

**Town of Lyons, Colorado
Board of Adjustments
Staff Memo
Agenda Item No: IV.2.
Meeting Date: February, 27 2024**

TO: **Board of Adjustments**
FROM: **Aaron Caplan, Engineering and Utilities Director,
Cassidy Davenport, Planner**
DATE: **2/27/2024**
ITEM: **Electric Vehicle Chargers at Sandstone Park**

_____ **ORDINANCE**
_____ **MOTION / RESOLUTION**
X **INFORMATION**

- I. REQUEST OR ISSUE:** Staff is requesting the Board of Adjustments review the materials in the packet and make a recommendation based on the given information as well as the rules of granting a variance.
- II. PROJECT HISTORY:** This EV project began when the Town received a grant to locate an EV fast-charge station and battery within Town. After discussions with boards and commissions, Sandstone Park became the target location for the chargers. When the applicant originally brought the project forward, there were no stated rules on where EV Charge Stations and batteries were allowed in town. This triggered new municipal code for EV chargers which included as a conditional use in parks and open space zoned property. Setbacks, fencing requirements, etc. were also added to the code.

The applicant is requesting a variance from 2 of the requirements for conditional use.

1. Relief from Section [16-10-100] of the Town Code, Setbacks: *All required infrastructure (excluding charging bollards and spaces) shall be located at least twenty-five (25) feet from all property lines.* The applicant is requesting a reduced setback of 10 feet.
2. Relief from Section [16-10-100] of the Town Code, Screening: Screening of electrical boxes, battery banks, and solar hoods is required. The applicant is requesting a custom wrap.

- III. RELATIONSHIP WITH OTHER PLANS:** This Variance request supports the following Lyons Thrive Strategies:

- a. **Policy NE 2.5 Greenhouse gas reduction** Invest in infrastructure and improvements to encourage the adoption of electric vehicles and equipment (e.g., electric golf cars, scooters, bikes, etc.), encourage transit use for regional trips,

enhance safety and comfort for local walking and biking trips, and implement other strategies that help reduce greenhouse gas emissions. (See also, Goals PR-2 and TR-2 and associated policies.)

- b. **Policy TR 3.1 Dedicated travel corridors** Identify, designate, improve, and market dedicated travel corridors for specific travel modes and purposes, including but not limited to dedicated routes for golf cars, bicycles, electric vehicles, large-scale events, and emergency evacuations.
- c. **Goal TR:1 Provide a range of safe and accessible mobility options for all residents and visitors (TR-1j):** Assess needs, map, and pursue funding and construction for a comprehensive electric vehicle charging network. Charging stations should include a broad range of EV's including cars, trucks, golf carts, bicycles and scooters.

IV. RECOMMENDED ACTION / NEXT STEPS: Staff recommend that the BOA review the application and proposed hardships to see if variances should be granted.

V. FISCAL IMPACTS: No fiscal impacts foreseen at this time.

VI. LEGAL ISSUES: No legal issues are foreseen at this time.

VII. CONFLICTS OR ENVIRONMENTAL ISSUES: The EV chargers may encourage more EV drivers through the corridor, which would help with air quality and noise. Locating at Sandstone will take some parks space from residents and visitors. Reducing the impact of the charge station will be important to limiting the impact on undeveloped space.

SUMMARY AND ALTERNATIVES: Town staff worked with applicants to compile a complete application and leaves the decision to the Board of Adjustments on if the variances should be granted for alternative fencing as well as adjusted setbacks.

1. Approve the variance
2. Deny the variance