

## Ordinance No. 2023-04

At a regular meeting of the Lapeer City Commission on Monday, October 16, 2023, at 6:30 p.m. in the Lapeer City Commission Chambers of Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan, Commissioner Pattison moved for adoption of the following amendment to Chapter 7 (Zoning) of the General Ordinances of the City of Lapeer. The motion was supported by Commissioner Stroh.

Pursuant to Public Act 279 of 1909, MCL 117.3 a summary of the regulatory effect of the ordinance is published below. A copy of the full text of the ordinance may be inspected or obtained at the office of the City Clerk, Lapeer City Hall, 576 Liberty Park, Lapeer, MI 48446 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via the City's website at [http://www.ci.lapeer.mi.us/legal\\_notices\\_and\\_bids/legal\\_notices.php](http://www.ci.lapeer.mi.us/legal_notices_and_bids/legal_notices.php).

THE CITY OF LAPEER ORDAINS:

### ***Summary of Changes to Chapter 7 (Zoning Ordinance):***

The proposed amendment modifies Section 7-24.03 Definitions and creates a new Section 7-16.09 to provide for electric vehicle charging.

AYES: Atwood, Cattane, Pattison, Stroh, Swindell.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED. AMENDMENT TO CHAPTER 7 ADOPTED.

Introduced: 10/02/23      Published: 10/08/23

Adopted: 10/16/23      Published: 10/22/23

Effective: 10/29/23

Ordinance Effective Date: Shall take effect 7 days after publication, unless given immediate effect by City Commission.



**ORDINANCE NO. 2023-04**  
**City of Lapeer**  
Electric Vehicle Charging Text Amendment

**All text is new.**

**Article 24 Terminology Use Requirements**

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**Sec. 7-24.03 Definitions**

**Electric Vehicle (EV), Plug-In.**

Any vehicle that operates on electrical energy derived from an off-board source that is stored in the vehicle's batteries. This term includes fully electric vehicles as well as hybrid vehicles that run on both batteries and fuel but can be charged by plugging in to a compatible electrical outlet.

**Electric Vehicle Charging.**

When an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment, it is considered to be charging.

**Electric Vehicle Charging Space.**

A parking space located adjacent to an electric vehicle charging station and reserved for the charging of electric vehicles.

**Electric Vehicle Charging Station.**

Equipment for the transfer of electric energy by conductive or inductive means to a battery or other storage device located onboard an electric vehicle. Charging stations shall be either for public use (accessible to all vehicle users during posted hours), or for restricted use (for certain specified users such as residents, fleet vehicles, or employees). Typical electric vehicle charging levels and specifications are:

1. Level 1. Alternating current slow battery charging. Voltage is 120 volts.
2. Level 2. Alternating current medium battery charging. Voltage is between 120 and 240 volts.
3. Level 3. Direct current fast or quick battery charging. Voltage is greater than 240 volts.

**Electric Vehicle-Capable**

An installed electrical panel capacity with dedicated branch circuit(s) and cable/raceway that is capped for future electric vehicle charging stations.

**Electric Vehicle-Ready**

An installed electrical panel capacity with a dedicated branch circuit(s) including conductor in a raceway or direct buried, terminated in an approved method in a junction box, for an electric vehicle charging station(s).

## Article 16 Parking, Loading, Access and Circulation Requirements

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### Sec. 7-16.09 Electric Vehicle Infrastructure

This section provides standards for the installation of electric vehicle charging infrastructure, electric vehicle charging spaces, and associated equipment.

#### A. Electric Vehicle Parking Use Standards

- 1) **Residential:** Electric vehicle charging stations are a permitted accessory use within Single-Family Residential zoning districts if the station is contained entirely within a building. If the station is located outside of a building, it must meet standards for accessory structures in a residential zoning district. See Section 13.10.
- 2) **Commercial, Industrial, and Multi-Family:** Electric vehicle charging stations are a permitted accessory use within any off-street parking area in Multi-Family, Business, CBD, Industrial, and PUD zoning districts. However, the charging stations are subject to the standards listed in this section, not accessory use standards in Section 7-13.10.
- 3) **Electric Vehicle Charging as a Primary Use:** If the primary use of a parcel is the retail charging of electric vehicles, then the use shall be considered an automobile service station. Installation of charging stations shall be subject to special land use approval and located in zoning districts which permit gasoline service stations. A parcel on which a parking lot is the primary use shall not be subject to this standard unless more than 50 percent of the parking spaces are designated as electric vehicle charging spaces.

#### B. Relationship to Parking Requirements

- 1) An electric vehicle charging space is included in the calculation for minimum required parking spaces in accordance with Section 7-16.02.
  - a) The minimum number of parking spaces required may be reduced by 1 space for each electric vehicle charging space provided, up to a maximum reduction of 10 percent of the required spaces. For example, if a development is required to have a minimum of 20 spaces, but provides 2 electric vehicle charging spaces, the minimum number of spaces is 18 (16 standard spaces, 2 electric vehicle spaces, and a reduction of 2 spaces).
  - b) Any new parking lot proposed as part of an application for site plan review or special land use with more than 50 parking spaces must provide at least 2 Electric-Vehicle Ready charging spaces per 50 parking spaces.
- 2) Public electric vehicle charging stations are reserved for parking and charging electric vehicles only. 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.

#### C. Design Standards

- 1) Electric vehicle charging stations shall be sized the same as a standard parking space.
- 2) Charging station outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted, and shall contain a retraction device and/or a place to hang permanent cords and connectors a sufficient and safe distance above the ground or pavement surface. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel or create trip hazards on sidewalks.

- 3) Adequate charging station equipment protection, such as concrete filled steel bollards, shall be used. Non-mountable curbing may be used in lieu of bollards, if the charging station is set back a minimum of 24 inches from the face of the curb.
  - 4) Electric infrastructure serving the charging station shall be located underground.
  - 5) Associated mechanical equipment, like transformers, may be located within a front yard, but must meet all other standards of the zoning ordinance for screening in Section 7-15.07.
  - 6) Canopies are permitted but not required. Canopies shall cover only the electric vehicle charging space or spaces. Canopies must provide a clearance height of not less than 14 feet. If canopies are included, the charging stations must be located in a side or rear yard.
- D. Accessibility**
- 1) Developments with three or more electric vehicle charging spaces, including public parking lots, shall provide at least one barrier-free electric vehicle charging space. Additional barrier-free spaces are required according to the number of spaces listed in Table 7-16.2. Specifications for barrier-free electric vehicle charging spaces shall be based on the most recent guidance from the U.S. Access Board.
  - 2) Where charging station equipment is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the charging station equipment shall be located so as not to interfere with accessibility requirements of the Michigan accessibility code or other applicable accessibility standards.
- E. Lighting.** Site lighting shall be provided where an electric vehicle charging station is installed. Lighting shall be consistent with the standards of Section 7-15.05.
- F. Signage and Notification**
- 1) Notification shall be placed on the unit to identify voltage and amperage levels, time of use, fees, safety information and other pertinent information.
  - 2) Each electric vehicle charging station space shall provide signage indicating the space is only for electric vehicle charging purposes.
  - 3) Signs for electric vehicle charging stations and parking shall not exceed 3 square feet with no more than one sign per electric vehicle charging space.
- G. Installation and Maintenance.**
- 1) All necessary building and electrical permits must be obtained.
  - 2) Electric vehicle charging stations shall be maintained in all respects, including the functioning of the equipment. A phone number or other contact information shall be provided on the equipment for reporting when it is not functioning or other problems are encountered.
  - 3) If an electric vehicle charging station is out of operation for a period exceeding 90 days, it shall be removed at the cost of the property owner.