

**LODI TOWNSHIP
ORDINANCE NO. 2023-002**

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 56.02 “SCOPE AND GENERAL PROHIBITION [NONCONFORMITIES]” AND SECTION 56.07 “NONCONFORMING USES.”

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.

[...]

Nonconformities:

- a. **Cease.** To terminate or discontinue a use of land or structures for a period of time or in a manner that, under the provisions of this Ordinance, would prevent the use from being resumed, or to terminate or discontinue a use of land or structures for any period of time with the intent to permanently abandon any rights to continue the use.
- b. **Nonconforming Lot.** A platted or unplatted parcel of land lawfully existing at the effective date of this Ordinance or amendments thereto that does not now conform to Ordinance provisions for the district in which it is located.
- c. **Nonconforming Sign.** See “Sign, Nonconforming Sign.”
- d. **Nonconforming Single-Family Detached Dwelling.** A building designed exclusively for residential occupancy by not more than one (1) family lawfully existing at the effective date of this Ordinance or amendments thereto that does not now conform to Ordinance provisions for the district in which it is located.
- e. **Nonconforming Site.** A parcel of land that was lawfully developed or improved with structures and other site improvements prior to the effective date of provisions of this Ordinance or amendments thereto for site design, landscaping, pedestrian access,

exterior lighting, paving and other site elements; and the site does not now conform to those provisions.

- f. **Nonconforming Structure.** A structure or portion thereof lawfully existing at the effective date of this Ordinance or amendments thereto that does not now conform to Ordinance provisions for the district in which it is located.
- g. **Nonconforming Use.** A use that lawfully occupied a parcel of land or structure and land in combination at the effective date of this Ordinance or amendments thereto that does not now conform to the use regulations of the district in which it is located, and has not been expanded since it became nonconforming, but is otherwise in compliance with all other applicable federal, state, county and Township laws, ordinances, and regulations. A nonconforming use may include a use that requires a special use permit under current use regulations, where under previous use regulations a special use permit was not required. Substitution of a nonconforming use for another nonconforming use on the same site shall be subject to Section 56.07.D (Substitution).
- h. **Unlawful Site.** A parcel of land or portion thereof that was developed or improved with structures and other site improvements, which is not a conforming or nonconforming site.
- i. **Unlawful Structure.** A structure or portion thereof, which is not a conforming or nonconforming structure.
- j. **Unlawful Use.** A use that occupies one or more contiguous parcels of land or structures and land in combination, which is not a conforming or nonconforming use.

Nuisance. Any offensive, annoying, or disturbing emission, practice, or object, which prevents the free use or comfortable enjoyment of one's property, or which renders its ordinary use or physical occupation uncomfortable. Nuisance commonly involves continuous or recurrent acts that give offense to the senses, violate the laws of decency, obstruct reasonable and comfortable use of property, or endanger life and health.

Nursery. Land or greenhouses used to grow plants intended to be transplanted for use in agriculture, forestry, or landscaping; or a space or structure where live trees, shrubs, or other plants used for gardening and landscaping are propagated, stored, or otherwise prepared for off-site installation.

- a. The definition of nursery does not include ongoing regular maintenance of established landscape improvements, or storage or use of snow-removal equipment to remove snow from parking lots, driveways, streets, or sidewalks at off-site locations. See also "**Landscape Business.**"

Nursing Home. A place of residence for people who require constant nursing care and have significant deficiencies with activities of daily living, which is licensed under applicable state laws.

Obscene Material. As defined in the State of Michigan Public Act 343 of 1984; any "material" [as defined in MCL752.362(4), as amended] found to be "obscene" [as defined in

MCL752.362(5), as amended].

Occupancy. The purpose for which a building or part thereof is used or intended to be used.

Occupancy Load. The maximum capacity of a building or part thereof, expressed in the number of individuals normally permitted to occupy the building or part thereof.

Off-Street Loading. See “Loading Facility, Off-Street.”

Off-Street Parking. Designated parking areas that are not on a public or private roadway or road right-of-way, which provide parking spaces along with adequate drives and aisles for maneuvering so as to provide access for ingress and egress for the parking.

Open Air Business. Any business that is conducted primarily out-of-doors.

Open Space. A specifically designated area, that can be public or private, that is to remain in a protected state.

[...]

That the Lodi Township Zoning Ordinance Article 56.0, “Nonconformities,” Section 56.02, “Scope and General Prohibition,” and Section 56.07 “Nonconforming Uses,” is hereby amended to read as follows:

Section 56.01 Purpose.

The regulations of this Ordinance are designed to protect the public health, safety, and general welfare by regulating the future use of land through appropriate groupings of compatible and related uses. Certain existing structures, lots, sites, and uses were lawful before this Ordinance was adopted or amended, but have become nonconformities under the terms of this Ordinance and its amendments. It is the intent of this Ordinance to permit such nonconformities to remain until they are discontinued or removed, but not to encourage their survival. Where discontinuance or removal is not feasible, it is the intent of this Article to provide for the gradual conversion of such nonconformities to conforming status.

The regulations of this Article are intended to permit such nonconformities to continue without specific limitation of time, while restricting extensive further investments that may make them more permanent. This Article is further established to:

1. Regulate the use and development of nonconforming lots, the completion, alteration and reconstruction of nonconforming structures, the redevelopment and improvement of nonconforming sites, and the maintenance of nonconforming uses.
2. Specify the limited conditions and circumstances under which nonconformities shall be permitted to continue.
3. Establish standards for determining whether a use is nonconforming, and

whether a nonconforming use has ceased to occupy a particular structure or parcel of land.

Section 56.02 Scope and General Prohibition.

Nonconformities are declared by this Ordinance to be incompatible with the structures and uses permitted in the various zoning districts. Except as otherwise provided in this Article, any nonconforming lot, use, site or structure lawfully existing on the effective date of this Ordinance or subsequent amendment thereto may be continued so long as it remains otherwise lawful. All nonconformities shall be encouraged to convert to conformity wherever possible, and shall be required to convert to conforming status as required by this Article. Nonconformities shall not be used as grounds for adding structures and uses prohibited elsewhere in the same district.

A. Classification of Nonconformities.

Nonconformities shall be classified in one of the following categories:

1. Nonconforming single-family dwellings (Section 56.05);
2. Nonconforming lots (Section 56.06);
3. Nonconforming uses (Section 56.07);
4. Nonconforming structures (Section 56.08);
5. Nonconforming sites (Section 56.09); and
6. Nonconforming signs (Section 56.10).

B. Establishment of Nonconformities.

To be considered a nonconformity under this Ordinance, the lot, use, site or structure must have been in compliance with the zoning requirements which were lawful when it was established, enlarged, expanded or extended, but must be, except for the provisions of this Article, prohibited, regulated, or restricted by the enactment of this Ordinance or subsequent amendments thereto. Nonconformities shall be established by one (1) of the following methods:

1. The nonconformity must have been a legal nonconformity under the former zoning ordinance and continue to be designated as nonconforming under the provisions of this Ordinance or subsequent amendments thereto;
2. The nonconformity must have been a legal conformity under the former zoning ordinance and made nonconforming by the provisions of this Ordinance or subsequent amendments thereto; or
3. The nonconformity must have been created by a lawful public taking or by order of the court.

Lots, structures or uses that do not meet one of the above criteria and are prohibited by or violate provisions of this Ordinance are unlawful, shall not be permitted to continue, and shall not be entitled to any of the relief provided in this Article.

Section 56.03 Nonconforming Use Determinations.

This Section is intended to provide reasonable standards for determining whether a use is nonconforming, and whether a nonconforming use has ceased to occupy the land or structure in question:

A. Standards for Determining that a Use is Nonconforming.

The Zoning Administrator shall be responsible for determining whether a use is conforming, nonconforming or unlawful in the zoning district where it is located, in accordance with the standards of this subsection. The Zoning Administrator shall determine that a use is nonconforming upon finding that the following three (3) statements are true:

1. The use does not conform to the purpose and use regulations of the district where it is located.
2. The use is in compliance with all other applicable federal, state, and local laws, ordinances, regulations, and codes.
3. Evidence from the following sources demonstrates by a preponderance of the evidence that the use was lawfully established, enlarged, expanded or extended (if enlarged, expanded or extended) prior to the effective date of the adoption or amendment of this Ordinance:
 - a. Local, county or state government files or records, including but not limited to permits, inspection reports, dated photographs, foreclosure records or notarized statements of government officials, agents, representatives or employees.
 - b. Dated telephone directories, or similar dated records that provide information about the occupants or uses located on a street by address or lot number.
 - c. Utility records, including but not limited to providers of water, sewer, electric, natural gas or telecommunications service.
 - d. Dated advertising or other information published in a newspaper or magazine including but not limited to advertisements, articles, features or photographs that address the use of the land in question.
 - e. Dated aerial photos from the State of Michigan, Washtenaw County or other sources accepted by the Zoning Board of Appeals.
 - f. Other relevant information, including but not limited to date-stamped photographs, diary or log entries, affidavits or notarized statements.

B. Standards for Determining that a Nonconforming Use has Ceased.

The Zoning Administrator shall be responsible for determining that a nonconforming use has ceased to occupy the land or structure in question, based upon finding that the following two (2) statements are true:

1. The nonconforming use has been terminated or discontinued for a period of more than 365 calendar days; or has been superseded by a principal use that was lawfully established in accordance with the applicable requirements and approval procedures of this Ordinance, and has occupied the land or structure in question for a period of more than 180 calendar days.
2. Evidence from the following sources demonstrates by a preponderance of the evidence that the nonconforming use has been abandoned:
 - a. Local, county or state government files or records, including but not limited to permits, inspection reports, dated photographs, foreclosure records or notarized statements of government officials, agents, representatives or employees.
 - b. Dated telephone directories, or similar dated records that provide information about the occupants or uses located on a street by address or lot number, including but not limited to entries that show the address associated with the use as vacant or occupied by another use, or show the telephone number associated with the use as disconnected or in use at another location.
 - c. Utility records, including, but not limited to providers of water, sewer, electric, natural gas or telecommunications service, including but not limited to records indicating that the address of the use is vacant or occupied by another use, the utility service associated with the use has been disconnected or the business, organization or individual associated with the use has moved to another location.
 - d. Dated advertising or other information published in a newspaper or magazine, including but not limited to advertisements, articles, features or photographs that address the use of the land in question.
 - e. Dated aerial photos from State of Michigan, Washtenaw County or other sources as accepted by the Zoning Board of Appeals.
 - f. Other relevant information, including but not limited to date-stamped photographs, diary or log entries, affidavits or notarized statements.

C. Appeal of Nonconforming Use Determinations.

Determinations by the Zoning Administrator under this Section shall be made in writing, and shall be sent by mail or personal delivery to the owner(s) of the land or structure in question. Such determinations shall be subject to appeal to the Zoning Board of Appeals per Section 59.07 (Administrative Appeals).

Section 56.04 Unlawful Uses.

Any use that is not a conforming use in the district where it is located, or determined to be a nonconforming use, shall be considered an unlawful use in violation of this Ordinance.

Section 56.05 Nonconforming Single-Family Dwellings.

It is the intent of this Section to regulate the alteration and reconstruction of nonconforming single-family dwellings and nonconforming customary accessory structures consistent with the intent and purposes of this Article and Ordinance, and in a manner that avoids unnecessary hardship for homeowners seeking mortgage financing or homeowner's insurance coverage for a nonconforming single-family dwelling. Accordingly, the provisions of Section 56.08 (Nonconforming Structures) shall not apply to such nonconforming dwellings and accessory structures as regulated under this Section.

Nonconforming single-family dwellings and nonconforming customary accessory structures may be used, repaired, expanded, altered, or replaced if destroyed, subject to the following:

A. Dwelling as a Nonconforming Use.

A nonconforming single-family dwelling and nonconforming customary accessory structures located in a non-residential zoning district may be repaired, altered, or replaced if destroyed, provided that:

1. Such work shall conform to all applicable standards of this Ordinance as if the property and use were located in the R-1 (Single-Family Residential) zoning district.
2. The use, dwelling, and accessory structures shall be maintained in conformance with all other applicable federal, state, and local laws, ordinances, regulations and rules.

B. Dwelling as a Nonconforming Structure.

Where a single-family dwelling or customary accessory structure is nonconforming with respect to the requirements of Article 30.0 (Dimensional Standards) or Section 40.208 (Single-Family and Two-Family Dwellings), the following standards shall apply:

1. Structural alterations to a nonconforming single-family dwelling or customary accessory structure that decrease or do not affect the degree of nonconformity shall be permitted. Such structures may be expanded, provided that:
 - a. The addition shall conform to the dimensional standards and other requirements of the zoning district in which it is located.
 - b. The expanded structure shall not exceed the ground floor coverage and

floor area ratio limits of the district in which it is located.

2. A nonconforming single-family dwelling and customary accessory structures may be repaired, reconstructed or replaced if damaged or destroyed, provided that:
 - a. All repairs and maintenance shall conform to the State Construction Code and all other applicable code requirements.
 - b. A damaged structure shall be adequately secured, and shall be protected against further damage from the elements.
 - c. Any replacement structure shall conform to the dimensional standards of the zoning district where it is located, except where, in the determination of the Zoning Administrator, existing site conditions would prevent reasonable conformance. In such cases, the dwelling or customary accessory structure may be reconstructed on the existing location.
 - d. Application for a building permit shall be made within 365 calendar days of the date of such damage, and all work shall be completed within the building permit approval period. Where pending insurance claims require an extension of time, the Zoning Administrator may grant one (1) extension of up to 365 calendar days, provided that the property owner submits a certification from the insurance company attesting to the delay.
 - e. A nonconforming structure moved within a lot or to another lot shall thereafter conform to the regulations of the district in which it is located.
 - f. If the structure became physically unsafe or unlawful due to a lack of repairs or unsecured exposure to the elements, or is declared to be unsafe or unlawful by reason of physical condition under the State Construction Code or applicable fire or property maintenance codes, it shall not thereafter be restored, repaired or rebuilt except in conformity with all Ordinance requirements.

Section 56.06 Nonconforming Lots.

Existing lots of record that are not in compliance with the dimensional requirements of this Ordinance shall only be used, developed, or improved in accordance with the following:

A. Use of a Single Nonconforming Lot.

A principal building or single-family dwelling and customary accessory structure(s) may be erected on a single, nonconforming lot, provided that the lot is not in continuous frontage with other lots in the same ownership and is in accordance with other requirements applying in the zoning district.

This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and all requirements other than those applying to area, or width, or both, of the lot shall conform to the regulations for the district in which such lot is located.

B. Combination of Nonconforming Lots.

If two (2) or more lots or combinations of lots and portions of lots are in single ownership as of the date of this Ordinance or at any time thereafter and are in continuous frontage, and if all or part of the lots do not meet the requirements established under this Ordinance for lot width and area, the lands involved shall be combined and considered a single, undivided parcel for purposes of this Ordinance.

1. No portion of the resulting parcel shall be used, sold, or divided in such a manner as to diminish compliance with lot width and area requirements established by this Ordinance.
2. Where possible, nonconforming lots shall be combined to create lots that comply with the requirements of this Ordinance.

C. Division of Nonconforming Lots.

A lot of record shall not be divided in a manner that would increase its nonconformity, cause an existing structure or site improvement to become nonconforming, or create one or more nonconforming lots.

Section 56.07 Nonconforming Uses.

Single-family dwellings that are a nonconforming use in the zoning district shall be subject to the standards of Section 56.05 (Nonconforming Single-Family Dwellings). All other nonconforming uses shall be allowed to continue after the effective date of this Ordinance or amendments thereto, subject to the following:

A. Compliance with Other Applicable Standards.

Nonconforming uses shall be maintained in compliance with all other applicable federal, state, and local laws, ordinances, regulations and codes.

B. Alteration.

Nonconforming uses shall not be enlarged, increased in intensity, extended to occupy a greater area of land or floor area, or moved in whole or in part to any other portion of the lot or structure; other than that occupied at the time the nonconforming status was established.

1. No such land occupied by a nonconforming use shall be subdivided nor any structure added, except for purposes and in a manner conforming to zoning district regulations. Subdivision that does not increase the degree of

nonconformity shall be permitted.

2. Substitution of a nonconforming use for another nonconforming use on the same site shall be subject to Section 56.07D (Substitution).

C. Nonconforming Use Determinations.

See Section 56.03 (Nonconforming Use Determinations).

D. Substitution.

If no structural alterations are made, any nonconforming use of a structure, or structure and premises, may be changed to another nonconforming use, subject to Planning Commission approval in accordance with the following:

1. **Filing of application.** Application for approval of a nonconforming use substitution shall be made by filing a complete and accurate application form, required information, and required review fee and escrow deposit with the Township Clerk. The Clerk shall transmit a copy of the application materials to the Township Planner, other designated Township officials and consultants, and the Planning Commission.
2. **Eligibility.** The application shall be submitted by the operator of the use and the owner of an interest in the land or structure(s) for which nonconforming use substitution approval is sought.
3. **Information required.** An application for approval of a nonconforming use substitution shall contain the following information:
 - a. The applicant's name, address, and telephone number.
 - b. The names, addresses, and telephone numbers of all record owners and proof of ownership.
 - c. The applicant's interest in the property, and if the applicant is not the fee simple owner, the signed authorization of the owner(s) for the application.
 - d. Legal description, address, and tax parcel number of the property.
 - e. A scaled and accurate survey drawing, correlated with the legal description and showing all existing structures, drives, and other improvements.
 - f. A detailed description of the existing use and proposed substitution. The Planning Commission may require documentation that the existing use is legally nonconforming per the standards of Section 56.03 (Nonconforming Use Determinations).
 - g. Where required by the Planning Commission or by Section 44.02 (Site Plan Approval Required), detailed site plans shall be submitted for review per Article 44.0 (Site Plan Review).
4. **Completeness and Technical Review.** Prior to Planning Commission consideration, the application materials shall be distributed to the Township

Planner and other designated Township officials and consultants for review and comment.

5. **Planning Commission review and public hearing.** Upon receipt of a complete and accurate application for approval of a nonconforming use substitution from the Clerk, the Planning Commission shall undertake a study of the application. A public hearing shall be held on the application. Notice shall be given in accordance with Section 57.10 (Public Hearing Procedures).
6. **Criteria for approval.** Subsequent to the public hearing, the Planning Commission shall review the application against the standards and findings required herein and the information provided at the public hearing. The Planning Commission may recommend to the Township Board approval of a nonconforming use substitution upon finding that the following criteria are met:
 - a. **Use standards.** The existing use and proposed substitution conform to the following:
 - The nonconformity does not significantly depress the value of nearby properties.
 - The use does not adversely impact the public health, safety, and welfare.
 - The use does not adversely impact the purpose of the district where it is located.
 - No useful purpose would be served by the strict application of Ordinance requirements that apply to the nonconformity.
 - The proposed nonconforming use is equal or more appropriate than the existing nonconforming use in the zoning district in which it is located.
 - b. **Signage.** The Planning Commission may require that signage associated with the use be brought into compliance with Article 53.0 (Sign Regulations).
 - c. **Site improvements.** If the site is nonconforming with respect to the applicable site design standards of this Ordinance, the proposed expansion and associated site improvements shall also conform to the requirements of Section 56.09 (Nonconforming Sites).
 - d. **Other conditions.** The Commission may attach conditions of approval to assure that the use does not become contrary to the purposes of this Article or Ordinance, or the public health, safety, or welfare.

Section 56.08 Nonconforming Structures.

Single-family dwellings that are a nonconforming structure shall be subject to the standards of Section 56.05 (Nonconforming Single-Family Dwellings). Signs that are a nonconforming structure shall be subject to the standards of Section 53.08 (Nonconforming Signs). All other nonconforming structures shall be allowed to continue after the effective date of this Ordinance

or amendments thereto, subject to the following conditions:

A. Alterations.

Structural changes and alterations to a nonconforming structure that decrease or do not affect the degree of nonconformity shall be permitted. Alterations to a nonconforming structure that would increase or intensify a nonconformity are prohibited. The limitations set forth in Section 56.08.E. (Damaged or Unsafe Structures) shall also apply.

B. Relocation.

A nonconforming structure that is moved within a site or to another site shall thereafter conform to the regulations of the district in which it is located.

C. Normal Repairs and Maintenance.

Normal repair, maintenance or replacement of interior non-bearing walls, fixtures, wiring, plumbing, heating, or cooling systems in nonconforming structures may be permitted in accordance with applicable code requirements. Such improvements shall not result in any enlargement of a nonconforming structure; including any increase in floor area, volume, number of dwelling units, dimensions, height, or number of stories. If a nonconforming structure becomes physically unsafe or unlawful due to a lack of repairs and maintenance, or is declared to be unsafe or unlawful by reason of physical condition under the State Construction Code or applicable property maintenance codes, repairs and maintenance pursuant to this subsection shall be prohibited and shall not thereafter be restored, repaired, or rebuilt except pursuant to Section 56.08.E (Damaged or Unsafe Structures).

D. Buildings under Construction.

Nothing in this Article shall require a change in the plans, construction or designated use of any structure for which construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance, provided that such work shall be completed within 365 calendar days of the effective date.

E. Damaged or Unsafe Structures.

A nonconforming structure or a portion thereof, if destroyed or damaged by any means, may be reconstructed if it complies with the following:

1. The expense of such reconstruction shall not exceed the state equalized value of the property.
2. The nonconforming structure shall not have become physically unsafe or unlawful due to a lack of repairs or unsecured exposure to the elements, and shall not have been declared to be unsafe or unlawful by reason of physical condition under the State Construction Code or applicable fire or property maintenance codes.
3. Application for a building permit for such reconstruction shall be made within 365 calendar days of the date of such damage, and all work shall be completed

within the building permit approval period.

4. The lot and damaged structure shall be adequately secured from unauthorized access to the Zoning Administrator's satisfaction. The damaged structure shall be protected against further damage from the elements.
5. Where pending insurance claims require an extension of time, the Zoning Administrator may grant one (1) extension of up to 365 calendar days, provided that the property owner submits a certification from the insurance company attesting to the delay.

Section 56.09 Nonconforming Sites.

The purpose of this Section is to encourage improvements to existing sites in the Township that were developed before the site design standards of this Ordinance were established or amended. This Section establishes standards for prioritizing improvements to existing sites that are intended to gradually bring the site into compliance with current Ordinance standards.

A. Site Plan Approval Required.

Verification of compliance with the conditions established in this Section for improvements or modifications of nonconforming sites shall be subject to site plan approval per Article 44.0 (Site Plan Review).

B. Conditions for Improving or Modifying a Nonconforming Site.

Nonconforming sites may be improved or modified without a complete upgrade of all site elements, subject to the following conditions:

1. A nonconforming site shall not be improved or modified in a manner that increases its nonconformity.
2. The proposed improvements to the site and any buildings on the site shall address public health, safety, and welfare by resolving public safety deficiencies and pedestrian/vehicle conflicts, and improving emergency access.
3. The proposed improvements to the site and any buildings on the site shall include at least three (3) of the following, in accordance with applicable Ordinance standards and as accepted by the Planning Commission:
 - a. Preservation of natural resources or historical site features.
 - b. Pedestrian access improvements.
 - c. Vehicular access and circulation improvements.
 - d. Building design or exterior facade improvements.
 - e. Off-street parking or loading improvements.
 - f. Landscaping improvements.
 - g. Screening and buffering improvements.
 - h. Exterior lighting improvements.

- i. Drainage and stormwater management improvements.
 - j. Clean up or restoration of a blighted site, removal of contaminated soil, or similar environmental improvements.
4. The scope of any additional site improvements requested by the Planning Commission shall be in reasonable proportion to the scale and construction cost of proposed building improvements, expansions, or other improvements.
5. A reasonable timeline for completion of site improvements to an existing nonconforming site may be approved as part of any plan approval. Failure to complete improvements in accordance with an approved timeline shall be deemed a violation of this Ordinance

Section 56.10 Nonconforming Signs.

All existing signs that are nonconforming with the provisions of this Ordinance shall be subject to the provisions of Section 53.08 (Nonconforming Signs).

Section 56.11 Change of Tenancy or Ownership.

There may be a change of tenancy, ownership, or management of any existing nonconformity, provided there is no change in the nature or character of such nonconformity except in accordance with this Article.

Section 56.12 Cessation of Nonconformities by Township Action.

The elimination of nonconforming structures and uses shall be considered to be for a public purpose and for a public use. The Township may acquire private property by purchase, condemnation, or other means for the removal of nonconforming uses. The cost of acquiring the private property may be paid from general funds or assessed to a special district, as provided in the Michigan Zoning Enabling Zoning Act. The Township Board may institute proceedings for condemnation of nonconforming uses and structures under the power of eminent domain in accordance with applicable Michigan statutes.

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. 2023-002 of Lodi Township, adopted by resolution at a meeting of the Township Board of Trustees held on Tuesday, April 4, 2023, 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: 4.4.2023

Published: 4.12.2023

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