

## EXHIBIT A

### PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) ELECTRIC VEHICLE CHARGING STATIONS (EVCSs) SUBCOMMITTEE (Updated 04/05/21)

#### Minutes of February 4, 2021 EVCSs Subcommittee Meeting

On Thursday, February 4, 2021, the Palm Beach County Land Development Regulation Advisory Board (LDRAB) Electric Vehicle Charging Stations (EVCSs) Subcommittee, met in the Medium Hearing Room (VC-1E-60), at 2300 North Jog Road, West Palm Beach, Florida and via Cisco Webex Events communications media technology (CMT).

#### A. CALL TO ORDER

##### 1. Roll Call

Chair Dr. Lori Vinikoor, called the meeting to order at 1:00 p.m. Mr. Alexander Biray, Site Planner I, called the roll.

##### Members Present: 4

Dr. Lori Vinikoor (District 5, Commissioner Sachs)

Terrence Bailey (Florida Engineering Society)

Frank Gulisano (Realtors Association of the Palm Beaches)

Abraham Wien (Alternate At-Large #2)\* \*\*

##### Members Absent: 0

##### County Staff Present: 8

Jeff Gagnon, Principal Site Planner, Zoning

Jerome Ottey, Site Planner II, Zoning

Alexander Biray, Site Planner I, Zoning

Scott A. Stone, Assistant County Attorney

Carolina Valera, Senior Planner, Planning\*

Megan S. Houston, Department of Office of Resilience (OOR) Director\*

Jake Leech, Environmental Analyst, OOR

Lorinda J. Goldsmith, Senior Network Administrator\*

\* Present via Webex Events.

\*\* Mr. Wien arrived at 1:02 p.m.

##### 2. Motion to Approve Remote Participation by CMT Due to Extraordinary Circumstances

Motion to approve remote attendance by CMT based on extraordinary circumstances of the coronavirus pandemic by Mr. Gulisano, seconded by Mr. Bailey. The Motion passed unanimously (3-0). Mr. Wien had not arrived yet as the remaining Subcommittee member.

##### 3. Additions, Substitutions, and Deletions to Agenda

Mr. Gulisano noted to add an election of a new Vice-Chair to the Agenda.

##### 4. Motion to Adopt Agenda

Motion to adopt the Agenda as amended, by Mr. Gulisano, seconded by Mr. Bailey. The Motion passed unanimously (3-0).

\*\* Mr. Wien arrived at 1:02 p.m.

##### 5. Election – Vice-Chair

Mr. Gulisano nominated Mr. Bailey for Vice-Chair, seconded by himself. Mr. Bailey accepted. The Motion Passed unanimously (4-0).

##### 6. Adoption of Minutes – January 6, 2021 (Exhibit A)

Motion to adopt the Minutes, by Mr. Gulisano, seconded by Mr. Bailey. The Motion passed unanimously (4-0).

#### B. NEW BUSINESS

##### 1. Unified Land Development Code (ULDC) and EVCSs – Presentation by the Zoning Division: Art. 1, General Provisions; Art. 4, Use Regulations; and, Art. 6, Parking, Loading, and Circulation

A discussion ensued by the Subcommittee on the long-term effects of the proposed Code amendment based on changing technology, and the allowance for periodic review. Mr. Gagnon gave a PowerPoint presentation reiterating the Subcommittee task charging locations and the following topics:

###### a. Definitions

He explained the definitions derived from the International Code Council (ICC), differentiating Electric Vehicle Supply Equipment (EVSE) as everything, Electric Vehicle (EV) Capable Space as having the capacity for support, and EV Ready Space as already providing charging. He stressed an EV Ready Space was previously interpreted comparable to an EV Capable Space in previous meetings.

###### b. Renovation Thresholds

Mr. Gagnon explained Staff has determined a 35-percent Improvement Value threshold for Retail Gas and Fuel Sales (Gas Station) uses to be EV Ready, 70-percent Improvement Value threshold for Multifamily, and 75-percent Improvement Value threshold for Business or Professional Office (Office) and Retail Sales (Retail) uses to be EV Capable.

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##### 1) Discussion

Mr. Bailey suggested to expand the cost profile for gas stations to take in consideration pumps, underground tanks, and electrical components, as opposed to the small size of the buildings. Mr. Stone asked if the Property Appraiser indicates the value of the building specifically or whole property. Mr. Gulisano and Mr. Gagnon confirmed. Mr. Stone noted the definition specifies "site element." Mr. Bailey and Mr. Gulisano also expressed concern over the cumulative timeframe of improvements, and suggested a specific period.

Mr. Gulisano noted very few buildings remodel to 75 percent of the Improvement Value and suggested to lower it. Mr. Bailey noted the Florida Building Code (FBC) enumerates 50 percent, which has been attempted to be circumvented, but suggested to use that percentage. Mr. Stone noted the purpose is to balance achieving the goal versus creating undue hardships.

##### c. Uses

##### 1) Gas Stations

Mr. Gagnon explained Staff is proposing two Level 3 EV Ready spaces required for all new gas stations, and reiterated the 35-percent Improvement Value threshold for existing ones, both with eight pumps (16 positions) or more.

##### a) Discussion

Mr. Bailey suggested taking the Strategic Intermodal System (SIS) designation of the Florida Department of Transportation (FDOT) into consideration to require proximity to State Roads (SRs), even if a gas station has less than eight pumps. Mr. Gagnon responded they want to encourage the installation of EV Ready spaces. Mr. Bailey further asked if any incentives are available to allow more pumps if restrictions apply. Mr. Gagnon responded that most gas stations are a Conditional Use. Dr. Vinikoor and Mr. Gulisano suggested one EVCS for gas stations less than eight pumps.

##### 2) Multifamily Residential

Mr. Gagnon explained Staff is proposing one Level 2 EV Capable spaces required for all new Multifamily development per 25 units, and reiterated the 70-percent Improvement Value threshold for existing ones, both with 50 units or more. He further noted Staff previously considered the threshold to be at 16 units or more, but adjusted it based on existing required parking ratios.

##### a) Discussion

Mr. Bailey asked if there a different ratio for development when a clubhouse is required, and suggested it to be the threshold and best place to locate the EVCSs. Mr. Gagnon agreed, but noted they are trying to balance the requirement with medium development that would not require a clubhouse, while not putting a burden on smaller properties. Mr. Gulisano asked about Planned Unit Developments (PUDs) with Single Family uses. Mr. Gagnon responded that the trend is for garages to have charging capabilities, and stressed the requirement is for Multifamily where the charging spaces would be shared.

##### 3) Office

Mr. Gagnon explained Staff is proposing one Level 2 EV Capable space required for all new office development per 5,000 square feet, and reiterated the 75-percent Improvement Value threshold for existing ones, both with 20,000 square feet or more.

##### a) Discussion

Mr. Bailey asked why EV Capable spaces are proposed to be required for new office developments instead of EV Ready, especially in consideration of costs already incurred. Dr. Vinikoor agreed. Mr. Gagnon responded that it was guidance from the Board of County Commissioners (BCC), but if the Subcommittee recommends EV Ready, will provide feedback. A discussion ensued on clarifying the difference between the definitions of EV Ready and EV Capable, as well as what in its entirety constitutes EVSE. Mr. Gagnon clarified the goal is to make EV Ready spaces be defined available for use immediately. Dr. Vinikoor agreed to make it specify just the plug.

##### 4) Retail

Mr. Gagnon explained Staff is proposing one Level 2 EV Capable space required for all new retail development per 5,000 square feet, and reiterated the 75-percent Improvement Value threshold for existing ones, both with 15,000 square feet or more.

##### a) Discussion

Dr. Vinikoor asked why it is proposed for retail to require EVCSs. Mr. Gulisano suggested reducing the ratio, as the EVCSs would be used more by the employees on site longer than customers. Mr. Bailey questioned Level 2 EVCSs for retail based on charging time.

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Mr. Gagnon responded that a larger square footage threshold may incorporate uses appropriate for it, but noted these are only minimum requirements. Mr. Bailey further asked if EVCSs may be counted as required parking spaces. Mr. Gagnon responded that previous discussion considered them in the count as required parking, but other codes like the City of Palm Beach Gardens do not because it is considered a separate use. Mr. Bailey suggested a minimum requirement of one EVCS, with an additional one for every 5,000 square feet. Dr. Vinikoor agreed. Mr. Stone responded that analyzing timing and usage for specific one use may be deemed arbitrary, and suggested referencing objective standards like an Institute of Transportation Engineers (ITE) manual.

#### 2. EVCS Discussion

##### a. Subcommittee Members

Mr. Bailey suggested removing the EV Capable definition as the Subcommittee suggested uses instead be EV Ready. Mr. Gagnon responded he wants to bring all options to the BCC in case there is a lower bracket or threshold. Dr. Vinikoor noted Staff will clarify the definitions. Mr. Gulisano expressed concern about the Improvement Value thresholds. Mr. Stone responded that the numbers are not static and may change in the future.

##### b. Interested Parties

Mr. Gibaldi agreed the EV Capable and EV Ready definitions are redundant, and suggested they be merged so reserved breakers and raceways leading to the future spaces be capped off and ready to plug into a machine. He further noted the installation of wiring and breakers to terminate is an unreasonable expense, and copper components are prone to theft. He added that Level 3 EVCSs installed along freeways were allowed by the Florida Department of Environmental Protection (FDEP) to be within one mile of an exit to be practical and have options in consideration of the price of real estate. Dr. Vinikoor responded the distinction should be made, and suggested "EV Functional" for what Mr. Gibaldi described and "EV Live." Mr. Gagnon responded the definitions will be further clarified. Mr. Gulisano agreed on clarifying the components.

Ms. Smithe noted Level 1 EVCSs are still viable for homes, offices, and hotels based on charging time, would alleviate the infrastructure requirements, and should be delineated by signage. Mr. Bailey agreed with signage, as well as for Level 2, and emphasized rotation. Mr. Gulisano expressed concern on how it would be enforced. Mr. Ottey responded that additional fees would be incurred if an automobile is fully charged and remains in the space, and uses such as gas stations are in partnership. Dr. Leech responded that EVCSs installed in government facilities are using the former to collect fees. Mr. Bailey also expressed concern about parking spaces "cannibalizing" each other. Mr. Stone responded there is a Florida Statute requirement that only an EV can park in an EVCS. Mr. Gulisano noted the issue of retrofitting existing parking spaces. Mr. Gagnon responded Staff will look at existing legal non-conforming uses that cannot meet current parking requirements. Mr. Stone noted changes in parking will be reviewed by multiple County Agencies. A discussion also ensued regarding charging fees. Ms. Smithe also suggested only requiring trenching, and wiring can be replaced. She noted standalone charging stations in the future would not require as much infrastructure. She noted timeframes and agreed with requiring EVCSs for retail.

##### c. Public

There were no public comments.

##### d. Staff

No further discussion.

#### C. FUTURE MEETINGS/ANTICIPATED EXHIBITS

##### 1. March 3, 2021 – Review of Draft ULDC Amendments

Dr. Vinikoor noted the next meeting is March 3rd at 1:00 p.m. in the same location.

#### D. MEETING RECAP AND CONCLUSION

Mr. Gagnon noted the definitions will be refined, Improvement Values will be revised to 50 percent, new gas stations, retail, and office development will be revised to require a minimum of one EV Ready space, and retail thresholds to one EVCS per every 20,000 square feet and additional one per 5,000 square feet.

#### E. ADJOURNMENT

The LDRAB EVCSs Subcommittee adjourned at 2:26 p.m.

Recordings of all LDRAB meetings are kept on file in the Palm Beach County Zoning/Code Revision office and can be requested by contacting the Code Revision Section at (561) 233-5302.