

## ORDINANCE #2026-XX OF DURHAM, NEW HAMPSHIRE

**A PLANNING BOARD-INITIATED AMENDMENT TO CHAPTER 175 “ZONING” OF THE DURHAM TOWN CODE TO PERMIT ELECTRIC VEHICLE CHARGING STATIONS AS AN ACCESSORY USE IN ALL ZONING DISTRICTS AND AS A PRINCIPAL USE IN ALL COMMERCIAL ZONING DISTRICTS.**

**WHEREAS**, The use of electric vehicles has grown tremendously over the past decade in the United States and in Durham; and

**WHEREAS**, The introduction of electric vehicle charging stations is growing in various settings to meet the demand – on public sites, as an accessory use in parking lots serving both residential and commercial projects, and as an accessory use serving countless single-family houses; and

**WHEREAS**, We expect to see charging stations established as commercial ventures in similar fashion to the traditional gas station; and

**WHEREAS**, There are no references to electric vehicles nor electric vehicle charging stations in the Zoning Ordinance and therefore it is uncertain where electric vehicle charging stations, especially as a principal use, might be allowed; and

**WHEREAS**, While electric vehicle stations are at this point a common accessory use it would be beneficial to make this explicit in the ordinance. The ordinance should specify where electric vehicle stations as a principal use would be allowed; and

**WHEREAS**; Given the importance of providing easy access to charging in order to encourage the growth of electric vehicles it is appropriate to allow electric vehicle charging stations as a principal use, by right in all commercial zoning districts and as a special exception in all residential zoning districts; and

**WHEREAS**, The Durham Planning Board and Town Council duly held public hearing on this proposal.

**NOW, THEREFORE BE IT RESOLVED** that the Durham Town Council, the governing body of the Town of Durham, New Hampshire does hereby adopt the amendment presented below.

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*New text to be added shown like this*

❖ **ARTICLE II. DEFINITIONS**

**Section 175-7. Definitions**

***ELECTRIC VEHICLE CHARGING STATION – Equipment and structure necessary for the safe charging of an electric vehicle.***

**❖ ARTICLE XII.1. USE AND DIMENSIONAL STANDARDS**

**Section 175-53. Table of Uses.**

| CATEGORY OF USES                                | RESIDENTIAL ZONES |                  |                  |                  | COMMERCIAL CORE ZONES |                    |                          |                  |                |                    | RESEARCH-INDUSTRY ZONES          |                               |                                |                            |
|---|-------------------|------------------|------------------|------------------|-----------------------|--------------------|--------------------------|------------------|----------------|--------------------|----------------------------------|-------------------------------|--------------------------------|----------------------------|
|   | Rural (R)         | Residence A (RA) | Residence B (RB) | Residence C (RC) | Central Business 1    | Central Business 2 | Professional Office (PO) | Church Hill (CH) | Courthouse (C) | Coe' s Corner (CC) | Office Research - Route 108 (OR) | Mixed Use and Office Research | Office Research Light Industry | Durham Business Park (DBP) |
| <b>VI. UTILITY &amp; TRANSPORTATION USES</b>    |                   |                  |                  |                  |                       |                    |                          |                  |                |                    |                                  |                               |                                |                            |
| <b>Principal Uses</b>                           | CU                | X                | X                | CU               | X                     | X                  | X                        | X                | X              | X                  | X                                | X                             | X                              | X                          |
| Parking garage                                  | X                 | X                | X                | X                | X                     | X                  | X                        | X                | X              | X                  | P                                | P                             | P                              | P                          |
| Parking lot                                     | CU                | X                | X                | CU               | X                     | X                  | X                        | X                | X              | CU                 | CU                               | CU                            | CU                             | CU                         |
| Public utility facility                         | P                 | P                | P                | P                | X                     | X                  | X                        | X                | X              | CU                 | P                                | P                             | P                              | CU                         |
| <i>Electric Vehicle Charging Station</i>        | <i>SE</i>         | <i>SE</i>        | <i>SE</i>        | <i>SE</i>        | <i>P</i>              | <i>P</i>           | <i>P</i>                 | <i>P</i>         | <i>P</i>       | <i>P</i>           | <i>P</i>                         | <i>P</i>                      | <i>P</i>                       | <i>P</i>                   |
| [Add at end of this Section VI. the following:] |                   |                  |                  |                  |                       |                    |                          |                  |                |                    |                                  |                               |                                |                            |
| <i>Accessory Uses</i>                           |                   |                  |                  |                  |                       |                    |                          |                  |                |                    |                                  |                               |                                |                            |
| <i>Electric Vehicle Charging Station</i>        | <i>P</i>          | <i>P</i>         | <i>P</i>         | <i>P</i>         | <i>P</i>              | <i>P</i>           | <i>P</i>                 | <i>P</i>         | <i>P</i>       | <i>P</i>           | <i>P</i>                         | <i>P</i>                      | <i>P</i>                       | <i>P</i>                   |

**PASSED AND ADOPTED** by the Town Council of the Town of Durham, New Hampshire this \_\_\_\_\_ day of \_\_\_\_\_ by 2026, affirmative votes \_\_\_\_\_; negative votes \_\_\_\_\_; and \_\_\_\_\_ abstentions \_\_\_\_\_.

\_\_\_\_\_  
 Joe Friedman, Chair  
 Durham Town Council

**ATTEST:**

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 Rachel Deane, Town Clerk-Tax Collector