016, the Department of Energy found that an employee with access to workplace charging was 6-times more likely to drive an EV.

2. Next is the circuit, each EV plug will require electrical panel capacity and a dedicated branch circuit.
3. From the electrical panel, a raceway must be run to the parking space to accommodate the wiring for the eventual plug, or the wiring itself must be run through the wall.
4. The final component is the plug itself where the electricity is conveyed to the vehicle.

There are a variety of plug options for the owner to choose from, and installation of the plug and wiring it to the panel costs about the same whether it is done at initial construction or later. Installing the raceway and dedicated service is relatively inexpensive at construction but costly to retrofit.

Proposed Requirement

1. Require that the following spaces in off-street parking lots include electric vehicle supply equipment (EVSE Installed) and conduit and circuit capacity for future installation (EVSE Capable) at the following ratios.

Use	EVSE Capable	EVSE Installed
Residential	30%	5%
Lodging	30%	5%
Other Nonresidential	10%	5%

EVSE Capable Requirement

The proposed amendment defines that, “a parking space is EV capable if it is provided with conduit sized for a 40-amp, 208/240-volt dedicated branch circuit from an electrical panelboard with sufficient physical space to accommodate a 40-amp, dual-pole circuit breaker.” In other words, it has the service, circuit, panelboard space, and raceway to accommodate the future installation of a charging station. An EVSE-capable space can accommodate a simple 240-volt outlet (typical dryer outlet) to be used with the portable charging equipment that comes with the EV. Alternatively it can accommodate a networked Level 2 charging station that can be shared and managed.

If a minimum of 30% of spaces in a residential parking lot are EVSE Capable, shared charging would allow for 100% of the vehicles in a residential parking lot to be electric without inducing range anxiety in their owners.³ A multi-unit residential or lodging building with dedicated parking

³ The average daily vehicle miles traveled per capita in 2019 was 33. (610,742,864 VMT / 365 days / 50,977 average effective population, Source: Jackson/Teton County Indicator Report) A typical plug-in electric vehicle has a range of about 250 miles. Without allowing any vehicle to drop below half charge, 26.4% of spaces would need EV charging on a given night. (125-mile half-range / 33 miles per day = 3.8 days per charge. 1 charge every 3.8 days = 26.4%)

spaces might consider making all of the spaces EVSE Capable in order to accommodate an outlet for all future vehicles, in which case the EVSE Installed spaces requirement is waived. The 10% requirement for other non-residential spaces is derived from the International Council on Clean Transportation's suggestion that a public or workplace charging station be provided for every 10-15 vehicles on the road.

EVSE Installed Requirement

The LDRs define a parking lot as 4 or more adjacent parking spaces. As a result, this amendment would apply to almost any development more intense than a single-family home. Because the LDRs require that minimum requirements be fulfilled to the next whole number, any residential or lodging parking lot this applies to would have to make at least 2 spaces EVSE capable ($4 * 0.3 = 1.2$, requiring 2 EVSE capable spaces). The definition of minimum requirement would also mean that every parking lot would have to install a level 2 charging station ($4 * 0.05 = 0.2$, requiring 1 EVSE installed space). To limit the impact on small (2, 3, and 4 unit) multifamily, the EVSE Installed space requirement doesn't trigger until a parking lot has 10 spaces.

Not Included: On-street Parking

While on-street parking can serve to meet parking requirements and is a significant part of our current street designs and parking inventory, this amendment purposefully omits a requirement that EVSE infrastructure be added to the street front adjacent to on-street parking. This ensures consistency between the goal of accommodating electric vehicles while also shifting toward active transportation. Additional coordination is needed to understand the best place to provide public charging and whether that is the best use of the curb. Other "active curb" uses such as bike parking, ride-share stops, transit stops, and parkettes may better serve the overall goal of net-zero emissions by supporting a reduction in vehicle miles traveled.

Proposed Amendment

6.2.2. Required Parking and Loading

E. Require Electric Vehicle Charging

All nonresidential uses and residential uses served by a parking lot shall provide infrastructure for electric vehicle supply equipment (EVSE).

1. **Amount of Off-Street Infrastructure.** The table below specifies the minimum percentage of off-street parking spaces that shall include EVSE. See subsection E.3 for infrastructure specifications.

<u>Use</u>	<u>EVSE Capable</u>	<u>EVSE Installed</u>
<u>Residential</u>	<u>30%</u>	<u>5%</u>

<u>Lodging</u>	<u>30%</u>	<u>5%</u>
<u>Other Nonresidential</u>	<u>10%</u>	<u>5%</u>

2. **Counts Toward Required Parking.** EVSE spaces shall count toward fulfilling the total parking requirement of this Division.

3. **Required Facilities**

- a. **EVSE Capable.** A parking space is EV capable if it is provided with conduit sized for a 40-amp, 208/240-volt dedicated branch circuit from an electrical panelboard with sufficient physical space to accommodate a 40-amp, dual-pole circuit breaker.
- b. **EVSE Installed.** A parking space is EVSE installed if it is equipped with a Level 2 charging station, networked with hardware that uses the [Open Charge Point Protocol \(OCPP\)](#) version 1.6 or higher.
 - i. An EVSE Installed space counts toward the EVSE Capable space requirement.
 - ii. The EVSE Installed requirement only applies to parking lots of 10 or more spaces.
 - iii. The EVSE Installed requirement is waived in residential and lodging parking lots where all spaces are EVSE capable.

E-F. Required Loading

Proposed Findings

The advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed LDR text amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. Is consistent with the purposes and organization of the LDRs;

Complies. The purpose of the LDRs is to implement the Jackson/Teton County Comprehensive Plan and promote the health, safety, and general welfare of the present and future inhabitants of the community. The proposed amendment achieves that purpose by implementing Policy 2.1.c of the comprehensive plan within the existing organization of the parking standards in the LDRs. The proposed amendment would add a requirement to the existing parking standards to allow the community to use more renewable energy in its ground transportation.

2. Improves the consistency of the LDRs with other provisions of the LDRs;

Not applicable. The proposed amendment introduces a new provision to address changing conditions. It does not introduce inconsistency but is not intended to improve consistency within the LDRs.

3. Provides flexibility for landowners within standards that clearly define desired character;

Complies. The proposed amendment is primarily focused on ensuring that parking lots are ready for future electric vehicle infrastructure. This creates a clear definition of the desired shift toward electric vehicles while providing landowners with flexibility in when they actually install that infrastructure.

4. Is necessary to address changing conditions, public necessity, and/or state or federal legislation;

Complies. Electric vehicles are becoming more and more popular. Vehicle manufacturers are committing to all-electric goals, the federal government is investing in electric vehicle infrastructure, federal NEVI guidance is going to require open, non-proprietary standards, and Teton County vehicle registration records show rapid growth in local electric vehicle adoption. The proposed amendment will ensure that the parking lots and buildings we create today will have the infrastructure necessary for the vehicles of tomorrow. Retrofitting a parking lot for electric vehicle (EV) infrastructure is far more costly than preparing it for EV infrastructure when it is first built.

5. Improves implementation of the Comprehensive Plan; and

Complies. Policy 2.1.c calls for an increase in local use of renewable energy. Because the energy mix purchased from Bonneville Power Administration by Lower Valley Energy (LVE) is largely renewable, electrification of our vehicles represents a significant shift toward use of renewable energy. An electric vehicle charged on the LVE grid emits about 5% of the carbon emitted by a vehicle powered by non-renewable gasoline. The proposed amendment ensures that as the community and country shift to electric vehicles the community will have the infrastructure and open access to accommodate a more renewable use of energy.

6. Is consistent with other adopted Town Ordinances.

Complies. The proposed amendment is not inconsistent with any Town Ordinances.

Attachments

- EVI-Pro Lite calculation

Your Results

In Wyoming, to support 5,500 plug-in electric vehicles you would need:

266 Workplace Level 2 Charging Plugs

214 Public Level 2 Charging Plugs

There are currently 94 plugs with an average of 2.0 plugs per charging station per the Department of Energy's [Alternative Fuels Data Center Station Locator](#).

69 Public DC Fast Charging Plugs

There are currently 83 plugs with an average of 5.2 plugs per charging station per the Department of Energy's [Alternative Fuels Data Center Station Locator](#).

Where Do I Start?

Planners may want to prioritize installation of fast charging infrastructure above Level 2 charging.

Build DC Fast First: Establishing fast charging networks that enable long-distance travel, serve as charging safety nets, and provide charging for drivers without home charging is critical to support all-electric vehicles that have no other alternative for quickly extending their driving range.

Build Level 2 Second: EVI-Pro typically simulates the majority of Level 2 charging demand coming from plug-in hybrid electric vehicles, which have the ability to use gasoline as necessary for quickly extending driving range.

Change Assumptions

Plug-in Electric Vehicles (as of 2016): 150

Light Duty Vehicles (as of 2016): 619,100

Number of vehicles to support

Vehicle Mix	Plug-in Hybrids 20-mile electric range	15 %
	Plug-in Hybrids 50-mile electric range	25 %
	All-Electric Vehicles 100-mile electric range	15 %
	All-Electric Vehicles 250-mile electric range	45 %
Total		100%

How much support do you want to provide for plug-in hybrid electric vehicles (PHEVs)?

- ☐ **Full Support**
Most PHEV drivers wouldn't need to use gasoline on a typical day.
- ☒ **Partial Support**
Calculate using half of full support assumption.
- ☐ **Do not count PHEVs in charging demand estimates.**

Percent of drivers with
access to home charging %

[Recalculate](#)

[See all assumptions.](#)