

ARTICLE 2.0 DEFINITIONS

Section 2.01 Purpose.

For the purpose of this Ordinance certain terms are defined within this Section.

Section 2.02 Rules of Construction.

The following rules of construction apply to the text of this Ordinance:

1. All words and phrases shall be construed and understood according to the common and approved usage of the language; except technical words and phrases which have acquired a particular and appropriate meaning in the law or within this Ordinance shall be construed and understood according to such particular and appropriate meaning and except words and phrases defined by this Ordinance.
2. The particular shall control the general.
3. Words used in the present tense shall include the future; words used in the singular number shall include the plural; and the plural shall include the singular, unless the context clearly indicates the contrary.
4. The word "shall" is always mandatory and not discretionary. The word "may" is permissive as determined by the requirements of this Ordinance.
5. All measurements shall be to the nearest integer, unless otherwise specified herein.
6. The phrase "used for" includes "arranged for," "designed for," "intended for," "occupied for," and "maintained for."
7. The word "build" includes the words "erect" and "construct." A "building" or "structure" includes any part thereof.
8. The word "dwelling" includes the word "residence," and the word "lot" includes the words "plot" or "parcel."
9. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any similar entity.
10. Whenever a word or term defined hereinafter appears in the text of this Ordinance, its meaning shall be construed as defined herein. Any term not defined herein shall have the meaning of common or standard use.
11. Unless the context clearly indicates the contrary, where a regulation involves two (2) or more items, conditions, provisions, or events connected by the conjunction "and," "or," "and/or," or "either/or," the conjunction shall be interpreted as follows:
 - a. "And" indicates that all the connected items, conditions, provisions, or events shall apply.

- b. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
 - c. "Either/or" indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.
 - d. "And/or" indicates that either the conjunctive or the disjunctive may apply, as appropriate in the circumstances.
12. Words or phrases in headings shall in no way by their presence or absence limit or affect the meaning of this Ordinance.
13. Where an illustration accompanies any item within this Ordinance, the written text shall have precedence over said illustrations.
14. In computing a period of days in connection with petitioner or applicant submissions, the first day is excluded and the last day is included. If the last day of any period is a Saturday, Sunday, or legal holiday, the period is extended to include the next day which is not a Saturday, Sunday, or legal holiday.

Section 2.03 Definitions.

Whenever used in this Ordinance, the following words and phrases shall have the meaning ascribed to them in this Section:

Access Drive or Driveway. A private way or improvement designed to provide a physical connection for vehicles from a public road to a developed site.

Access Management. A technique to improve traffic operations along a major roadway and decrease the potential for accidents through the control of driveway locations and design; consideration of the relationship of traffic activity for lots adjacent to, and across from, one another; and the promotion of alternatives to direct access.

Access, Reasonable. A property owner's legal right, incident to property ownership, to access a public road right-of-way. Reasonable access may be indirect and certain turning movements may be prohibited for improved safety and traffic operations.

Accessory Structure. See "**Structure**".

Accessory Dwelling. See "**Dwelling, Accessory**."

Accessory Use. See "**Use, Accessory**".

Adult Day Care Center. See "**Day Care Center**".

Adult Day Care Facility. A facility licensed by the State of Michigan, which provides daytime care for part of a day but less than 24 hours for functionally impaired adults through a structured program of social and rehabilitative or maintenance services in a supportive group setting other than the client's home.

Adult Foster Care Facility. An establishment that provides supervision, personal care, and protection for up to 24 hours a day, five (5) or more days a week, and for two (2) or more

Premises. A single zoning lot or multiple adjacent lots under common ownership occupied by a single principal use or integrated principal uses not separated by intervening roads, alleys or road rights-of-way.

Principal Dwelling. See "Dwelling, Principal Dwelling".

Principal Use. See "Use, Principal Use."

Private Community Wastewater System (PCWS). A facility for the transportation, collection, processing or treatment of sanitary sewage which is owned by a non-governmental entity and which is proposed to service more than one structure. The PCWS shall be deemed to include any individual septic tanks, pumps, lines and appurtenances serving each residence, in addition to the community drainfield and treatment system.

Property Line. See "Lot Line."

Pub. See "Bar."

Public Utility. See "Utility, Public."

PUD. See "Planned Unit Development"

Purchase of Development Rights (PDR). The acquisition of property development rights through voluntary sale by the landowner to a government agency or land trust. The government agency or land trust acquiring development rights typically restricts future uses of the land acquired to farming or open space.

Quarry. See "Extraction Operation."

Radio or Television Transmission Tower. See "Wireless Communication Facilities."

Recognizable and Substantial Benefit. A clear benefit to the ultimate users of the property in question and/or to the community, which would reasonably be expected to accrue, taking into consideration the reasonably foreseeable detriments of proposed uses. Such benefits may include long-term protection or preservation of natural resources and natural features, historical features, or architectural feature, or elimination of a nonconforming use or structure.

Recreation Area. Any public or privately owned outdoor space that is made available and maintained in a suitable condition for passive and active recreational activities, such as swimming, picnicking, hiking, nature study, hunting, boating, fishing, golfing or other recreational purposes.

Recreational Facility. A facility designed and equipped for the conduct of sports, amusement or leisure time activities and other customary recreational activities indoors or outdoors; including membership-only facilities and facilities operated as a business and open for use by the public for a fee. Examples include gymnasiums and fitness centers, bowling alleys, indoor soccer facilities, racquetball and tennis clubs, ice and roller skating rinks, curling centers, firearms ranges, tennis clubs, archery ranges, miniature golf courses, water slides, batting cages and machines, and skateboarding parks.

Recreational Vehicle. A vehicle or boat which is self-propelled or permanently towable by a motor vehicle; designed primarily for use as temporary living quarters, or for recreational,

camping, travel or seasonal use; and required by Michigan law to have a valid vehicle registration when traveling upon public roads. Recreational vehicles shall include, but are not limited to the following:

- a. **Boats and Boat Trailers.** Motorized or floatation equipment used for travelling on the water and the normal equipment used for transportation of the equipment to and from the water.
- b. **Horse Trailer.** A structure, mounted on wheels and designed primarily to be used for the transportation of horses.
- c. **Motor Home.** A self-propelled vehicle, built on a single chassis and designed primarily for use as temporary living quarters for recreational, camping, travel or seasonal use.
- d. **Pickup Camper.** A temporary living quarters designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for travel, recreational, and vacation uses.
- e. **Snowmobiles, Motorcycles or All-Terrain Vehicles (ATV).** Motorized vehicles designed primarily for recreational travel or off-road use.
- e.f. **Travel Trailer.** A temporary living quarters constructed to be towed on its own chassis, and designed primarily for recreational, camping, travel or seasonal use.
- f.g. **Utility Trailer.** A vehicle used to transport boats, motorcycles, snowmobiles, go-carts, and similar devices and equipment.

Recreational Vehicle Park. See **Campground**.

Recycling Collection Facility. A location or operation for the collection and temporary storage of recyclable material intended for transportation to a processing center, or for reclamation, repair, and re-use.

Registered Design Professional. An architect or engineer or other professional registered or licensed with the State of Michigan and who provides design services.

Repair and Maintenance, Normal. Any work to prevent or correct deterioration or decay of or damage to a structure or site improvement, which is intended to restore the structure or site improvement to its original condition, as nearly as feasible. Normal repair and maintenance does not include a change in design, material or outward appearance, but does include in-kind replacement or repair.

Residential Uses. These uses primarily involve housing of various types and densities, and associated uses typically found in a residential neighborhood.

Restaurant. Any establishment whose principal business is the sale of food and beverages to the customer in a ready-to-consume state, and whose method of operation is characteristic of a carry-out, drive-in, drive-through, fast food, sit-down or food truck restaurant, as defined below. Any restaurant which combines elements of the following types of restaurants shall be subject to the regulations of the most restrictive restaurant type employed:

Special Event. An occurrence or noteworthy happening of seasonal, civic, or church importance, which is organized and sponsored by a private, public, or non-profit community group, organization, club, or society, and which offers a distinctive service to the community, such as public entertainment, community education, civic celebration, or cultural or community enrichment and which is open to the public. Special events typically run for a short period of time [less than two (2) weeks] and are unlike the customary or usual activities generally associated with the property where the special event is to be located.

Special Use. See "Use, Special Use."

Sport Shooting Range. An indoor or outdoor area or facility designed and operated for the use of archery, rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting. This term does not include casual recreational shooting by a property owner or resident lessee on the owner or lessee's lot in a manner incidental and secondary to the principal agricultural or residential use of the lot.

Sportsman's Club. A facility owned by an organization or group of individuals, established with the goal of organized or casual target shooting. Recreational shooting by private property owners and their guests on their privately owned property are not included.

Stacking Space. A space set aside for the sole purpose of allowing motorists in vehicles to queue up in a temporary line for access to a drive-through establishment, or to exit from a parking lot on to a public road.

Steep Slope. A rise of twelve percent (12%) or more having a vertical change in elevation of eight (8) or more feet and a length of thirty (30) feet or more, as measured parallel to the contour lines.

Story. That part of a building, except a basement or mezzanine, included between the upper surface of any floor and the upper surface of the floor or roof next above it (see "Basic Structural Terms" illustration at end of Section). A basement shall be deemed a story when the vertical distance from the average grade to the floor is less than the vertical distance from the average grade to the ceiling.

Street. See "Road."

Street Line. The physical side boundary of a street, as defined by the Washtenaw County Road Commission.

Structure. Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground, including, but not limited to, buildings, mobile homes, swimming pools, radio towers, sheds, signs and storage bins, but excluding sidewalks and paving on roads, driveways, parking areas and patios.

a. **Accessory Structure.** A freestanding structure or portion of a principal building that is subordinate to and on the same premises as the principal building(s), the use of which is incidental to, customarily associated with, and subordinate to that of the principal building and use. Accessory structures shall include, but are not limited to decks, porches, detached garages, car ports, vehicle shelters, and pole barns sheds, small greenhouses, and swimming pools.

a. **Permanent Structure.** A structure placed on the land for the foreseeable future that is

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anchored to a permanent foundation, that is roofed and walled.

c. **Temporary Structure.** A structure authorized by this Ordinance to exist during periods of construction, special events, and other limited time periods. Temporary structures shall be used for non-residential or residential purposes as defined;

1. **Temporary Non-Residential Structure.** A structure for which the intended use is by a contractor or builder in conjunction with a construction projection or for shelter or other use in conjunction with a special event,

b.2. **Temporary Residential Structure.** A structure or recreational vehicle, specifically a motor home or tiny house, without a permanent foundation and used as a temporary dwelling unit during the construction of a permitted principal residential dwelling unit, placed on the same parcel as the dwelling unit under construction.

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Subdivision Plat. The division of a tract of land into two (2) or more lots, building sites, or other divisions for the purpose of sale or building development, in accordance with the Land Division Act P.A. 288 of 1967, as amended (MCL 560.101 et seq.), and the Lodi Township Subdivision Ordinance, as amended.

Swimming Pool. Any structure or container located above or below grade designed to hold water to a depth of greater than two (2) feet and intended for swimming or spa purposes. A swimming pool is an accessory structure for purposes of this Ordinance.

Tavern. See "Bar".

Temporary Dwelling. See "Dwelling, Temporary Dwelling."

~~**Temporary Structure.** A structure authorized by this Ordinance to be placed on a zoning lot for a limited period of time.~~

~~**Temporary Structure for Construction Purposes.** A structure or trailer authorized by this Ordinance to be placed on a zoning lot for a limited period of time for use during a developer's normal business hours to store construction materials, to serve as a construction project management office, or as a sales office or model for the development.~~

Therapeutic Massage. See **Massage Therapist; Therapeutic Massage.**

Threatened or Endangered Species Habitat. A geographical area occupied by a species, which may be threatened or in danger of extinction, that contains physical or biological features essential to the conservation of the species which may require special management considerations or protection.

Tiny House. A type of portable manufactured shelter, between 240 and 500 square feet floor area, built on wheels and designed primarily for use as living quarters.

Townhouse. See "Dwelling, Townhouse."

Township. Lodi Township, Washtenaw County, Michigan.

a. **Township Board.** The elected Board of Trustees for Lodi Township, Washtenaw County, Michigan.

Township Engineer. The person, persons or firm designated by the Township to advise the Township on drainage, grading, paving, storm water management and control utilities, and other related site engineering and civil engineering issues. The Township Engineer may be a consultant or

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employee of the Township, or the responsibilities of this position may be divided between more than one (1) person or firm.

Township Planner. The person, persons or firm designated by the Township to provide staff support to the Township Board, Planning Commission or Zoning Board of Appeals; or advise the Township on community planning, zoning, land use, housing, and other related planning and development issues. The Township Planner may be a consultant or an employee of the Township, or the responsibilities of this position may be divided between more than one (1) person or firm.

Section 41.31 Temporary Structures.

Temporary structures shall be subject to the following:

A. General Standards for Temporary Structures.

The following standards shall apply to all temporary structures:

1. Placement of any temporary structure shall be in conformance to Article 30.0 (Dimensional Standards) for the zoning district in which located.
2. A temporary structure may be used as either a non-residential or residential use, as defined in Article 2.0 (Definitions).
- ~~1-3.~~ Temporary structures are not authorized by this Ordinance to be used as a permanent structure.
- ~~2-4.~~ No portion of the temporary structure or its operation shall be located within a public or private road right-of-way.
5. Non-residential temporary structures shall be removed immediately upon completion of the construction project or special event.
6. Temporary residential structures shall be connected to well and septic for the duration of the occupancy of the temporary structure.
- ~~Approval of any temporary structures for construction purposes, and any other temporary structure~~ with a timeline for installation and removal of less than 365 calendar days, shall be subject to Zoning Compliance Permit approval per Section 57.04 (Issuance of Zoning Compliance Permits). A refundable performance guarantee shall be required by the Zoning Administrator to ensure removal of the structure at the end of the approved timeline.
7. Approval of any ~~other~~ temporary structure with a timeline for installation and removal of 365 calendar days or longer shall be subject to the site plan review ~~requirements approval~~ of Article 44.0 (Site Plan Review). The Township may authorize a single extension of the time limit for a further period of not more than six (6) months. Such extension shall only be granted based on evidence from the applicant that construction has commenced and is making substantial progress, as determined by the Township.

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B. Additional Standards for **Non-Residential** Temporary Structures for Construction Purposes.

~~Non-residential t~~Temporary structures for construction purposes shall only be allowed on the same site as the building or facility that is being constructed, subject to the following:

1. The non-residential temporary structure shall only be used for the purposes of construction of the principal building on the site which the temporary structure is accessory as a temporary use. The temporary structure shall not be used for living quarters.

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2. The non-residential temporary structure shall not be placed on the site more than one (1) week prior to beginning of construction of the principal building on the site. Removal of the temporary structure shall take place within one (1) week after completion of the principal building.

Section 41.32 Therapeutic Massage.

All massage therapy clinics and massage therapists working in the Township shall be licensed where such licenses are available, and shall be certified members of the American Massage and Therapy Association, International Myomassethics Federation or equivalent certifying organization accepted by the Township. Proof of such licenses or certifications shall be provided to the Township. All activities that meet the definition of a controlled use or sexually oriented business are prohibited.