



City of Biddeford
Sustainability Commission
September 29, 2025 at 5:30 PM

City Hall Second Floor Conference Room & Zoom

<https://biddeford.zoom.us/j/97741741021?pwd=Mpe3Vlh3k1aojCrotWcN8lhuJBGDXP.1>

Or call in by phone: +1 312 626 6799

Meeting ID: 977 4174 1021

Passcode: 711361

1. Declaration of Quorum
2. Introduction of New Members
 - 2.a Mikaela Greenwald
Brad Crickard
3. Old Business
 - 3.a EVCS Ordinance
4. Site Walk
 - 4.a Site Walk of the Downtown Area
5. Adjourn

ELECTRIC VEHICLE INFRASTRUCTURE

1. Purpose

The purpose of this ordinance is to facilitate and encourage the use of electric vehicles, to expedite the establishment of a convenient, cost-effective electric vehicle infrastructure, and to establish minimum requirements for such infrastructure to serve both long-term and short-term parking needs. This Ordinance is consistent with the goals of Biddeford's approved Climate Action Plan, including reducing greenhouse gas emissions 62.6% by 2030.

2. Definitions

Accessible electric vehicle charging station means an electric vehicle charging station, that can be readily used by those of all abilities, where the battery charging station is located within accessible reach of a barrier-free access aisle and the electric vehicle.

Battery charging station means an electrical component, assembly or cluster of components assemblies designed specifically to charge batteries within electric vehicles.

Battery electric vehicle means any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries and produces zero tailpipe emissions or pollution when stationary or operating.

Charging levels means the standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged. The terms 1, 2, and DC fast charging are the most common charging levels, and include the following specifications:

- Level 1 provides charging through a 120 volt (V), alternating-current (AC) plug. Level 1 is considered as slow charging. Level 1 charging equipment is standard on vehicles and therefore does not require the installation of charging equipment. The most common place for Level 1 charging is at the vehicle owner's home and is typically conducted overnight.
- Level 2 charging is through a 240V, AC plug and requires installation of home charging or public charging equipment. These units require a dedicated 40-amp circuit. Level 2 chargers are commonly found in residential settings, public parking areas, places of employment and commercial settings.
- DC Fast Charging (DCFC) charging is through a 400 to 1000 V, direct-current (DC) plug. Due to their high cost and extremely high-power draw, Level 3 chargers are typically found in commercial or industrial locations rather than residential.

Electric vehicle means a vehicle that operates, either partially or exclusively, on electrical energy from the electrical grid, or an off-grid source, that is stored on board for motive purposes.

"Electric vehicle" includes:

- Battery electric vehicle
- Plug-in hybrid electric vehicle

Electric vehicle charging station (EVCS) is battery charging equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. A charging station must include a port that conforms to EV industry standards and can charge the vehicle, although an adapter may be required.

EVCS-capable means parking spaces with necessary electrical conduit installed but lacking required electrical cable and connection to install EVCS.

EVCS-installed means parking spaces equipped with electrified EVCS that are operational.

EVCS-ready means parking spaces with necessary conduit installed and electrical capacity available to plug in an EVCS to charge an electrical vehicle.

Electric vehicle charging station – private restricted use means an electric vehicle charging station that is:

- Privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking, assigned parking at multi-family residential buildings); or
- Publicly owned and restricted (e.g., fleet parking with no access to the general public).

Electric vehicle charging station – public use means an electric vehicle charging station that is:

- Publicly owned and publicly available (e.g., Park & Ride parking, public library parking lot, on-street parking); or
- Privately owned and available to visitors (e.g., shopping center parking).

Electric vehicle infrastructure means conduit/wiring, structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations.

Electric vehicle parking space means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

Electric vehicle supply equipment (EVSE) means any equipment or electrical component used in charging electric vehicles at a specific location. EVSE does not include equipment located on the electric vehicles themselves.

Electrical capacity shall mean, at minimum:

- Electric Service Panel capacity to accommodate a dedicated branch circuit and service capacity to install a 208/240V outlet per charger;
- Conduit from an electric panel to future EVCS location(s).

Non-electric vehicle means any motor vehicle that is licensed and registered for operation on public and private highways, roads, and streets that does not meet the definition of an electric vehicle.

Plug-in hybrid electric vehicle means an electric vehicle that:

- Contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor;

- Charges its battery primarily by connecting to the grid or other off-board electrical source;
- May additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and
- Has the ability to travel powered by battery-supplied electricity.

3. Applicability

3.1. This ordinance shall apply to all electric vehicle infrastructure installed, constructed, or modified after the effective date of this Ordinance.

3.2. Electric vehicle infrastructure in place prior to the effective date of this ordinance shall not be required to meet the requirements of this ordinance unless substantial modification to the infrastructure is proposed in accordance with the criteria identified in Section 5.1.

3.3. All electric vehicle infrastructure shall be designed, built, and installed in accordance with applicable local, state, and federal codes, regulations, and standards.

5. Required Facilities

5.1. All new or reconstructed parking structures or lots shall be required to install level-2 or higher EVCSs according to Table 5.1 when one of the following conditions is met:

- The development includes a new off-street parking facility with more than 10 spaces; or
- The parking capacity of an existing building, site, or parking facility with 10 or more spaces is increased by 30 percent or more or 30 spaces, whichever is smaller (expressed as $\frac{[\text{number of additional spaces}]}{[\text{number of existing spaces}] \times 100}$).

5.1.1. The number of EV charging stations required to be installed at the time of development is stated as a percentage of the total number of parking spaces in Column A of Table 5.1. Requirements will be rounded up to closest whole number but will always be a value of at least one EVCS to be available at the time of development occupancy.

5.1.2. To meet anticipated demand for EV charging stations as the technology becomes more widespread, Column B and C of Table 5.1 specifies the required increased electrical capacity to enable future EV charging station installations. Electric capacity requirements for EVCS-ready are met by providing a cabinet, box or enclosure connected to a conduit linking parking spaces with 208/240V or higher voltage AC electrical service for the suitable for the number of charging stations. Capacity requirements will be rounded to the closest whole number. A parking facility will meet the requirement for future capacity if column A, B, and C are less than or equal to the EVCS installation.

- Site design must provide electrical, associated ventilation, accessible parking, and wiring connection to electrical transformer to support the additional potential future electric vehicle charging stations.

Table 5.1

EV Charging Requirements for new and reconstructed parking structures

Land use type	A. EVCS-installed parking spaces required (as % of total parking spaces)	B. EVCS-ready parking spaces required (as % of total parking spaces)	C. EVCS-capable parking spaces required (as % of total parking spaces)
One or two family residential	-	100%	-
Multi-family residential w/o dedicated spaces	10%	2 40%	5 20%
Multi-family residential w/ dedicated spaces	-	100%	-
Lodging	10%	4 20%	3 20%
General office, medical	5% (Min. one [1] space)	10%	20%
Industrial	5% (Min. One [1] space)	5%	10%
Institutional, municipality	10% (Min. one [1] space)	10%	20%
Commercial (retail, dining, recreational, entertainment, etc.)	5% (Min. one [1] space)	10%	10%

5.1.3. Multi-family residential units may meet the required number of EVCS-ready parking spaces by installing current and/or future capacity for level-1 EVCS not to exceed ~~one-quarter~~ 10% of all parking spaces.

5.1.4. For only one or two family residential and multi-family residential with dedicated parking spaces, a parking spot shall be considered EVCS-ready if a level-2 EVCS is able to reach that parking spot in such a way that makes safe charging possible (i.e. slack in the cable). Therefore, the number of parking spots does not need to match the number of EVCS units, but there must be at least 1 EVCS-ready plug per residential unit when there is dedicated parking. Level-1 EVCS-ready spaces installed per 5.1.3 must be dedicated for only a single parking spot.

5.1.5. DC Fast~~er~~ Charging equipment may be installed to partially or fully meet the above requirement at one third the rate prescribed by table 5.1. One or two family residential buildings may not install DC fast charging to meet the requirements in table 5.1.

5.1.6. These requirements may be revised upward or downward by the Planning Board as part of an application for a conditional use permit or planned unit development based on verifiable information pertaining to parking.

5.1.7. When the cost of installing EVSE required by this ordinance would exceed five percent of the total project cost, the property owner or applicant may request a reduction in the EVSE requirements and submit cost estimates for city consideration. When City Council approval of the project is not required, the Zoning Administrator may administratively approve a reduction the required amount of EVSE to limit the EVSE installation costs to not more than five percent of the total project cost.

5.1.8. Affordable housing projects (120% AMI in 33% of dwelling units) can reduce requirement in table 5.1 by 50%.

5.1.9. Those who do not wish to meet the EVCS requirements may pay an in-lieu fee to the City of Biddeford at a rate of ~~\$510,000~~ per EVCS-installed parking space, ~~\$52,000~~ per EVCS-ready parking space, and ~~\$2,500~~ per EVCS-capable parking space. For residential units, the in-lieu fee shall be reduced to \$250 per EVCS-ready parking space and \$100 per EVCS-capable parking space if a level-one EVCS equivalent space is provided, otherwise the fee is \$500 per EVCS-ready parking space and \$200 per EVCS-capable parking space. EVCS in-lieu fees collected by the City shall be ~~deposited into a specific account, segregated from the City's general revenue, and created~~ used for supporting electric vehicle infrastructure in the City of Biddeford. These funds shall be used in accordance with the following:

- a. The funds ~~contributed to the specific account, entitled the~~ shall be used for ~~eElectric vVehicle cCharging iInfrastructure Fund, shall be used to further the electric vehicle infrastructure~~ within the City. ~~More specifically, t~~ These funds may be used for equipment, and/or construction costs of electric vehicle charging infrastructure in existing or new City owned parking lots.
- b. A portion of these funds may also be used for administrative, legal, engineering, or other costs related to the planning, design, permitting, and property acquisition for electric vehicle charging.
- c. A portion of these funds may also be used to establish a grant or revolving loan program to provide direct financial assistance to offset the cost of retrofitting existing parking areas with electric vehicle charging infrastructure.
- d. These ~~se Electric Vehicle Charging Infrastructure fFunds~~ may be used in combination with other City funds and other private, non-profit, and government funding for expanding electric vehicle charging infrastructure within Biddeford.
- e. The in-lieu fees contributed by a development shall not be used by the same or other developments to fund the electric vehicle charging infrastructure that is required to meet the minimum standards described in Table 5.1.

f. The in-lieu fees collected by the City shall not be utilized to fund electric vehicle charging infrastructure that is otherwise required to meet minimum zoning standards.

6. General Requirements for Electric Vehicle Infrastructure

6.1. Electric vehicle charging stations within single-family and two-family residences are exempt from the below general requirements. This does not exempt electrical or other permit obligations.

6.2. General station requirements

6.2.1. Size. A standard size parking space shall be used for an electric vehicle charging station where such a station is required or planned.

6.2.2. Equipment Standards and Protection. Where provided, parking for electric vehicle charging purposes shall meet the standards of subsections 6.2.2 (1) through (4) of this section.

1. Clearance. Charging station equipment mounted on pedestals, light posts, bollards or other devices shall be a minimum of 24 inches clear from the face of curb.
2. Charging Station Equipment. Charging station outlets and connector devices shall be no less than 36 inches or no higher than 48 inches from the top of surface where mounted, and shall be designed and located as to not impede pedestrian travel or create trip hazards on sidewalks.
3. Charging Station Equipment Protection. When the electric vehicle parking space is perpendicular or at an angle to curb face and charging equipment, adequate equipment protection, such as wheel stops or concrete-filled steel bollards shall be used.
4. Maintenance. Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.

6.2.3. Signage. Electric vehicle charging stations, other than in residential use, shall have posted signage allowing only charging electric vehicles to park in such spaces. For the purposes of this subsection, “charging” means that an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment. Signage for parking of electric vehicles shall include:

- Information on the charging station to identify voltage and amperage levels and any time of use, fees, or safety information.
- Restrictions shall be included on the signage, if removal provisions are to be enforced by the property owner

- As appropriate, directional signs to effectively guide motorists to the charging station space(s).

6.2.4. Lighting. Site lighting shall be provided where EVCS is installed unless charging is for daytime purposes only. Lighting standards should be met pursuant to the Biddeford's zoning ordinance.

6.2.5. Time limits may be placed on the number of hours that an electric vehicle is allowed to charge, prohibiting indefinite charging/parking. If applicable, warnings shall be posted to alert charging station users about hours of use and possible actions affecting EVCS that are not being used according to posted rules.

6.2.6. The EVCS must be operational during the normal business hours of the use(s) that it serves. EVCS may be de-energized or otherwise restricted after normal business hours of the use(s) it serves. If applicable, warnings shall be posted to alert charging station users about hours of use.

6.2.7. Usage Fees. The property owner or operator is not restricted from collecting a service fee for the use of an electric vehicle charging station made available to visitors of the property.

6.3. Accessible Facilities

6.3.1. Where electric vehicle charging stations are provided in parking lots or parking garages, excluding garages in single-family or two-family residential units, accessible electric vehicle charging stations shall be provided according to the ratios shown in Table 6.2. The first column indicates the number of electric vehicle stations being provided on-site and the second column indicates the number of accessible charging stations that are to be provided for the corresponding number(s) of charging stations.

Table 6.2 Minimum Number of Accessible Electric Vehicle (EV) Charging Stations

Number of EV charging stations	Minimum accessible EV charging stations
1-50	1
51-100	2
101-150*	3

*One additional accessible EV charging station for each 50 EVCS

6.3.2. Accessible electric vehicle charging stations should be located in close proximity to the building or facility entrance and shall be connected to a barrier-free accessible route of travel. It is not necessary to designate the accessible electric vehicle charging station exclusively for the use of disabled persons.

6.4. Charging and Parking

6.4.1. EVCS parking spaces are to be included in the calculation for both the number of minimum and maximum parking spaces required, as provided by [Chapter and Section number for Parking Requirements].

6.4.2. EVCS parking spaces, where provided for public use, are reserved for charging electric vehicles only.

6.4.3. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space.

6.5. Parking Restrictions

6.5.1. No person shall stop, stand or park any non-electric vehicle in a space designated through signage as an electric vehicle charging station. Any non-electric vehicle is subject to removal by the property owner or the property owner's agent.

6.5.2. Any electric vehicle in an electric vehicle parking stall that is signed exclusively for electric vehicle charging and that is either (1) not electrically charging or (2) parked beyond the days and hours designated on regulatory signs posted at or near the space shall be subject to removal as posted by the property owner or the property owner's agent. For purposes of this subsection, "charging" means an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment.

6.6. Decommissioning: Unless otherwise directed by Biddeford, within ninety (90) days of cessation of use of the EVCS, the property owner or operator shall restore the site to its original condition. Should the property owner or operator fail to complete said removal within ninety (90) days, Biddeford shall conduct the removal and disposal of improvements at the property owner or operator's sole cost and expense.

7. Violations

7.1. If the owner of an EVCS is found to be in violation of the provisions of this Ordinance, Code Enforcement Officer shall be responsible for administering the violation.

8. Effectiveness, Interpretation, Severability

8.1. This ordinance shall become effective ~~immediately upon~~ January 1 after its adoption. Applications already in review at time of adoption shall not be subjected to the above requirements.

8.2. All other portions, parts, and provisions of the Zoning Ordinance of Biddeford

as heretofore enacted and amended shall remain in force and effect.

8.3. The invalidity of any section or provision of the ordinance shall not be held to invalidate any other section or provision of this Ordinance.

8.4. If any part of this ordinance conflicts with any other applicable federal, state, or local regulation, the more restrictive regulation shall control.

DRAFT

Concern: required infrastructure for single family homes

Response: We have reduced the in-lieu fee to \$250 if the parking area has a level-1 (normal 120-volt outlet) installed. Otherwise, the fee would be \$500.

Concern: \$5000 was excessive for in-lieu fee for EVCS-ready spaces

Response: We reduced all in-lieu fees, now only \$2,000 for EVCS-ready spaces not in residential buildings.

Concern: 5.1.5 – explicitly add that it does not apply to residential buildings

Response: added so that DC fast charging does not apply to residential buildings

Concern: 5.1.9 a – dedicated revenue was done away with, example of ambulance fund in the past

Response: We have allowed the funds to go to the general fund now, but are saying the money will be used for EV infrastructure

Concern: 8.1 – should say that previous applicants do not apply

Response: We edited this so that now it will only apply to new applicants after January 1 after the ordinance is adopted

Concern: What happens if the use changes? What can the planning board do?

Response: This is only for new parking infrastructure or if 30% or more of the parking area is expanded. If the use of the building changes, it would not have any impacts on the parking, so the owner would not have any requirements to update the EV charging.

Concern: Violations – What happens at codes if there is a violation?

Response: WAITING ON ROBBIE

Concern: Want to know if Waterville or Augusta have similar ordinances

Response: To our knowledge, Waterville and Augusta do not have EV charging ordinances. The cities we are aware of that do have such ordinances are Scarborough, Portland, and South Portland.

