

CITY OF LUNA PIER
ORDINANCE NUMBER 211-ARTICLE 35

AN ORDINANCE TO AMEND THE ZONING ORDINANCE NUMBER 211 TO ADD ARTICLE 35-
ELECTRIC VEHICLE INFRASTRUCTURE

The City of Luna Pier ordains

SECTION 3500 INTENT AND PURPOSE

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 for such use.

SECTION 3501 DEFINITIONS – For the purposes of this Section, the following definitions will apply.

- A. **Accessible electronic 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 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 amperage, 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 supplying 120-volt AC current.
 - 2. Level-2 is considered medium charging supplying 208–240 volt AC current to the vehicle.
 - 3. Level-3 (DCFC) is considered fast or rapid charging supplying high voltage DC current to the vehicle.
- E. **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 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.
- F. **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.
- G. **Electric vehicle charging station – private restricted use** means an electric vehicle charging station that is (1) privately owned and publicly 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).
- H. **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).

- I. **Electric vehicle infrastructure** means conduit/wiring, structures, machinery, and equipment necessary to support an electric vehicle, and battery charging stations and rapid charging stations.
- J. **Electric vehicle parking space** means any marked public parking space that identifies the use to be exclusively for the parking of an electric vehicle while charging.
- K. **Non-electric vehicle** means any motor vehicle that does not meet the definition of electric vehicle.
- L. **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.

SECTION 3502 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 Automobile Service Stations.

SECTION 3503 READINESS RECOMMENDATIONS

- A. **Residential**: In order to proactively plan for and accommodate the anticipated future growth in market demand for electric vehicles, it is strongly encouraged, but not required, that all new one-family and multiple-family homes with garages be constructed to provide a 220-240-volt / 40-amp outlet on a dedicated circuit and in close proximity to designated vehicle parking to accommodate the potential future hardwire installation of a Level-2 electric vehicle charging station.
- B. **Non-Residential**: In order to proactively plan for and accommodate the anticipated future growth in market demand for electric vehicles, it is strongly encouraged, but not required, that all new and expanded non-residential development parking areas provide the electrical capacity necessary to accommodate the future hardwire installation of Level-2 electric vehicle charging stations. It is recommended that a typical parking lot have a minimum ratio of 2% percent of the total parking spaces be prepared for such stations.

SECTION 3504 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 Article 22.
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 any and all restrictions that apply to other motorized vehicles.

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. It is not necessary to designate the accessible electric vehicle charging station exclusively for the use of disabled persons.

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 so as not to 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.

E. Usage Fees

The property owner is not restricted from collecting a service fee for the use of a private electric vehicle charging station made available to visitors to 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 function 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 3505 EFFECTIVE DATE

This ordinance shall become effective twenty (20) days after final passage and publication.

I hereby certify that this ordinance was passed at a regular meeting of the City Council of the City of Luna Pier, Michigan held Thursday, the 10th day of April, 2025.

Charles Boyce, City Clerk

Published:

Effective Date: