

ERIE TOWNSHIP ORDINANCE NO. 117-J
(Amendment to Erie Township Zoning Ordinance No. 117)

An ordinance enacted pursuant to the authority granted in Act 110, Public Acts of 2006, as amended, better known as the Michigan Zoning Enabling Act, and according to the General Development Plan of the Township, dated May 8, 2012, as amended from time to time, and to further provide for the public health, safety and general welfare of the persons and property of the Township of Erie, and to amend Erie Township Ordinance #117, known as Erie Township Zoning Ordinance, by amending the following sections, for the purposes of promoting and protecting the public health, safety and general welfare of the residents and property of the Township of Erie:

THE TOWNSHIP BOARD OF THE TOWNSHIP OF ERIE, COUNTY OF MONROE, STATE OF MICHIGAN, ORDAINS:

SECTION 1: AMENDMENTS TO ARTICLE 10, ZONING DISTRICTS, REGULATIONS, AND MAP, Table 10-2:

Table 10-2 Update the table to permit Single Family homes as a By-Right (BR) use in the Waterfront Commercial (C-W) zoning district.

SECTION 2: ARTICLE 20, GENERAL PROVISIONS – ADD NEW SECTION 20.28 - ELECTRIC VEHICLE INFRASTRUCTURE

20.28 ELECTRIC VEHICLE INFRASTRUCTURE

1. **Intent:** The intent of this section is to facilitate and encourage the use of electric vehicles and to expedite the establishment of a convenient, cost-effective electric vehicle infrastructure that for such use.
2. **Definitions:** For the purposes of this Section, the following definitions shall apply.
 - A. Accessible electric vehicle charging station means an electric vehicle charging station where the battery charging station is located within accessible reach of a barrier-free access aisle and the electric vehicle.
 - B. Battery charging station means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles.
 - C. Battery electric vehicle means any vehicle that operates exclusively on electrical energy generated from an off-board source that is stored in the vehicle's batteries, and produces zero tailpipe emissions or pollution when stationary or operating.
 - D. 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 3 are the most common charging levels, and include the following specifications:
 1. Level-1 is considered slow charging. Voltage including the range from 0 through 120.
 2. Level-2 is considered medium charging. Voltage is greater than 120 and includes 240.
 3. Level-3 is considered fast or rapid charging. Voltage is greater than 240.
 - F. Electric vehicle means any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; either partially or exclusively, on electrical energy from the grid, or generated from an off-board source, that is stored on-board via a battery for motive purpose. "Electric vehicle" includes: (1) a battery electric vehicle; and (2) a plug-in hybrid electric vehicle.
 - G. Electric vehicle charging station means a public or private parking space that is served by battery charging station 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.

An electric vehicle charging station equipped with Level-1 or Level-2 charging equipment is permitted outright as an accessory use to any principal use.

- H. Electric vehicle charging station – private restricted use means an electric vehicle charging station that is (1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking) or (2) publicly owned and restricted (e.g., fleet parking with no access to the general public).
- I. Electric vehicle charging station – public use means an electric vehicle charging station that is (1) publicly owned and publicly available (e.g., Park & Ride parking, public library parking lot, on-street parking) or (2) privately owned and available to visitors of the use (e.g., shopping center parking).
- J. Electric vehicle infrastructure means conduit/wiring, structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations and rapid charging stations.
- K. Electric vehicle parking space means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.
- L. Non-electric vehicle means any motor vehicle that does not meet the definition of electric vehicle.
- M. Plug-in hybrid electric vehicle means an electric vehicle that (1) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; (2) charges its battery primarily by connecting to the grid or other off-board electrical source; (3) may additionally be able to sustain battery charge using an on-board internal- combustion-driven generator; and (4) has the ability to travel powered by electricity.

3. Permitted Locations:

- A. Level-1 and Level-2 electric vehicle charging stations are permitted in every zoning district, when accessory to the primary permitted use. Such stations located at one-family, multiple-family, and mobile home park dwellings shall be designated as private restricted use only. Installation shall be subject to permit approval administered by the Building/Zoning Department.
- B. Level-3 electric vehicle charging stations are, permitted in the Commercial and Industrial Districts or the Commercial and Industrial Use parcels, when accessory to the primary permitted use. Installation shall be subject to permit approval administered by the Building/Zoning Department.
- C. If the primary use of the parcel is the retail electric charging of vehicles, then the use shall be considered a Service Station for zoning purposes. Installation shall be subject to Special Land Use approval and located in zoning districts which permit Service Stations.

4. General Requirements for Multi-Family Residential and Non-Residential Development

- A. Parking
 - 1. An electric vehicle charging station space may be included in the calculation for minimum required parking spaces required in accordance with Section 16.03.
 - 2. Public electric vehicle charging stations are reserved for parking/charging electric vehicles only.
- B. Accessible Spaces

It is strongly encouraged, but not required, that a minimum of one (1) accessible electric vehicle charging station be provided. Accessible electric vehicle charging stations should be located in close proximity to the building or facility entrance and connected to a barrier- free accessible route of travel.
- C. Lighting

Site lighting shall be provided where an electric vehicle charging station is installed, unless charging is for daytime purposes only.
- D. Equipment Standards and Protection
 - 1. Battery charging station outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the surface where mounted. Equipment mounted on pedestals,

lighting posts, bollards, or other devices shall be designed and located as to not impede pedestrian travel or create trip hazards on sidewalks.

2. Adequate battery charging station protection, such as concrete-filled steel bollards, shall be used. Curbing may be used in lieu of bollards, if the battery charging station is setback a minimum of 24 inches from the face of the curb. All protection per applicable codes.

E. Usage Fees

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

F. Signage

1. Information shall be posted identifying voltage and amperage levels and any time of use, fees, or safety information related to the electric vehicle charging station.
2. Each electric vehicle charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. For purposes of this subsection, "charging" means that an electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station equipment.

G. Maintenance

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.

SECTION 3: ARTICLE 20, GENERAL PROVISIONS – Update Section 20.15 Fences

Add requirement to 20.15 (A) 9. The height of a fence is measured from the average natural grade as a distance of 5 feet from each side of the fence. Berms are not permitted for the purpose of achieving a taller fence.

SECTION 4: REPEAL.

All ordinances or parts of ordinances, in conflict with this Ordinance are hereby repealed.

SECTION 5: SEVERABILITY.

This Ordinance, and the various parts, sections, and clauses are hereby declared to be severable. If any part, sentence, section or clause is determined unconstitutional or invalid by a court of law, the remaining Ordinance will not be affected.

SECTION 6: EFFECTIVE DATE.

This Ordinance shall become effective eight (8) days after publication in a newspaper of general circulation in the Township of Erie, County of Monroe, State of Michigan, unless otherwise provided by law.

THE TOWNSHIP BOARD OF THE
TOWNSHIP OF ERIE, COUNTY OF
MONROE, STATE OF MICHIGAN:

By: Kimberly Cousino
Kimberly Cousino, Erie Township Clerk

AUTHENTICATED:

By: Michael Grodi
Michael Grodi, Erie Township Supervisor

I, Kim Cousino, do hereby certify that I am the duly elected and acting clerk of the Township of Erie, and I do hereby certify in this ordinance that this ordinance was adopted by the Township Board of the Township of Erie, Monroe County, Michigan, in the regular meeting of the Township Board held at the Erie Township Hall, Erie Township, Michigan, on the 8th day of October, 2024.

The vote on said Ordinance, 5 members being present as follows:

Member's Last Name

Voting in Favor:

C. Wisbon, P. Perry, M. Grodi, S. Mishka, K. Cousino


Voting Against:

Abstained:

Absent:


I, Kimberly Cousino, the Township Clerk of the Township of Erie, do hereby certify that this ordinance or a summary of it, was published on the 16th day of October, 2024 in a newspaper of general circulation in the Township of Erie, within eight (8) days after adoption of the Ordinance.

Dated: October 10, 2024



Kimberly Cousino,
Erie Township Clerk

ATTEST:



Michael Grodi,
Erie Township Supervisor

ADOPTED: October 8, 2024

PUBLISHED: October 16, 2024

EFFECTIVE: October 24, 2024