

South Brunswick Township      ORD-2020-3

540 Ridge Road

Monmouth Junction, NJ 08852

ORDINANCE 2020-3

Amending and Supplementing Chapter 62, Land Use, of the South Brunswick Township Code, to Include Electric Vehicle Charging Stations in New and Modified Developments (Amended 5/26/2020)

WHEREAS, the Township of South Brunswick maintains Chapter 62, Land Use, of the Township Code; and

WHEREAS, the New Jersey State Legislature recently enacted legislation, codified at N.J.S.A. 48:25-1, et seq., to accelerate the use of electric vehicles and electric vehicle charging stations to help reduce greenhouse gases, address the impact of combustion engine vehicular travel on health, and create jobs in New Jersey; and

WHEREAS, this legislation will encourage implementation of cost-effective, new technologies that will advance the economy, protect the environment, and advance the development of policies to promote electric vehicles as recommended by the New Jersey Energy Master Plan; and

WHEREAS, the New Jersey Board of Public Utilities has adopted the “Electric Vehicle Charge Up New Jersey” program to incentivize the purchase or lease of new light-duty plug-in Electric Vehicles and to provide incentives for the purchase and installation of in-home Electric Vehicle service equipment; and

WHEREAS, pursuant to proposed amendments to the International Energy Conservation Code:

- a) In the United States, electric vehicle (EV) sales increased by 80 percent from 2017 to 2018. According to a November 2018 forecast from the Edison Electric Institute, the number of EVs on U.S. roads is projected to grow from 1 million vehicles at the end of 2018, to 18.7 million by 2030. To recharge these new EVs, the U.S. will need 9.6 million charge ports, a substantial portion of which will be installed in single and multi-family residential buildings;
- b) EVs provide significant economic benefits for consumers through fuel and maintenance cost savings, and have been identified as a key climate strategy to reduce greenhouse gas emissions from the U.S. transportation sector. The interest in EVs has grown alongside greater EV model availability and

increased vehicle range. Every major auto manufacturer in the world has announced a plan to electrify a significant portion of their vehicle fleets over the next 3-5 years. Ford recently announced an \$11 billion investment to reach their goal of 40 EV models by 2022. The goal for GM: 20 EV models by 2023; for VW: 27 EV models by 2022; for Toyota: 10 BEVs by the early 2020's; and similar goals for Volvo, Daimler, Nissan, BMW, and Fiat-Chrysler;

- c) The lack of access to EV charging stations, however, continues to be a critical barrier to EV adoption. In particular, there are significant logistical barriers for residents of multi-family dwellings to upgrade existing electrical infrastructure and install new EV charging stations;
- d) A lack of pre-existing EV charging infrastructure, such as electrical panel capacity, raceways, and pre-wiring, can make the installation of a new charging station cost-prohibitive for a potential EV-owner. The installation of an EV charging station is made three to four times less expensive when the infrastructure is installed during the initial construction phase as opposed to retrofitting existing buildings to accommodate the new electrical equipment; and
- e) New residential buildings are constructed to last for decades, and so it is critical that EV charging infrastructure is incorporated at the pre-construction stage to ensure that new buildings can accommodate the charging needs of future EV-owners; and

WHEREAS, the Township Council believes that changes to Chapter 62 that will promote and encourage electric vehicles and electric vehicle charging stations are in the best interest of the health, safety and welfare of the residents of the Township;

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of South Brunswick, County of Middlesex, State of New Jersey, that:

I. Chapter 62 of the Township Code of the Township of South Brunswick is hereby amended and supplemented with the addition of the following:

Sec. 62-209. Electric vehicle charging stations.

- A. Electric vehicle charging equipment (EVCE) and electric vehicle charging stations (EVCS) shall be considered permitted accessory uses in all zoning districts. Electric vehicle charging equipment and electric vehicle charging stations shall be permitted accessory uses in all zoning districts of the Township of South Brunswick, subject to the limitation that an electric vehicle charging station located on the property of a one- to four-family home shall not be made available for use by the general public.
- B. EVCE shall be permitted in a front yard area, subject to meeting all other setback requirements.
- C. Each EVCS shall provide unobstructed access to the EVCE and shall contain signage indicating that vehicles parked in the EVCS space shall be connected to the EVCE.
- D. One of the first two EVCS shall be an accessible space designed to meet the requirements for accessible parking spaces set forth in Chapter 110, Article III, Division 3 - Handicapped Parking, but shall not be restricted to handicapped drivers.

Sec. 62-210. Electric vehicle charging stations in new and modified developments required.

The following shall apply to all new site plans and all site plans coming before either the Planning Board or the Board of Adjustment for substantial modifications to a previously approved preliminary or final site plan approval. A revised site plan shall be considered a substantial modification if there is any significant alteration in the layout of the buildings, public or private roadways, parking aisles or parking lots from what was previously approved by the applicable board.

A. All single-family homes, townhouses and condominium units that are assigned a specific garage for the parking of one or more motor vehicles shall provide, to the extent practicable, a 240-volt electric outlet in the garage in order to accommodate Level 2 electric vehicle charging equipment.

B. The use groups specified below shall provide, to the extent practicable, either Level 2 EVCE with a minimum output rate of 7.2 kilowatts per hour or DC fast charging stations in the common parking areas in an amount equal to 3% of the required number of parking spaces. In addition, if such stations are provided, appropriately sized electrical conduit shall be installed to additional spaces in order to allow for future expansion of the number of EVCS.

(1) All apartment complexes, townhouse complexes, condominium complexes and cooperative complexes in excess of 20 residential units that do not provide individual garages for parking of vehicles.

(2) All office developments and warehouse developments in excess of 20,000 square feet.

(3) All hotels and motels in excess of 50 rooms.

(4) All large retail establishments referred to as "big box stores," grocery stores, and other retail establishments in excess of 10,000 square feet, as well as all gymnasiums and health clubs in excess of 10,000 square feet.

(5) All restaurants not classified as a "drive-in restaurant" in excess of 2,000 square feet.

(6) All movie theatres, roller skating rinks, commercial recreation establishments, mechanical amusement game rooms and other places of assembly.

C. The use groups specified below shall provide, to the extent practicable, two EVCS in the common parking area, consisting of either DC fast charging stations or Level 2 EVCS with a minimum output rate of 15 kilowatts per hour.

(1) All automobile service stations that include a convenience store in excess of 4,000 square feet.

(2) All drive-in restaurants in excess of 2,000 square feet.

Secs. 62-209 211-62-240. - Reserved.

II. If any clause, sentence, paragraph, section or part of this ordinance or any other codes or ordinances incorporated herein shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which said judgment shall have been rendered.

III. This ordinance shall become effective twenty (20) days after its final passage.

The above ordinance was introduced and passed on first reading at a meeting of the Township Council of the Township of South Brunswick held on January 28, 2020. It was tabled on February 25, 2020, again on March 24, 2020 and again on April 28, 2020. It was considered on second reading at a meeting of the Township Council on May 26, 2020, at which time it was amended. It will be considered on third reading and final passage at a meeting of the Township Council of the Township of South Brunswick to be held either: (1) at the Municipal Building, Monmouth Junction, New Jersey; or, if that is not possible, (2) via video conference, at 6:00 p.m. on June 23, 2020. If the meeting is held via video conference, an electronic link to the meeting will be made available to the public at [www.sbtnj.net](http://www.sbtnj.net) no later than noon on the day of the meeting. In either case, at the time of third reading and final passage any person having an interest therein will be given an opportunity to be heard.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Joseph Camarota, Deputy Mayor

SECONDER: Archana "Ann" Grover, Councilwoman

AYES: Joseph Camarota, Archana "Ann" Grover, Charlie Carley

ABSENT: Ken Bierman, Josephine "Jo" Hochman

This is to certify that the foregoing is a true copy of a Ordinance Amended at the South Brunswick Township Council meeting held on June 23, 2020.