

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 080

By: Mayor Perciak and All Members of Council

**AN ORDINANCE ENACTING A NEW CHAPTER 1275 OF
TITLE SIX OF PART TWELVE OF THE PLANNING AND
ZONING CODE OF THE CITY'S CODIFIED ORDINANCES
CONCERNING ELECTRIC VEHICLE CHARGING STATIONS,
AND DECLARING AN EMERGENCY.**

WHEREAS, the number of all-electric vehicles, also referred to as battery electric vehicles, that are being driven on streets and highways has risen dramatically in the recent past; and

WHEREAS, the demand for and use of electric vehicle charging stations for said electrical vehicles has also increased; and

WHEREAS, the City of Strongsville now seeks to enact certain regulations concerning electric vehicle charging stations so as to promote the health, safety and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That new Chapter 1275 of Title Six of Part Twelve of the Codified Ordinances of the City of Strongsville relating to electric vehicle charging stations be and is hereby enacted to read in its entirety as follows:

**CHAPTER 1275
ELECTRIC VEHICLE CHARGING STATIONS**

- 1275.01 DEFINITION.**
1275.02 ACCESSORY USE PERMITTED.

1275.01 DEFINITION.

For the purposes of this Chapter, an Electric Vehicle Charging Station ("EVCS") shall mean public or private battery charging station equipment for the purpose of transferring electric energy (by conductive or inductive means) to a battery or other energy storage device utilized in an electric vehicle.

1275.02 ACCESSORY USE PERMITTED.

Electric Vehicle Charging Stations may be permitted as an accessory use in any zoning district in compliance with the following standards, conditions, and criteria:

(a) In residential districts, with the exception of RMF-1 districts, Electric Vehicle Charging stations may be permitted as an accessory use in compliance with the following standards, conditions, and criteria:

- (1) Proposed locations shall be identified on a site plan submitted with a building permit application for review and approval by the Building Commissioner. The location, size, and mounting height

details, also including but not limited to voltage/amperage, load calculation of existing electrical charge panels, and electrical diagrams of circuits for each proposed EVCS shall be included on the plans and submitted with the building permit application. Any landscaping to be utilized shall also be included on the site plan.

- (2) An electrical permit shall be required as part of the building permit application prior to installation. Each EVCS shall comply with the requirements of the National Electric Code and Fire Code adopted by the City, and all other applicable City Codes.
- (3) Each EVCS shall be located on the same lot or parcel as the principal use to which it is accessory and shall not impede vehicular or pedestrian circulation, block any fire lane, or impede any drainage.
- (4) An EVCS may be a Level 1 and/or Level 2 charger.
- (5) If a charging facility has more than one (1) port, each port shall count as a charging station. Charging cords shall be retractable or have facilities for hanging the unit and cords.
- (6) An EVCS shall only be permitted for the use of the occupants of the residential lot on which the EVCS is located and shall not be used or available to the general public or used for commercial purposes.
- (7) Each EVCS shall be either located in the garage or mounted on an exterior wall within three (3) feet of the overhead garage door of the home and as otherwise approved by the Building Commissioner.
- (8) The number of EVCS's for each residence shall not exceed four (4).

(b) In all other zoning districts not set out in Section (a), Electric Vehicle Charging Stations (EVCS) may be permitted as an accessory use in compliance with the following standards, conditions and criteria:

- (1) Proposed locations shall be identified on a site plan submitted with a building permit application for review and approval by the City. The location, size, and mounting height details for each proposed Electric Vehicle parking signs shall be included on the plans and submitted with the building permit application. The site plan shall include but not be limited to voltage/amperage, load calculation of existing electrical charge panels, and electrical diagrams of circuits for each proposed EVCS. Any landscaping or proposed covering over the EVCS to be utilized shall also be included on the site plan.
- (2) An electrical permit shall be required as part of building permit application prior to installation. Each EVCS shall comply with the requirements of the National Electric Code and Fire Code adopted by the City and all other applicable City Codes.
- (3) Each EVCS shall be located on the same lot or parcel as the principal use to which it is accessory and shall not impede vehicular or pedestrian circulation, block any fire lane, or impede any drainage.
- (4) An EVCS may be a Level 1, Level 2, Level 3, or Level 4 charger.

- (5) If a charging facility has more than one (1) port, each port shall count as a charging station. Charging cords shall be retractable or have facilities for hanging the unit and the cord.
- (6) An EVCS may be located in a parking lot or a parking garage. A parking space used for an EVCS may be counted toward the minimum number of Code required parking spaces. Each parking space designated for an EVCS shall be clearly marked as reserved for electric vehicles only.
- (7) The minimum parking space dimensions for an EVCS shall be ten (10) feet wide by twenty (20) feet long.
- (8) Charging station equipment shall not exceed eight (8) feet in height, shall be located a minimum of twenty-four (24) inches behind the face of the parking lot curb, or shall be appropriately protected by wheel stops and/or bollards as approved by the Building Commissioner.
- (9) Adequate security lighting shall be provided for use of the EVCS. All proposed lighting shall have full cut-off fixtures. Security lighting requires a minimum ten (10) foot candle power at ground levels.
- (10) Small directional signs not exceeding two (2) square feet in area may be permitted. Any branding or advertising located on the EVCS shall be limited to the manufacturer's information and not for advertising of the business or site on which the EVCS is located or any other business. A phone number or other contact information shall be provided on the equipment for reporting problems.
- (11) Landscaping shall be provided where appropriate as determined by the City.
- (12) All proposed locations for EVCS shall be reviewed and approved by the Building Commissioner and City Engineer. If there are more than four (4) EVCS's proposed for a site, the application shall also be reviewed and approved by the Planning Commission.
- (13) The City may limit the number of EVCS's on any parcel based on the following standards:
 - A. Type of main use.
 - B. Topography, availability and location of all utilities, and drainage concerns.
 - C. Aesthetics of the site.
 - D. Vehicular and pedestrian travel on the site.
 - E. Possible interference with required parking utilized on the site or location of any fire lanes or access for emergency vehicles.
 - F. Lighting concerns.
 - G. Any other concerns relating to the health, safety, and welfare of those users of the site and the surrounding community.
- (14) Charging facilities must be arranged, located and configured in a manner that does not create a public hazard or nuisance.

(c) If deemed appropriate, the City may approve deviations or modifications to these standards on City or government-owned properties if such deviations or modifications are not detrimental to the health, safety, and welfare of the community.

Section 3. That in case of conflict between any provision of this Ordinance and any other ordinance or resolution, or part thereof, the provisions of this Ordinance shall prevail and apply, unless a conflicting provision is deemed to be more restrictive.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. That this Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary in order to provide for safe regulation of electrical charging stations for vehicles. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

First reading: June 5, 2023
Second reading: June 20, 2023
Third reading: July 25, 2023
Public Hearing: July 25, 2023

Keel Akerl
acting President of Council
Date Passed: July 25, 2023

| | <u>Yea</u> | <u>Nay</u> |
|----------|---------------|------------|
| Carbone | <u>absent</u> | |
| Clark | <u>✓</u> | |
| DeMio | <u>✓</u> | |
| Kaminski | <u>✓</u> | |
| Kosek | <u>✓</u> | |
| Roff | <u>✓</u> | |
| Short | <u>✓</u> | |

Referred to Planning Commission

June 6, 2023
Favorable recommendation
Approved: by Planning Commission
June 8, 2023.

Approved: Keel Akerl
acting Mayor
Date Approved: July 25, 2023
Attest: Marah Beach
acting Clerk of Council

Ord. No. 2023-080 Amended: _____
1st Rdg. 06-05-23 Ref: PC/P26
2nd Rdg. 06-20-23 Ref: P26
3rd Rdg. 07-25-23 Ref: _____

Public Hrg. 07-25-23 Ref: _____
Adopted: 07-25-23 Defeated: _____

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission

FROM: Marialena Beach, Council Secretary

DATE: June 6, 2023

SUBJECT: Referral from Council: Ordinance Nos. 2023-076, 2023-078 and 2023-080.

At its regular meeting of June 5, 2023, City Council referred the following Ordinances to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2023-076 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES LOCATED IN THE CITY OF STRONGSVILLE, ON ROYALTON ROAD, BEING ALL OF PPNs 393-18-003, 393-18-004 AND 393-18-005, FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO PF (PUBLIC FACILITIES) CLASSIFICATION, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-078 by Mayor Perciak and All Members of Council. AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO A CROSS ACCESS EASEMENT FOR INGRESS, EGRESS, PARKING AND CERTAIN UTILITIES BETWEEN THE CITY OF STRONGSVILLE, OHIO AND THE STRONGSVILLE CHAMBER OF COMMERCE, LLC, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-080 by Mayor Perciak and All Members of Council. AN ORDINANCE ENACTING A NEW CHAPTER 1275 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CITY'S CODIFIED ORDINANCES CONCERNING ELECTRIC VEHICLE CHARGING STATIONS, AND DECLARING AN EMERGENCY.

A copy of these ordinances are attached for Planning Commission review.

MB
Attachments

MEMORANDUM

TO: Aimee Pientka, Council Clerk
Neal Jamison, Law Director

FROM: Mitzi Anderson, Administrator, Boards & Commissions

SUBJECT: Referrals to Council

DATE: June 9, 2023

Please be advised that at its meeting of June 8, 2023, the Strongsville Planning Commission gave Favorable Recommendation to the following;

ORDINANCE NO. 2023-076:

An Ordinance Amending the Zoning Map of the City of Strongsville adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville to Change the Zoning Classification of Certain Properties Located in the City of Strongsville, on Royalton Road, being all of PPNs 393-28-003, 393-18-004 and 393-18-005, from R1-75 (One Family 75) Classification to PF (Public Facilities) Classification, and Declaring an Emergency

ORDINANCE NO. 2023-078:

An Ordinance Approving and Authorizing the Mayor to Enter into a Cross Access Easement for Ingress, Egress, Parking and Certain Utilities Between the City of Strongsville, Ohio and the Strongsville Chamber of Commerce, LLC, and Declaring an Emergency

ORDINANCE NO. 2023-80:

An Ordinance Enacting a New Chapter 1275 of Title Six of Part Twelve of the Planning and Zoning Code of the City's Codified Ordinances concerning Electric Vehicle Charging Stations, and Declaring an Emergency