

Frequently Asked Questions (FAQ)

Colorado Electric Vehicle Charging

Model Land Use Code

Implementation

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General

1. What is the EV Charging Model Land Use Code?

The EV Charging Model Land Use Code is a guidance tool for local governments to help them adopt land use regulations and permitting processes for EV charging development. The Model Code establishes a standardized, predictable, and streamlined process for permitting EV charging projects across the state so that the private sector can more easily develop a robust, integrated, and widespread system of EV charging infrastructure for Colorado residents and visitors. The Model Code includes parameters for land use permitting standards, including zone districts, permit applicability, and siting and design standards, as well as parameters for land use permitting processes and application review.

2. Who was involved in developing the EV Charging Model Land Use Code?

The Model Code was developed by the CEO with extensive input from local governments, EV charging developers, utilities, and other stakeholders. CEOs stakeholder engagement process began before HB24-1173 was enacted, with the development of an [EV Charging Permitting Study](#) in 2023/2024.

Development of this Study, and the adoption of HB24-1173, was followed by the creation of a technical advisory group to provide critical feedback during the development of the Model Code document and preliminary guidance information. The Model Code development process also included specific stakeholder groups who provided feedback on topics of equity and accessibility, safety and utility infrastructure considerations, and key trends and case studies from EV charging development projects across the state. These perspectives played a direct role in the development of the Model Codes.

3. How can local governments use the EV Charging Model Land Use Code?

The Model Code, developed by the Colorado Energy Office (CEO) in 2025, serves dual purposes. It is a general resource available to local governments who want to streamline their land use regulations and permitting for EV charging, drawing from industry best practices and locally-informed solutions that address key barriers. It is also a tool for legislative compliance with HB24-1173, which encourages local implementation of streamlined EV charging land use regulations across Colorado.

4. What is HB24-1173?

As a strategy for expanding Electric Vehicle (“EV”) use, cost-effectiveness, convenience, and viability across the state, and to advance Colorado’s ambitious goals to reduce air pollution and greenhouse gas (“GHG”) emissions, the Colorado Legislature passed [House Bill 24-1173](#) in 2024. HB24-1173 is intended to encourage a more standardized and streamlined local permitting process for EV charging development. The development of this bill and its passage as law was responsive to feedback from stakeholders noting that local land use permitting requirements and processes can be a barrier for EV charging development ([read the EV Charging Permitting Study here](#)). Local governments to which the law applies (see question #4 below) must choose and implement one of three compliance options (see question #5 below).

5. Are all local governments in Colorado subject to HB24-1173 requirements? / What is a “subject jurisdiction”?

The law applies to counties with 20,000 or more people and to municipalities with 10,000 or more people, as of the 2020 Federal Census, which are referred to as “subject jurisdictions” in the Model Code and in the [Training Manual](#). A complete list of all subject jurisdictions can be found [here](#).

Compliance Options

6. What are the compliance options in HB24-1173?

By December 31, 2025 subject jurisdictions must choose and implement one of the following three options to comply with stipulations of the law:

1. **EV Charging Land Use Model Code (“Model Code”) Adoption:** Adopt the permitting standards and processes from the EV Charging Model Land Use Code. Implementation instructions for this option are found in the [Training Manual](#), with more detailed information found in the [Model Code document](#) itself.
2. **Statutory Code Adoption:** Adopt the EV charging permitting standards directly as written in the [law](#), including objective permit review standards and an administrative review process for EV charging projects.
3. **Retain Existing Permitting Process and Standards:** Adopt an ordinance or resolution to retain existing standards and permitting processes for EV charging projects, opting out of any changes to permitting standards and processes

7. My local government is a subject jurisdiction. What should I consider then choosing between the compliance paths?

Determining which compliance path best aligns with local priorities is up to each jurisdiction. However, there are a few considerations to keep in mind:

- The Model Code compliance path includes options for some land use standards to allow for adaptability of the standards to local priorities and needs. It also allows for code language customization to ensure consistency with existing local codes.
- The Model Code compliance path focuses land use regulation and permitting on DCFC charging only, while the Statutory Code Adoption path does not focus on specific charging types.

- The Model Code compliance path provides specific parameters for the regulations of accessory use EV charging, while providing more flexibility for regulating primary use EV charging.
- The Statutory Code Adoption path requires that subject jurisdictions review all EV charging projects through an administrative process (i.e. no public hearing or elected or appointed body decision) and relying on objective standards only. This applies to all departments involved in reviewing and issuing permits for EV charging projects, such as building, planning, and public works departments.
- The Statutory Code Adoption path requires subject jurisdictions to provide written notice to applicants within 3 days when staff determine whether the application meets specified application requirements (i.e. complete or not complete), and when permit decisions are made (i.e. whether the permit is approved or denied).
- If local governments feel that neither the Model Code path or the Statutory Code Adoption path align with their regulatory priorities for EV charging, they may choose the third option - “opt out”/”retain existing permitting processes and standards”. Local governments that opt out may still develop their own unique EV charging permitting standards. The Model Code can still be a useful resource if this path is chosen, allowing jurisdictions to adopt the parts of the Model Code standards that suit their community.

If you would like more guidance interpreting and choosing the compliance path that works for your community, you can request free technical support through [this form](#). If you have questions about the technical support process, please email jaxon.fagan@state.co.us AND awolfe@migcom.com.

8. As a subject jurisdiction, do we have to adopt the Model Code permitting standards and processes?

No, only subject jurisdictions who choose to comply with HB24-1173 by adopting the Model Code (i.e. compliance option #1) are required to adopt the

Model Code permitting standards and processes. If a subject jurisdiction does not wish to adopt the Model Code, they can choose an alternative HB24-1173 compliance path.

9. As a subject jurisdiction wishing to pursue the Model Code compliance path, do we have to adopt all of the Model Code permitting standards and processes?

Subject jurisdictions who choose to comply with HB24-1173 must adopt all of the required Model Code standards and definitions and must adhere to all the *required* permitting process parameters from the Model Code. The Model Code includes some *optional* standards and permitting process elements, which are encouraged, but NOT required for compliance. For additional details about the Model Code requirements, see the [Training Manual](#), Chapters 3-5 of the [Model Code document](#), or *request technical support from CEO through [this form](#)*.

10. As a subject jurisdiction, what if we want to adopt some of the Model Code permitting standards and processes, but not all of them?

First, be sure to read question #10 above, as some of the Model Code standards and processes are optional and not required for pursuing the Model Code compliance path. Subject jurisdiction that adopt all of the *required* Model Code standards and permitting process parameters will be in compliance with the Model Code compliance path for HB24-1173. Subject jurisdictions that *only adopt some of the required* Model Code standards and/or permitting processes will need to comply with HB24-1173 using a different compliance path. Subject jurisdictions that comply with HB24-1173 using a different path are still welcome to adopt the standards or process parameters from the Model Code that suit their community priorities. The Model Code is intended to serve as a resource to support the voluntary implementation of EV charging land use regulations beyond the compliance requirements of the law.

Model Code Standards

11. As a subject jurisdiction, can we adjust the code language provided in the Model Code for required and/or optional standards and definitions?

Yes. So long as the general meaning and intent of the language is similar to that in the Model Code (i.e. not applying more restrictive or prescriptive regulations), you may revise or customize code language, including to match existing terms used within your local land use code. Please note that some of the Model Code standards are not written as code language, and for these you will need to develop your own code language that aligns with the intent of the Model Code.

12. What are the “less restrictive options” defined in the Model Code?

HB24-1173 states that any subject jurisdiction that adopts the standards and permitting processes of the Model Code - or *less restrictive* standards and permitting processes - will be considered compliant with the law. While this allowance applies broadly to all standards and permitting processes within the Model Code, “less restrictive options” are noted for Model Code standards where there is a clear “less restrictive” regulatory path. In this context, “less restrictive” means that adopted regulations and/or permitting processes are *more relaxed* for EV charging, providing *broadier development rights and flexibilities* and *fewer requirements or prescriptions* for EV charging development.

13. What are the “more restrictive options” defined in the Model Code?

The required standards and definitions written in the Model Code represent CEO’s preferred and recommended regulatory path for EV charging. However, CEO recognizes that some jurisdictions may want more control over some

aspects of EV charging regulation and thus have provided a level of flexibility for certain standards and definitions to encourage broader adoption of the Model Code. For these selected standards and definitions, the Model Code outlines “more restrictive” options, which subject jurisdictions may adopt and still be considered compliant with the Model Code, and thus also HB24-1173.

14. How does the EV Charging Model Land Use Code relate to the Model Electric Ready and Solar Ready Code?

The EV Charging Model Land Use Code and Model Electric Ready and Solar Ready Code both address the development of EV charging, but in different ways. The EV Charging Model Land Use Code provides parameters for land use regulations and permitting processes that apply to EV charging as a use within land use codes. Its parameters deal with how local governments apply land use regulations to proposed EV charging projects, if they are proposed by developers. It does not require that any amount of EV charging be built as part of new development.

The EV Charging Model Land Use Code was required to be developed by HB24-1173 to support subject jurisdictions in meeting compliance requirements of the law.

In contrast, [the Model Electric Ready and Solar Ready Code](#) requires new buildings to include specific amounts of EV Capable and EV Ready (pre-wiring for future EV charging) and EVSE Installed (with installed EV chargers), among other pre-wiring requirements for future rooftop solar and high efficiency electric appliances. The Model Electric Ready and Solar Ready Code is meant to be implemented through building codes. The Model Electric Ready and Solar Ready Code was required to be developed by HB22-1362 to support local governments in meeting compliance requirements of the law.

In short, the EV Charging Model Land Use Code pertains to ***where EV charging development is allowed, how it should be designed, and how it is***

permitted from a land use perspective (i.e. zoning). The Model Electric Ready and Solar Ready Code *requires new development to include a certain amount of EV charging supportive infrastructure and chargers.* Both model codes were developed by CEO and are meant to be compatible.

15. Are digital notaries compliant with the Model Code?

Yes, a local requirement for digital notaries as part of a land use development application is considered compliant with the Model Code parameters. The intent of the Model Code's stipulation that local governments cannot require notaries for EV charging land use development applications is to prevent unnecessary, and sometimes costly, in-person visits. Digital notaries required as part of a digital application submission are acceptable.

16. Do we need to create a new administrative land use permitting review process for EV charging to comply with the Model Code or can we just use an existing administrative review process?

An existing administrative review process can be used for EV charging development proposals, so long as that process generally aligns with the definition of an “administrative review process” as defined in the Model Code. If you wish to develop a unique administrative process and application form just for EV charging projects, you are welcome, but not required, to.

17. Where should we incorporate the EV charging standards in our code? As a standalone section or interspersed across different existing sections? If standalone, where should that new section be located?

This should be determined on a case-by-case basis. In partnership with consultants MIG, Inc., CEO is offering free technical assistance to local governments for Model Code adoption and are happy to review your local land use code to recommend the best approach and location(s) for integrating the

Model Code standards. *You can request technical support from CEO through [this form](#).*

18. Can we access the original files for each illustrative graphic that is integrated in the Model Code?

Yes, please email jaxon.fagan@state.co.us AND awolfe@migcom.com to request copies of the original illustrative graphic files from the Model Code.

19. For land use contexts where the Model Code requires EV Charging to be allowed as a use by-right (standard #5), can we require Planning Commission or Council/Commission review just for siting and design decisions, but not for the use?

Standard #5 in the Model Code works in conjunction with standard #2 (permit review processes) which stipulates that, where EV charging is allowed as a use by-right, all applications must be reviewed through a permitting process that is similar to an “administrative review process.” This type of process is further explained in definition #8 of the Model Code:

***Administrative Review Process:** A process in which a land use permit is approved, approved with conditions, or denied by administrative staff of a local government permitting agency based solely on the application’s compliance with objective standards set forth in the jurisdiction’s land use code, and that does not require a public hearing, a recommendation, or a decision by an elected or appointed public body or hearing officer.*

Per this definition and the relationship between standard #2 and #5, subjecting EV charging to Planning Commission or Council/Commission review of any kind does not comply as an administrative review process, and thus would not comply with the Model Code. If your jurisdiction allows Planning Commission or Council/Commission “call-ups” for all administrative by-right use decisions, you will need to include an exemption for EV charging. Similarly, if your jurisdiction requires or allows for Planning Commission or Council/Commission site plan

review for by-right use decisions, you will need to include an exemption for EV charging.

20. Would a downtown zone district qualify as a “ped-oriented commercial” context (Model Code allows primary use EV charging to be prohibited or conditional use in this context)?

It may depend from case to case. Start by looking at what other uses are allowed or prohibited in that district. Are gas stations, car washes, drive-thrus, etc. prohibited? Does the intent of the district describe a pedestrian-oriented environment? If yes, then it could be considered a “ped-oriented commercial” context. You can also reach out for [technical assistance](#) to help interpret land use context / zone district translations for Model Code compliance.

21. The Model Code does not specifically reference PUD zoning. Are PUDs exempt from these provisions?

Since PUDs are a unique negotiations-based regulatory tool, the Model Code doesn’t apply specific requirements to them (i.e. local governments have discretion to determine the appropriate local approach). We highly recommend that you encourage/allow both primary and accessory use EV charging as part of PUD applications, as appropriate. One local government we’ve worked with adopted the following language as a footnote in their use table:

EV Charging Projects are allowed in nonresidential and high-density residential areas of a PUD.

Technical Assistance

22. We don't understand all of the HB24-1173 options and requirements or all of the Model Code permitting standards and processes, is there a way for us to get technical support for navigating one or both of these documents?

Yes! In partnership with consultants, MIG, Inc., who assisted in developing the Model Code, CEO is offering free technical support to local governments through the spring of 2026, which may include one or more of the following services:

- Clarifying and interpreting the Model Code requirements and options
- Review of local land use code and recommendations for where to integrate the Model Code standards
- Review of drafted code language/code revisions to address Model Code requirements
- Drafting of proposed code language/code revisions to address Model Code requirements
- Discussion and recommendations for changes to internal permitting and review processes
- Review of local government permitting website pages or other informational materials and recommended revisions or additions to address Model Code requirements
- Guidance on public, board, or council/commission messaging to support Model Code adoption
- Virtual attendance at board or council/commission meetings to answer questions, if needed

You can request free technical support through [this form](#). If you have questions about the technical support process, please email jaxon.fagan@state.co.us AND awolfe@migcom.com.

23. How long will it take to get technical support after it is requested?

Our team will do our best to provide an initial response to your request for technical support within 1-2 weeks. For most requests, we will schedule a scoping call to gain a better understanding of your needs and technical support priorities, including any near-term deadlines. We will then do our best to provide requested services within about 2-4 weeks of the initial scoping call. When support request volumes are high, our response times may be longer. We recommend reaching out as early as possible to ensure ample time to coordinate on assistance ahead of anticipated adoption hearings and the HB24-1173 compliance deadlines (December 31, 2025).

Reporting

24. What are the key HB24-1173 compliance reporting dates?

Regardless of which HB24-1173 compliance path is chosen, subject jurisdictions are required to submit two reports to CEO:

- **Compliance Report:** By March 1, 2026, subject jurisdictions must submit a report that confirms which compliance action was completed (i.e. which of the three compliance options were implemented).
- **Outcomes Report:** By January 31, 2027, subject jurisdictions must submit a report that summarizes the permitting durations and final decisions for each EV charging development application received between December 31, 2025 and December 31, 2026.

Further details to support subject jurisdiction reporting, including the reporting methods to be used, and report templates, will be available on CEO's [website](#) in September 2025.

25. Do you have any example compliance reports?

Subject jurisdictions can submit compliance reporting through the [HB24-1173 Reporting Portal](#), and can learn more about the reporting requirements and process in the [Reporting Guidance](#) document.

26. Do you have any examples of adopted local ordinances/code revisions?

We recommend that you [request no-cost technical assistance](#). We may be able to provide examples from the local governments we've been working with.

27. Does the technical support include guidance for permitting database changes that will be necessary to comply with the outcomes reporting requirements?

No, the available technical assistance is focused on Model Code adoption. The [Reporting Guidance](#) (see page 3) includes a section on outcomes reporting requirements. You can also reach out to Jaxon Fagan at CEO if you have further outcomes reporting questions: jaxon.fagan@state.co.us

28. For outcomes reporting - A) do we need to track the installation of EV chargers that are added to residential homes, particularly if they do not require any permit? B) do we need to track the installation of EV chargers that are included as part of a larger master planned subdivision/development proposal (i.e. longer permitting times)?

A) if these chargers require a land use permit, then yes, if not, then no they do not need to be tracked.

B) keep track of these, but we understand that the final permitting outcome might not be finalized by the end of the reporting period.

You can learn more about the reporting requirements and process in the [Reporting Guidance](#) document.

Other

29. What are the fire hazards with EVs and EV charging? What precautions is the industry using and what regulatory precautions should be taken to reduce the possibility of fires?

While there is some fire risk associated with EVs and EV charging, generally speaking, the risk is lower than gas cars and gas stations. This was a key topic that came up in the EV Charging Model Land Use Code advisory committee discussions - that there can often be unfounded concerns about fire risk for EV charging. The most critical and effective component of EV charging development to prevent fire risk is proper installation and maintenance. If you have specific requirements in your building code related to electrical equipment installation and maintenance or if you have specific requirements in your building/land use regulations for gas stations to implement fire suppression systems, you could apply these same standards to principal use EV charging. In addition, principal use EV charging is likely required to adhere to your designated setbacks which helps to protect neighboring uses from any potential fire risk associated with this use. We appropriately considered the relatively low fire risk when we developed the EV Charging Model Land Use Code. If this is a sticking point for passing your EV charging code amendments, we recommend that you reach out to discuss this topic through [technical assistance](#). [Drive Clean Colorado](#) has a useful summary of EV charging fire risk information as well as links to further reading. This [summary from Edmunds](#) also provides useful context.