

**CHARTER TOWNSHIP OF LYON  
ORDINANCE NO. 13-22**

**AN ORDINANCE TO AMEND CHAPTER 48, ZONING, ARTICLE 3.00, RULES OF CONSTRUCTION AND DEFINITIONS; ARTICLE 14.00, OFF-STREET PARKING AND LOADING REQUIREMENTS; ARTICLE 19.00, SITE DEVELOPMENT STANDARDS APPLICABLE TO SPECIFIC USES, SECTION 19.02E, SITE DEVELOPMENT STANDARDS FOR NON-RESIDENTIAL USES; ARTICLE 31.00, B-2 COMMUNITY, BUSINESS DISTRICT, SECTION 31.02, PERMITTED USES AND STRUCTURES; AND ARTICLE 41.00, NEW HUDSON ZONING DISTRICT, CHAPTER 2, PERMITTED USES, SECTION 41.203, COMMERCIAL, OFFICE AND RETAIL USES, TO PROVIDE REGULATIONS PERTAINING TO ELECTRIC VEHICLE CHARGING STATIONS.**

**CHARTER TOWNSHIP OF LYON ORDAINS:**

**Section 1 of Ordinance.    Amendment of Chapter 48**

Chapter 48, Zoning, Article 3.00, Rules of Construction and Definitions, is hereby amended to add the following definition:

Electric Vehicle (EV) Charging Station. A public or private parking space that is served by battery charging equipment that is used for the purpose of transferring electric energy to a battery in an electric vehicle.

**Section 2 of Ordinance.    Amendment of Chapter 48**

Chapter 48, Zoning, Article 3.00, Rules of Construction and Definitions, is hereby amended to amend the definition of Gas or Filling Station to read as follows:

Filling station: A place for retail sale and dispensing of fuel directly into internal combustion vehicles or approved containers or the retail sale and transfer of electrical energy from battery charging equipment to an electric vehicle (EV). Filling stations may also incorporate a convenience store operation.

**Section 3 of Ordinance.    Amendment of Chapter 48**

Chapter 48, Zoning, Article 14.00, Off-Street Parking and Loading Requirements, is hereby amended to add a new Section 14.01.E, to read as follows:

E.     Vehicle (EV) Charging Stations.

1.     Permitted Locations. When accessory to a permitted use, EV charging stations are permitted in all zoning districts. When constructed as a primary use, electric vehicle charging stations shall be permitted in Filling Stations or in a public right-of-way with permission from the governmental entity having jurisdiction for the right-of-way.

2. Parking standards. EV charging stations may be included in the calculation of minimum required parking spaces. Each station counts as one (1) parking space. EV charging stations shall be sized to meet the same minimum parking space size requirements as a traditional parking space.
3. Charging equipment and Signage. Charging equipment shall not impede safe and accessible routes for pedestrians or users of a site. Electronic message screens up to one (1) square foot in area are permitted and shall be installed facing away from any public right-of-way. Incidental signage on chargers shall comply with the standards of Article 16 of this ordinance.
4. Contact information shall be provided on the equipment for reporting service outages or other maintenance issues.
5. Emergency shutoff. Non-residential EV charging stations shall have a clearly visible and accessible power shutoff switch for use by emergency responders in the event of an electrical emergency. The location and method of securing the switch shall be approved by the Fire Department

#### **Section 4 of Ordinance. Amendment of Chapter 48**

Chapter 48, Zoning, Article 19.00, Site Development Standards Applicable to Specific Uses, Section 19.02E, Site Development Standards for Non-Residential Uses, is hereby amended to read as follows:

E. **Filling Station, Minor or Major Vehicle Repair.** The following regulations shall apply to filling station and minor or major vehicle repair facilities:

1. Minimum lot area. The minimum lot area required for such uses shall be 21,780 square feet.
2. Minimum lot width. The minimum lot width required for such uses shall be 120 feet.
3. Minimum setbacks. Such uses shall comply with the setback requirements for the districts in which they are located, except that a minimum setback of 40 feet shall be maintained on all sides which abut property that is zoned or used for residential purposes. Pump islands and canopies for filling stations shall comply with the following requirements:

	Minimum Setback from Planned Right-of-Way Line
Nearest Edge of Pump Island	30 ft.
Nearest Edge of Unenclosed Canopy	20 ft.

4.-8. [No changes]

## **Section 5 of Ordinance. Amendment of Chapter 48**

Chapter 48, Zoning, Article 31.00, B-2 Community, Business District, Section 31.02, Permitted Uses and Structures, is hereby amended to read as follows:

- B. Special land uses. The following uses may be permitted by the township board, subject to: the conditions specified for each use; review and approval of the site plan by the planning commission and the township board; any special conditions imposed by the planning commission or township board that are necessary to fulfill the purposes of this Ordinance; and, the provisions set forth in article 6.00.

1.-7. [No changes]

8. Filling stations, with or without convenience stores, subject to the requirements in section 19.02, subsection E.

9. Filling stations with minor vehicular repair, subject to section 19.02, subsection E.

10.-14. [No changes]

## **Section 6 of Ordinance. Amendment of Chapter 48**

Chapter 48, Zoning, Article 41.00, New Hudson Zoning District, Chapter 2, Permitted Uses, Section 41.203, Commercial, Office and Retail Uses, is hereby amended to read as follows:

SECTION 41.203 COMMERCIAL, OFFICE AND RETAIL USES				
Agricultural Sales and Services	—	<input type="checkbox"/>	—	
Arcades	■	■	—	
Art and Photography Gallery	■	■	<input type="checkbox"/>	
Brewpub	■	■	—	Subsection 19.02.MM
Commercial Kennels	—	—	—	
Drive-through Business	<input type="checkbox"/>	<input type="checkbox"/>	—	Subsection 19.02.K
Electric Data Processing	■	■	—	
Enclosed Theaters, Movie Theaters	■	■	—	3 or fewer screens permitted, more than 3 screens prohibited
Financial Institutions	■	■	—	
Funeral Homes or Mortuaries	<input type="checkbox"/>	■	—	Subsection 19.02.M
Filling Station	—	<input type="checkbox"/>	—	Subsection 19.02.E
General Office Buildings and Uses	■	■	—	
Home Occupations	<input type="checkbox"/>	<input type="checkbox"/>	■	
Hotel or Motel	■	■	—	Subsection 19.02.U
Landscaping Contractor Facility	—	<input type="checkbox"/>	—	Subsection 33.03.C
Laundry and Dry Cleaning	■	■	—	

Medical and Dental Clinics or Offices	■	■	□	Section 12.05
Microbreweries	—	—	—	
Open-Air Display and Sales (Home and Garden)	□	□	—	Subsection 19.02.X
Personal Fitness Center or Health Club	■	■	—	
Personal Service Establishments	■	■	—	
Private Kennels	—	—	—	
Restaurant:				
Carry-out	■	■	—	
Drive-in or drive-through	—	□	—	Subsection 19.02.K; Drive-in and drive-through restaurants shall be permitted only along Lyon Center Drive - East, between the Huron Valley Trail and Grand River Avenue.
Sit down	■	■	—	
Sidewalk cafe; or outdoor patio	■	■	—	
Retail Businesses (Commodities)	■	■	—	Must be less than 25,000 square feet if located in core sub-area
Retail (Comparison Goods)	■	■	—	Must be less than 25,000 square feet if located in core sub-area
Sales, Recreational Vehicles	—	□	—	Subsection 19.02.HH
Small Distillers	■	■	—	Section 19.02.OO
Small Wine Makers and Hard Cider Producers	■	■	—	Section 19.02.NN
Studio (dance, martial arts, art and photo, music, etc.)	■	■	—	
Vehicle Repair:				
Major	—	□	—	Subsection 19.02.E
Minor	—	□	—	Subsection 19.02.E
Veterinary Clinic, Small Animal Only	■	■	—	Subsection 19.02.FF, except that the use shall comply with the setback requirements in subsection 41.303.A, regardless of the

				adjoining uses
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**Section 7 of Ordinance. Repealer.**

This ordinance repeals any ordinances in conflict thereof.

**Section 8 of Ordinance. Severability.**

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decisions shall not affect the validity of the remaining portions of this ordinance. The Township Board of Trustees hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 9 of Ordinance. Savings Clause.**

Nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 10 of Ordinance. Publication and Effective Date.**

The Township Clerk is hereby ordered and directed to cause this ordinance or a summary of this ordinance to be published in the manner required by law. This ordinance shall be effective on the 8<sup>th</sup> day after publication, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

**Section 11 of Ordinance. Adoption.**

This ordinance was duly adopted by the Charter Township of Lyon Township Board at its regular meeting called and held on November 1, 2022 and was published in the manner required by law.

CHARTER TOWNSHIP OF LYON

**Michele Cash**

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MICHELE CASH, Township Clerk

Adoption Date: November 1, 2022

Publication Date: November 10, 2022

Effective Date: November 18, 2022