

**LODI TOWNSHIP
ORDINANCE NO. 2022-003**

AN ORDINANCE ADOPTED PURSUANT TO PUBLIC ACT 110 OF 2006 AS AMENDED (MCL 125.3101 *et seq.*), TO SECURE THE PUBLIC SAFETY, HEALTH, AND WELFARE OF THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF LODI, WASHTENAW COUNTY, MICHIGAN, BY AMENDING THE LODI TOWNSHIP ZONING ORDINANCE BY UPDATING SECTION 2.03 “DEFINITIONS,” SECTION 20.04 “TABLE OF USES BY DISTRICT” AND SECTION 41.08 “CONCRETE AND ASPHALT CRUSHING OPERATIONS.”

LODI TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, ORDAINS:

Section 1: Amendments, additions, and deletions to the Lodi Township Zoning Ordinance.

That the Lodi Township Zoning Ordinance Article 2.0, “Definitions”, Section 2.03, “Definitions”, is hereby amended to read as follows:

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.

[...]

Cocktail Lounge. See “**Bar**” and “**Controlled Uses**”

Commercial Shooting Range. See “**Sport Shooting Range.**”

Commercial Uses. These are uses of a generally for-profit nature, and may include retail sales, food service, entertainment, repair services and similar associated uses.

Commercial Vehicle. Any motor vehicle or trailer whose characteristics include one or more of the following characteristics described below:

- a. Used for the transportation of passengers for hire; or
- b. Constructed or used for the transportation of goods, wares, or merchandise for hire or sale; or
- c. Designed and used for carrying, towing, or pulling other vehicles; or
- d. Capable of attaching to and propelling semi-trailers and similar units, and which is not customarily operated without an attached trailer; or
- e. A semi-trailer unit customarily attached to and propelled by a truck tractor vehicle, but

- which can be detached to stand alone, including trailers with flat beds, stake beds, roll-off beds, tanker bodies, dump bodies and full or partial box-type enclosures; or
- f. A cab and chassis with a stake, rack, dump body, wrecker body, tanker body or any other body, the mounted height of which exceeds the height of the cab roof by more than eight (8) inches; or
 - g. Construction equipment such as backhoes, power shovels, bulldozers, earth moving equipment, and similar vehicles; or
 - h. Any vehicle that has or requires commercial license plates.

Common Land. A parcel or parcels of land with the improvements thereon, the use, maintenance and enjoyment of which are intended to be shared by the owners or occupants of individual building units in a subdivision or a planned unit development.

Composting. A controlled process of degrading compostable organic material by microorganisms.

- a. **Compostable Material.** Compostable or organic matter and material shall include typical yard wastes and clippings, limited to leaves, grass clippings, vegetable, garden, or agricultural plantings debris, shrubbery or brush, weeds, tree trimmings less than four (4) feet in length and two (2) inches in diameter, that can be converted to compost humus. This term does not include stumps, roots, animal waste, sewage sludge, or garbage.
- b. **Composting Methods.** Composting may be achieved by several methods:
 - (1) **Mechanical.** A method in which the compost is continuously and mechanically mixed and aerated;
 - (2) **Ventilated cell.** Compost is mixed and aerated by being dropped through a vertical series of ventilated cells; and,
 - (3) **Windrow.** An open-air method in which compostable material is placed in windrows, piles, or ventilated bins or pits and occasionally turned or mixed. The process may be anaerobic or aerobic.
- c. **Composting Facility.** Those structures and spaces necessary for the commercial composting of organic materials and/or conversion of sewage or sludge into usable or saleable products. This term shall not apply to private composting of common household materials generated by Residential Uses or Agricultural Uses on an individual parcel.
- d. **Sheet Composting.** The composting of material that is spread in a thin layer over a large surface area on the ground in a sheet-like manner.

Concrete and Asphalt Crushing Operation. A facility dedicated to the crushing, washing, screening, and similar processing of concrete and asphalt. The operation includes crusher(s) and associated equipment for the purpose of crushing and processing concrete and asphalt and like materials processed with the same equipment.

Conditional Use. See “Use, Special Use.”

Condominium. A system of separate ownership of individual condominium units according to the State Condominium Act which may contain residential, commercial, office, industrial, or other structures and/or uses permitted within this Ordinance in which each co-owner owns exclusive rights to a defined unit of space, meeting the requirements of this Ordinance, within which a structure or structures may be constructed, as described in the master deed.

- a. **Common Elements.** The portion of the condominium project other than the individual units.
- b. **Condominium Act.** Act 59 of the Michigan Public Acts of 1978, as amended.
- c. **Condominium Conversion.** A condominium project containing condominium units that were occupied before the establishment of the condominium project.
- d. **Condominium Project.** A development consisting of condominium units.
- e. **Condominium Lot.** A single parcel of land containing one (1) or more condominium units.
- f. **Condominium Master Deed.** The condominium document recording the condominium project as approved by the Township, including attached exhibits, and incorporated by reference the approved bylaws for the project and the approved condominium subdivision plan.
- g. **Condominium Subdivision Plan.** Drawings and information which show the size, location, area, and boundaries of each condominium unit, building locations, the nature, location, and approximate size of common elements, and other information required by Section 66 of the Condominium Act.
- h. **Condominium Unit.** The portion of the condominium project designed and intended for separate ownership as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, recreational, or any other type of use.

[...]

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 Concrete or Asphalt Batch Plant. A temporary facility dedicated to the production of concrete or asphalt during construction of a private or public project, to be removed when the project is complete.

Temporary Dwelling. See “Dwelling, Temporary Dwelling.”

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, typically 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 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.

Tree Farm. The use of land to grow live trees that are heeled in, not balled and bagged, and are intended to be transplanted or sold for use in agriculture, forestry or landscaping, but not including sales on the premises or storage of tree-moving, earth-moving, or related equipment outside of enclosed structures. See also “**Farming and Active Agriculture Uses**” and “**Nursery.**”

Tree Removal. Any activity that results in removing (including by transplanting) or destroying:

- a. Any tree in a woodland;
- b. Any individual deciduous trees of six (6) inch D.B.H. or larger; or
- c. Any individual evergreen trees six (6) feet in height or higher that are not located in a woodland.

Two-Family (Duplex) Dwellings. See “Dwelling, Duplex Dwelling or Two-Family Dwelling.”

Undeveloped State. A natural state preserving natural resources, natural features, or scenic or wooded conditions; agricultural land use; open space; or a similar use or condition. Land in an undeveloped state does not include a golf course or other exclusively commercial recreational uses, lot area within setbacks for each specific lot or land area dedicated as limited commons, but may include a recreational trail, picnic area, children's play area, greenway, or linear park.

Unlicensed or Inoperable Vehicle. See “**Vehicle, Unlicensed or Inoperable.**”

Use. The purpose for which land or premises or a building thereon, is designed, arranged or intended or for which it is occupied maintained, let or leased.

- a. **Accessory Use.** An activity that is clearly incidental to, customarily found in connection with, subordinate to, and is located on the same zoning lot as the principal use or special use to which it is exclusively related.
- b. **Permitted Use.** An activity permitted in each zoning district by right, subject to the requirements and standards of this Ordinance, and which may also be subject to site plan review approval.
- c. **Principal Use.** The main or primary use of the land or structures subject to the requirements and standards of this Ordinance.
- d. **Seasonal Use.** A temporary use permitted and regulated pursuant to this Ordinance for a limited period of time conducted every year at the same time of year, such as, but not limited to, the sale of Easter flowers or Christmas trees.
- e. **Special Use.** An activity that may be detrimental to other land uses permitted within the same district, but that may be permitted subject to certain conditions or limitations designed to insure that the use is compatible with other permitted uses in the district.
- f. **Temporary Use.** A use permitted and regulated pursuant to this Ordinance for periods of time that are limited in duration as specified by this Ordinance.

[...]

That the Lodi Township Zoning Ordinance Article 20.0 “Land Use Table”, Section 20.04 “Table of Uses by District”, is hereby amended to read as follows:

Section 20.04 Table of Uses by District.

The following Land Use Table is a summary, which lists all uses that are allowed within each zoning district within the Zoning Ordinance and the use standards that are applicable for that use. Land uses that are substantially similar to a use allowed within each zoning district shall also be allowed:

USES	Rural			Residential			Business		Other			USE STANDARDS
	RC	A-1	NR	R-1	R-3	MHP	O	C-1	LCD	PSP	I-1	
Accessory Structure	A	A	A	A	A	A	A	A	A	A	A	Section 55.17
Adult Foster Care Family Home (6 or less individuals)	A	A		P	P							
Adult Foster Care Large Group Home (up to 20 individuals)					S							Section 40.07
Adult Foster Care Small Group Home (12 or less individuals)		P		P	P							
Agricultural Service Establishments		S						P				Section 40.02
Aircraft Landing Strip, Private		S										Section 41.03
Amusement Center, Indoor								S	S			Section 41.04
Amusement Center, Outdoor								S				Section 41.04
Antique Sales or Repair								P	P			
Apparel Sales, Shoe Stores, Jewelry Stores, and Similar								P	P			
Assembly or Repair of Electrical and Electronic Components, Instruments, Appliances, and Equipment; and Articles of a Similar Nature											P	
Automotive Research and Development Facilities											P	
Bank, Credit Union or Similar Financial Institution							P	P	P			
Barber Shop, Beauty Salon or Nail Care								P	P			
Bed and Breakfast Inn		S		S	S				S			Section 40.03
Boarding Stable and/or Riding Arena	S	S										Section 40.04
Business and Technical Training Facilities							P	P	P		P	

Effective Date: September 28, 2022

**Article 20.0
Land Use Table**

Campgrounds and Recreational Vehicle Parks	S										S		Section 41.24
Car Wash, Vehicle Detailing Shop, or Truck Wash								S			S		Section 41.05

Effective Date: **September 28, 2022**

**Article 20.0
Land Use Table**

USES	Rural			Residential			Business		Other			USE STANDARDS
	RC	A-1	NR	R-1	R-3	MHP	O	C-1	LCD	PSP	I-1	
Caretaker Living Quarters	S	S			S	A		S			S	Section 40.05
Cemetery										P		Section 41.06
Child Day Care Home, Family (6 or less individuals)	A	A		P	P				A			
Child Day Care Home, Group (12 or less individuals)		S		S	S				S			Section 40.07
Commercial Uses similar, but not otherwise listed in this table								S				
Composting Facility		S								S		Section 41.07
Concrete and Asphalt Crushing Operations											S	Section 41.08
Conservation Area	P	S		S	S	S	S	S	S	S	S	Section 40.06
Contractor's Establishments or Equipment Storage											S	Section 41.23
Controlled Uses								P				Section 41.10
Copying, Mailing, Packaging, and Similar Business Services							P	P	P			
Crematorium											S	Section 41.15
Day Care Center, Child or Adult		S		S	S	S	S	S	S	S	S	Section 40.07
Dealership for Motor Vehicles, Recreational Vehicles or Construction Equipment											S	Section 41.22
Drive-In Establishment or Drive-Through Facility for a Restaurant or Food Service Establishment								S				Section 41.11
Drive-Through Facility for a Financial Institution							S	S				Section 41.11
Drive-Through Facility for a Pharmacy, Drugstore or Other Retail Sales								S				Section 41.11
Extraction Operations			P									Section 41.12
Fabrication or Assembly of Motor or Recreational Vehicles or Parts, Manufactured/Modular Housing, and Similar Products											S	Section 41.15
Farm Implement Sales or Repair Services		S									P	Section 40.02
Farm Labor Housing		S										Section 40.12
Farm Market		S						P		S		Section 40.10
Farm Products Direct Marketing Business		P										
Farm-Based Tourism/Entertainment Activities		S										Section 40.10

USES	Rural			Residential			Business		Other			USE STANDARDS
	RC	A-1	NR	R-1	R-3	MHP	O	C-1	LCD	PSP	I-1	
Farming Operations		P										Section 40.11
Feed or Flour Mills, Smoking, Curing or Packing Plants, and Similar Food and Farm Product Processing Uses											S	Section 41.15
Fire or Police									P	P		
Foster Family Group Home (6 or less individuals)		S		S	S							
Foster Family Home (4 or less individuals)		P		P	P				A			
Funeral Parlor or Mortuary								S				Section 41.13
Garden Center or Garden Supply Store		S						S				Section 41.22
Gift Shop								P	P			
Golf Courses	S	S								S		Section 41.24
Golf Driving Range	S	S										Section 41.24
Government Offices							P		P	P		
Greenhouse, Commercial		S										Section 40.22
Greenhouse, Residential	A	A	A	A	A							Section 55.17
Grocery or Convenience Store, Specialty Market, Bakery, Delicatessen, and Similar Food Stores								P	P		A	Section 41.02
Hardware Store								P	P			Section 41.22
Health Club or Fitness Center							A	P	P	A	A	Section 41.02
Home Occupation, General	S	S		S	S				S			Section 40.13
Home Occupation, Limited	A	A		A	A	A			A			Section 40.13
Hospital or Urgent Care Center									S	S	S	
Industrial and Research Uses not otherwise listed in this table											S	Section 41.15
Institutional Uses (Religious, Institutions, Schools, etc. – See Definition)										P		Section 41.14
Instructional Studios for Dance, Martial Arts, Theater, Music, and Similar Activities							S	P	P	P		
Junkyard											S	Section 41.16

USES	Rural			Residential			Business		Other			USE STANDARDS
	RC	A-1	NR	R-1	R-3	MHP	O	C-1	LCD	PSP	I-1	
Keeping of Farm Animals and Livestock, Non-Farm		A										Section 40.14
Kennel		S										Section 40.15
Laboratories for Environmental and Life Sciences, Materials Research, Instrumentation, and Similar Applications											S	
Landscape Businesses		S									S	Section 40.16
Laundromat, or Dry Cleaners-pick-up/drop-off only							A	P	P		A	Section 41.02
Machine, Welding, and Sheet Metal Shops; Stone Finishing and Carving; and Similar Uses											S	
Manufactured Housing Park						P						Section 40.20
Manufactured Housing Sales Lot						S						Section 41.22
Manufacturing, Processing, or Treatment of Food Products, Pharmaceuticals, Cosmetics, and Similar Items											S	
Medical, Osteopathic, Chiropractic, Optical or Dental Office, Clinic or Laboratory; Massage Therapist or Physical Therapist							P	P	P	P	A	Section 41.02
Motion Picture Cinema								S	S			Section 41.17
Motor Vehicle Charging Station	S	S					S	S	S	S	S	
Motor Vehicle Fueling Station											S	Section 41.20
Motor Vehicle Service Center											S	Section 41.20
Multiple-Family Housing and Townhouses					P				P			Section 40.21
Nursery		P										Section 40.22
Offices for Professional, Service, Clerical, Corporate or Administrative Uses							P	P	P	P	A	Section 41.02
Off-Street Parking Lots	A	A	A	A	A	A	A	A	A	A	A	Article 51.0
Open Air Business or Outdoor Sales Area not otherwise listed in this table											S	Section 41.22
Outdoor Eating Area for a Restaurant or Food Service Establishment								A	A			Section 41.21
Outdoor Dismantling or Recycling of Motor or Recreational Vehicles, Farming or Construction Machinery, Manufactured Houses, or Similar Items											S	Section 41.16

USES	Rural			Residential			Business		Other			USE STANDARDS
	RC	A-1	NR	R-1	R-3	MHP	O	C-1	LCD	PSP	I-1	
Outdoor Storage of Motor or Recreational Vehicles, Construction or Farming Machinery, Manufactured Houses or Similar Items											S	Section 41.23
Outdoor Storage, General											S	Section 41.23
Packaging of Previously Prepared Materials											P	
Pharmacies, Drugstores and Medical Supply Stores							S	P	P	A	A	Section 41.02
Printing, Lithography, Bookbinding, and Similar Uses											P	
Prototype Engineering and Production, and Pilot Manufacturing and Machining											P	
Public Utilities and Essential Services										P		
Public Works or Road Maintenance Yards										P	S	Section 41.23
Recreational Facilities	S									S		Section 41.24
Recycling Collection Facility										P	S	
Repair Shop Including Minor Repair of Home Appliances, Electronic Devices, and Yard Equipment								S				
Research, Development, Testing, and Engineering Facilities											P	
Restaurants and Food Service Establishments, Including Carry-Out, Drive-in, Drive-through, Fast Food, Sit-down, and Food Truck Restaurants							S	P	P	A	A	Sections 41.02, 41.11, and 41.21
Retail Stores similar, but not otherwise listed in this table								S	S			
Roadside Stand		A						A	A			Section 40.30
Secondhand Stores								P	P			Section 41.25
Self-Storage Warehouses											S	Section 41.26
Senior Housing - Assisted Living Facilities					S							Section 40.21
Senior Housing – Dependent, Nursing or Convalescent Care					S							Section 40.21
Senior Housing - Independent					P							Section 40.21
Showroom for Display or Sales of Products Created On-Site							A	A	A		A	Section 41.02
Single-Family Dwellings	S	P		P	P	P			P			Section 40.31

USES	Rural			Residential			Business		Other			USE STANDARDS
	RC	A-1	NR	R-1	R-3	MHP	O	C-1	LCD	PSP	I-1	
Sport Shooting Range	S	S										Section 40.32
State-Licensed and Other Managed Residential Facilities not otherwise listed in this table					S							Section 40.21
Studios for Filmmaking and Video Production							S	S			P	
Tavern, Bar, Pub, Brewpub or similar establishment serving alcoholic beverages and/or providing entertainment							S	S	S			Section 41.27
Temporary Concrete or Asphalt Batch Plants										P	P	Section 41.30
Temporary Structures	A	A	A	A	A	A	A	A	A	A	A	Section 41.31
Therapeutic Massage	S	S		S			S	S	S			Section 41.32
Towers, Radio and Television		S										Section 54.12
Two-Family (Duplex) Dwellings		S		S	P							Section 40.31
Utility Transmission and Distribution Lines within a New Easement	S	S	S	S	S	S	S	S	S	S	S	Section 41.33
Utility Transmission and Distribution Lines within an Existing Easement	P	P	P	P	P	P	P	P	P	P	P	Section 41.33
Veterinary Clinic or Animal Hospital		S					S	S				Section 40.40
Volatile Biofuel Production Facility with an Annual Production Capacity of up to 100,000 Gallons of Biofuel		P										Section 40.41
Volatile Biofuel Production Facility with an Annual Production Capacity Greater than 100,000 Gallons of Biofuel		S										Section 40.41
Warehouse, Ice and Cold Storage Plant, and Non-Farm Bulk Indoor Storage											S	
Wind Energy Conversion Systems	S	S	S	S			S	S	S	S	S	Section 54.19
Wireless Communication Facility, Including Towers	See Section 54.12 (Wireless Communication Facilities)											
Workshop Studios for Crafts, Photography, Art, Woodworking, or Decorative Metalworking (no welding, plating or industrial activities), Small Appliance Repair, Tailoring, Dressmaking, Millinery, Shoe Repair, and Similar Activities							P	P	P			
Youth Agricultural Project	A	A		A								Section 40.14

That the Lodi Township Zoning Ordinance article 41.0, “Use Standards – Other Uses,” Section 41.08, “Concrete and Asphalt Crushing Operations,” is hereby amended to read as follows:

Section 41.08 Concrete and Asphalt Crushing Operations.

Concrete and asphalt crushing operations, as defined in Article 2.0 Definitions, shall be subject to the following standards. Concrete and asphalt crushing operations shall not be governed by Section F.1. of Township Ordinance No. 2021-003.

1. **Permit required.** No concrete and asphalt crushing operations shall occur except under the terms of an approved concrete and asphalt crushing operation special use permit. The applicant shall be subject to special use permit review by the Township every two (2) years.
2. **Lot Size.** The site shall be a minimum of eight (8) acres in size.
3. **Access.** The site shall have frontage on a non-residential collector street of sufficient load carrying capacity and be accessed from that street. The access and street shall be so located and designed as to avoid the routing of vehicles from the property over streets that primarily serve abutting residential developments.
4. **Setbacks to adjacent uses and zones.** Concrete and asphalt crushing operations, including equipment, buildings, and other operations shall be set back a minimum of:
 - a. Three hundred (300) feet from any Township or adjacent municipality’s residential dwelling or dwelling unit, residential zoning district, or proposed residential dwelling or dwelling unit that has been approved prior to the approval date of the concrete and asphalt crushing special use permit;
 - b. Three hundred (300) feet from any institutional use;
 - c. Three hundred (300) feet from any Township or adjacent municipality’s non-residentially developed or zoned parcel or adjoining property line; and
 - d. Three hundred (300) feet from any public or private road right-of-way line.

Storage of materials and equipment associated with concrete and asphalt crushing operations shall be set back a minimum of one hundred fifty (150) feet from any public or private road right-of-way line and the nearest property line.

5. **Fencing.** A minimum six-foot high chain link type fence shall be constructed along all property lines by the operator to enclose the operation and prevent unauthorized access to the site. Fencing shall be complete with self-locking gates, which gates shall be kept locked when operations are not being carried on. Gate keys must be kept in a secure location accessible only by authorized persons.
6. **Outside Storage.** Outside storage of materials other than those associated with concrete and asphalt crushing used in the manufacturing process shall be prohibited. The location and size of concrete and asphalt storage areas, as well as temporary storage of any processed materials awaiting transport, shall be shown on the site plan. At no time shall stockpiles exceed the maximum structure height requirement of the zoning district in which it is located.

7. **Screening.** Berming and Screening are required to be installed and must be in compliance with Section 55.09(D)(4) and (5). Berming in compliance with Section 55.09(D)(4) and evergreen screen in compliance with Section 55.09(D)(5) are required to be installed.
8. **Performance Standards.** The applicant shall provide a written description of how the proposed operation meets the provisions of Section 55.02, Performance Standards.
9. **Environmental Impact Statement.** An Environmental Impact Statement addressing "Michigan Environmental Compliance for Nonmetallic Mineral Crushing Facilities" shall be provided to the Township. Written intent for compliance with the following requirements shall be included as part of the statement:
 - a. **Hours of Operation.** Hours of operation shall be limited to between 7:00 a.m. and 5:00 p.m., Monday through Friday, and between 7:00 a.m. and 1:00 p.m. on Saturday. Crushing operations shall not be permitted on Sundays and on legal holidays.
 - b. **Air Pollution and Dust Control.** To meet Michigan Air Pollution Control Rules and achieve air pollution compliance, an environmental impact statement shall be provided to the Township. To following dust and air pollution mitigation strategies shall be required:
 - (1) Installation of a truck wheel wash system/facility to eliminate soil tracking;
 - (2) Installation of water sprays at transfer points to eliminate dust conditions;
 - (3) Paving of access roads with asphalt or concrete to minimize dust conditions; and
 - (4) A fugitive dust control management plan to comply with the dust opacity limits (established by the United States Environmental Protection Agency (US EPA)).
 - c. **Noise.** The maximum noise level at the perimeter of the site shall be within the limit set by the Michigan Department of Environment Great Lakes and Energy (EGLE) and US EPA. In no case shall the noise level exceed 50 decibels (dBa) measured at 3,600 feet from the noise making equipment. Noise levels at specific setbacks shall not exceed the following:
 - (1) Centralized crushers:
 - a) Eighty-eight dBa at 100 feet; and
 - b) Fifty dBa at 2,000 feet.
 - (2) Pit face crushers:
 - a) Eighty-three dBa at 100 feet; and
 - b) Fifty dBa at 1,000 feet.
 - (3) Front end loaders:
 - a) Eighty-one dBa at 100 feet; and
 - b) Fifty dBa at 1,000 feet.
 - (4) All other machinery:
 - a) Eighty dBa at 100 feet; and
 - b) Fifty dBa at 1,000 feet.

The site plan submittal shall include modeled sound isolines extending from sound sources to demonstrate compliance with these standards. In the event of a complaint about noise levels, the applicant shall monitor and report noise levels of the operation to the Township. Readings shall be performed by an expert third party, at the applicant's expense, and shall include a comparison of noise levels at time of testing with ambient conditions.

- 41.09** **Reserved.**

It is hereby recognized by the Township Board that controlled uses, as defined in this Ordinance, have serious and inherent objectionable operational characteristics, particularly when several such uses are concentrated under certain circumstances. The Board acknowledges the specific consequences that adult uses and sexually oriented businesses have caused for the other communities in Washtenaw County and Southeastern Michigan, including lost business

opportunities, increased costs for police services in the neighborhood of such uses, and significant financial costs associated with mitigation and removal of such blighting influences.

Section 2: Repeal and Savings Clause.

All ordinances and amendments thereto that are in conflict with this Ordinance are hereby repealed. However, the Lodi Township Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 3: Severability.

If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 4: Effective Date.

The ordinance changes shall take effect seven days after the publication of the notice of adoption unless petition procedures are initiated under MCL 125.3402. If petition procedures are initiated, the ordinance shall take effect in accordance with MCL 125.3402.

Jan Godek, Township Supervisor

Christina Smith, Township Clerk

Clerk's Certification

I, Christina Smith, Clerk for Lodi Township, Washtenaw County, Michigan, hereby certify that the foregoing is a true and correct copy of Ordinance No. 2022-003 of Lodi Township, adopted by resolution at a meeting of the Township Board of Trustees held on Tuesday, September 6, 2022, and the whole thereof now in my custody.

Christina Smith, Township Clerk

A copy of the complete ordinance text may be inspected or purchased at the Lodi Township Hall, 3755 Pleasant Lake Road, Ann Arbor, Michigan 48103. The office hours are 9:00 a.m.

until noon Monday through Thursday.

Adopted: 9/6/2022

Published: 9/14/2022

Effective: 9/28/2022, subject to PA 110 of 2006 as amended.