

1st Reading:  
2nd Reading:

**SPONSOR: HARRELL**

**ORDINANCE NO. \_\_\_\_**

**BILL NO. 22-93**

**AN ORDINANCE AMENDING THE ZONING CODE BY  
REPEALING SECTION 430.115 AND ENACTING A NEW  
CHAPTER 430, ARTICLE XI, ELECTRICAL CHARGING  
STATIONS.**

**WHEREAS**, due to an increased number of inquiries regarding Electrical Vehicle Charging Stations, Staff requested that the Planning and Zoning Commission review amendments to the Zoning Code by repealing Section 430.115, Electrical Vehicle Charging Stations, and enacting a new Chapter 430, Article XI, Electrical Vehicle Charging Stations; and

**WHEREAS**, the Planning and Zoning Commission held a noticed public meeting on November 1, 2022 regarding amending the Zoning Code by repealing Section 430.115, Electrical Vehicle Charging Stations, and enacting a new Chapter 430, Article XI, Electrical Vehicle Charging Stations; and

**WHEREAS**, after discussion of the proposed amendments, the Commission made a recommendation to the Board of Aldermen that the Zoning Code be amended by repealing Section 430.115, Electrical Vehicle Charging Stations, and enacting a new Chapter 430, Article XI, Electrical Vehicle Charging Stations; and

**WHEREAS**, the Board of Aldermen held a duly noticed public hearing on November 21, 2022, in compliance with the City Code and Chapter 89 RSMo., to hear public comment on the proposed amendments; and

**WHEREAS**, after consideration of the Commission's recommendation and the public hearing, the Board of Aldermen agrees with the Commission's recommendation and finds it in the best interest of the City to approve such text amendments.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FENTON, MISSOURI, AS FOLLOWS:**

**Section 1.** The Zoning Code is hereby amended by repealing Section 430.115, Electrical Vehicle Charging Stations, and enacting a new Chapter 430, Article XI, Electrical Vehicle Charging Stations, as indicated in Exhibit 1, attached hereto and incorporated herein by reference.

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**Section 2.** This ordinance shall be in full force and effect after the date of its passage and approval.

PASSED this 21<sup>st</sup> day of November, 2022.

\_\_\_\_\_  
JOE MAURATH, MAYOR

APPROVED 21<sup>st</sup> day of November, 2022.

\_\_\_\_\_  
JOE MAURATH, MAYOR

ATTEST:

\_\_\_\_\_  
Jane Hungler, City Clerk

Motion to approve. Roll Call vote:

Ayes:

Abstain:

Nays:

Absent:

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## EXHIBIT 1

- 1) Amend Section 430.115, Electrical Vehicle Charging Stations, of the Zoning Code by repealing Section 430.115 in its entirety.
- 2) Amending the Zoning Code by enacting a new Chapter 430, Article XI, Electrical Vehicle Charging Stations, to read as follows:

### CHAPTER 430

#### Article XI

#### Electric Vehicle Charging Stations

##### **Section 430.790 Purpose.**

The purpose of this Article is to provide basic standards for Electric Vehicle Charging Stations to respond to and/or prepare for the increased usage of electric vehicles and ensure the same are installed in a manner to protect the general welfare and safety of all persons and are not detrimental to surrounding properties.

##### **Section 430.800 Requirements for Electric Vehicle Charging Stations.**

- A. Electric Vehicle Charging Stations located in Off-Street Parking Areas in Non-Residential Districts are subject to and require the following:
  1. Site Plan Review.
    - a. Site Plan Review shall be required for new Electric Vehicle Charging Stations.
    - b. Site Plan Review applications for Electric Vehicle Charging Stations shall comply with all requirements and procedures set forth in Section 435.030.
  2. Special Use Permit.
    - a. Special Use Permit applications for Electric Vehicle Charging Stations shall comply with the requirements and procedures set forth in Section 410.080.
    - b. Any Principal Building on a Lot that changes its Principal Use must submit, and receive approval of, a new Special Use Permit prior to operating new, or continuing the operation of Electric Vehicle Charging Stations.
- B. Exemption. Electric Vehicle Charging Stations are a Permitted Use in Off-Street Parking Areas in conjunction with and in support of an approved Principal Use on the same Lot as reasonably determined by the Director and within Off-Street Parking Areas in Residential Districts.

**Section 430.810 Standards for Electric Vehicle Charging Stations.**

- A. Design Standards. All Electric Vehicle Charging Stations shall adhere to the following design standards:
- a. Vehicle charging equipment must be designed and located so as not to create safety hazards or impede pedestrian, bicycle, or wheelchair movement.
  - b. Electric Vehicle Charging Stations shall not encroach the required landscaped Buffer Area in those Districts where a Buffer Area is required.
  - c. Any Signs located on Vehicle charging equipment located on a Property not used for Residential Use and not exempt from Sign Permit requirements of Section 430.290 shall require approval of a Sign Plan. When possible, this may be done in conjunction with or as part of the Site Plan Review.
  - d. The Commission or Board may require additional landscaping and/or Fencing be provided for Electric Vehicle Charging Stations when it is deemed necessary to provide a Buffer Area for adjacent uses.