

**LODI TOWNSHIP  
ORDINANCE NO. 2023-004**

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 40.31 “SINGLE-FAMILY AND TWO-FAMILY DWELLINGS,” AND SECTION 55.17 “ACCESSORY STRUCTURES.”

**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:

**Section 2.03 Definitions.**

[...]

**Bulk.** The size and setback of a building or structure and the location of same with respect to another building or structure or to a lot line and includes the following:

- a. The size and height of a building or structure;
- b. The location of the exterior wall of a building in relation to a lot line, street or other building;
- c. The floor area of a building in relation to the area of the lot on which it is located;
- d. The open spaces allocated to and surrounding a building; and
- e. The amount of lot area per dwelling unit.

**Cabaret.** See “Bar” and “Controlled Uses.”

**Caliper-inch.** The measurement of the diameter of a tree trunk measured in inches at four and one-half (4 1/2) feet above the existing ground level on the uphill side of the tree. The caliper of a multiple-trunk tree is determined by the full caliper of the largest trunk plus half the caliper of the other trunks measured four and one-half (4 1/2) feet above the ground. See “Diameter Breast Height”.

**Campground.** A designated area typically consisting of open spaces where a camper can pitch a tent, park a camping trailer or vehicles commonly referred to as RV’s (Recreational Vehicles). A user fee may or may not be charged.

**Caretaker Living Quarters.** An accessory dwelling that is a subsidiary use to the principal use of the site as authorized by provisions of Section 40.05 (Caretaker Living Quarters), and which is designed to serve as the dwelling for an on-site caretaker, security, or manager responsible for watching over the site of the principal use. See “Dwelling, Accessory

**Dwelling”.**

**Car Wash.** A commercial establishment contained within a building or premises or portion thereof where the exterior or interior of automobiles, trucks or other motor vehicles or recreational vehicles are automatically or manually cleaned.

**Carport.** A partially open accessory structure and shelter for housing of vehicles.

**Cease.** See “**Nonconformities, Cease.**”

**Cemetery.** Land used for columbaria and mausoleums or the burial of the dead.

**Certificate of Zoning Compliance.** See “**Zoning Compliance Permit.**”

**Church, Temple, Place of Worship or Religious Institution.** A type of institutional use or site used for the regular assembly of persons for the conducting of religious services and for related accessory uses, including offices and living quarters for church ministry and other members of the religious order who carry out their duties primarily on the site, religious education classes, day care and limited recreation facilities. Rescue missions, tent revivals and other temporary assemblies are not included in this definition.

**Civic Club.** A type of institutional use or organization of persons for special purposes or for the promulgation of sports, arts, sciences, literature, politics or the like, but not operated for profit.

**Clinic, Medical.** An establishment where human patients who are not lodged overnight are admitted for examination and treatment by one or more physicians, dentists, or similar

[...]

**Drive-Through Facilities.** Facilities or spaces for the purpose of serving patrons from a window or booth while in their motor vehicles, rather than within a structure.

**Driveways.** An access connecting structures or parking spaces for motor vehicles with a road or alley, and permitting ingress/egress of a motor vehicle.

a. **Shared driveway.** One (1) driveway access from the road right-of-way used in common to provide vehicular access to two (2) or more lots or parcels in the Township.

**Dwelling or Dwelling Unit.** A building or dedicated space within a building providing complete, independent living facilities for one (1) family, including permanent living, sleeping, cooking, eating, and sanitation facilities.

a. **Apartment.** A dwelling unit with a suite of rooms or a room in a multiple-family building or commercial building arranged and intended as a place of residence for one (1) family or a group of individuals living together as a single housekeeping unit.

(1) **Efficiency Apartment.** A dwelling with a bathroom and principal kitchen facilities designed as a self-contained unit for living, cooking, and sleeping purposes, and having no separate designated bedroom.

- b. **Accessory Dwelling.** A dwelling for one (1) family accessory to a principal use in the district, with separate and individual sleeping, kitchen, bath and toilet facilities, and a separate and distinct private entrance. Accessory dwellings are not permitted, other than caretaker living quarters and farm labor housing where specifically authorized by this Ordinance. See: **Caretaker Living Quarters** and **Farming and Active Agricultural Uses, Farm Labor Housing.**
- c. **Attached Dwelling.** A dwelling attached to one (1) or more dwellings by common major structural elements.
- d. **Detached Dwelling.** A dwelling that is not attached to any other dwelling by any means.
- e. **Duplex Dwelling or Two-Family Dwelling.** A building designed exclusively for residential occupancy by two (2) families, where dwellings are divided by party walls in the horizontal plane or floor-ceiling assemblies in the vertical plane.
- f. **Manufactured Home.** A building or portion of a building designed as a dwelling for long-term residential use and characterized by all of the following:
  - (1) The structure is produced in a factory in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401-5426), as amended.
  - (2) The structure is designed to be transported to the site in a nearly complete form, where it is placed on a foundation and connected to utilities.
  - (3) The structure is designed to be used as either an independent building or as a module to be combined with other elements to form a complete building on the site.
  - (4) The structure has been inspected and certified by HUD.
- g. **Modular Dwelling.** A dwelling which consists of prefabricated units transported to the site in two (2) or more sections on a removable undercarriage or flat-bed and assembled for permanent location upon a permanent foundation on the lot, and to which such major elements as the heating system or a substantial portion of the siding are installed after transport.
- h. **Multiple-Family Housing.** A building divided into apartments or townhouses, and designed for residential occupancy by three (3) or more families.
- i. **Principal Dwelling.** The primary independent, attached or detached dwelling on a parcel.
- j. **Site Built Dwelling.** A dwelling that is substantially built, constructed, assembled, and finished on the lot intended to serve as its final location. Site built dwellings shall include dwellings constructed of precut materials, and paneled wall, roof and floor sections where such sections require substantial on-site assembly and finishing.
- k. **Single-Family Dwelling.** A building designed exclusively for residential occupancy

by not more than one (1) family, where permanent access between rooms designed or used for living, sleeping, cooking, eating, or sanitation facilities is provided internally and does not require travel through a garage or accessory structure.

- l. **Temporary Dwelling.** A building authorized by this Ordinance for use as a single-family dwelling on a zoning lot for a limited period of time.
- m. **Townhouse.** A dwelling in a multiple-family building that is divided from the dwelling adjacent to it by a common wall extending the full height of the building. Each townhouse dwelling shall be capable of individual use and maintenance, and access, utilities, and service facilities shall be independent for each dwelling.

**Earth-Sheltered Home.** A complete building partially below grade that is designed to conserve energy and intended to be used as a single-family dwelling.

**Easement.** A grant of one (1) or more of the property rights by a property owner to or for use by the public or another person or entity.

**Employee.** Any person customarily working in a building or on a lot, no matter what capacity or level of remuneration, including on a full-time or part-time capacity, as an owner or manager, on an internship or temporary assignment, as a volunteer providing a service, or as an independent contractor.

**Enforcement Official.** See Section 57.02 herein.

**Erect.** To build, construct, reconstruct, move, attach, hang, place, suspend, affix, paint or undertake any physical operation on the premises required for development of a building, sign, site or structure; including, but not limited to construction, grading, excavations, fill, and drainage activities.

**Essential Services.** The erection, construction, alteration or maintenance, by public utilities or municipal departments, of underground, surface or overhead gas, electrical, steam, fuel or water transmission or distribution systems or collection, communication, supply or disposal systems therewith that are reasonably necessary for the furnishing of adequate service for the general health, safety and welfare.

[...]

That the Lodi Township Zoning Ordinance Article 40.0, "Use Standards – Rural and Residential Uses," Section 40.31, "Single-Family and Two-Family Dwellings," is hereby amended to read as follows:

### **Section 40.31 Single-Family and Two-Family Dwellings.**

The intent of this Section is to ensure compliance of single-family and two-family dwellings on individual lots with all applicable Ordinance standards for the protection of the public health, safety, and welfare; and to ensure that new dwellings on individual lots are aesthetically

compatible with existing residential dwellings in the surrounding area. The standards of this Section are not intended to apply to dwellings located within a licensed and approved manufactured housing park in the MHP (Manufactured Housing Park Residential) District.

**A. Number of Principal Single-Family or Two-Family Dwellings per Lot.**

Not more than one (1) principal, single-family dwelling or one (1) two-family dwelling shall be located on a zoning lot, except caretaker living quarters and farm labor housing as authorized by this Ordinance. For single-family condominium developments, not more than one (1) principal single-family dwelling shall be placed on each condominium lot. Conversion of an existing dwelling for use as an accessory structure to a new dwelling constructed on the same zoning lot shall be prohibited.

**B. Additional Standards for Single-Family and Two-Family Dwellings.**

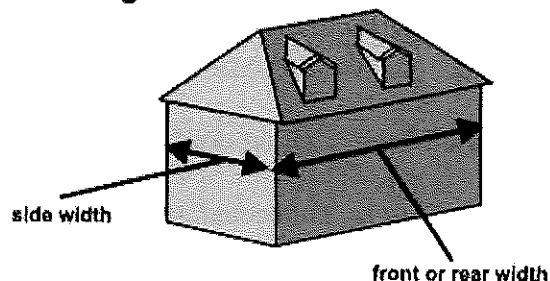
New single-family and two-family dwellings and additions to existing dwellings constructed or installed on lots in the Township, without regard to the type of construction, shall be subject to the following:

1. The dwelling shall meet all applicable federal and state design, construction, and safety codes for the type of construction.
2. The dwelling shall be placed on a permanent foundation meeting all requirements of the State Construction Code, subject to the following:
  - a. The dwelling shall be secured to the permanent foundation by an anchoring system that meets all State Construction Code and other applicable requirements before a Certificate of Occupancy is issued.
  - b. Wheels, tongue, hitch, or similar appurtenances attached to a modular dwelling shall be removed before anchoring the dwelling unit.
3. Each dwelling shall have a minimum floor area of 1,000 square feet.
4. Each dwelling shall be connected to a potable water supply, and to sanitary sewerage facilities per Section 55.10 (Sanitary Sewage Facilities).
5. Each dwelling shall contain a minimum storage capability area of 100 square feet in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure or standard construction similar to, or of better quality than the principal dwelling.
6. Each dwelling shall be compatible in design and appearance with other dwellings in the vicinity, including either a roof overhang of not less than six (6) inches on all sides, or alternatively, with window sills and roof drainage systems concentrating roof drainage at collection points along the sides of each dwelling unit; has not less than two exterior doors with one being the front door and with the second one being in either the rear or side of each dwelling unit; and

with permanently attached steps connected to the exterior door areas or to porches connected to the door areas where a difference in elevation requires the same.

- a. The compatibility of design and appearance shall be determined in the first instance by the Zoning Administrator upon review of the plans submitted for a particular dwelling unit, subject to appeal by an aggrieved party to the Zoning Board of Appeals within a period of 15 days from the receipt of notice of the Zoning Administrator's decision.
  - b. Any determination of compatibility shall be based upon the standards set forth in this definition of "dwelling," as well as the character, design and appearance of one or more dwellings located outside of manufactured housing parks throughout the Township.
  - c. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard designed home.
7. The dwelling contains no additions or rooms or other areas which are not constructed with similar quality workmanship as the original structure, including permanent attachment to the principal structure and construction of a foundation as required herein.
  8. The dwelling, prior to any additions or expansions, shall have a minimum width across any front, side or rear building width of 26 feet (see "Dwelling Width" illustration).

#### Dwelling Width



9. The dwelling shall have a minimum 4:12 roof pitch for a dwelling unit with a width across any front, side or rear building width of 31 feet or less.
10. The dwelling complies in all respects with the State Construction Code, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction that are different than those imposed by the State Construction Code, then and in that event such federal or state standard or regulation shall apply.
11. A building permit shall be required for construction of the foundation, for

placement of the dwelling unit on the lot, and for any addition(s) to the dwelling. A building permit shall not be issued until a Zoning Compliance Permit has been issued in accordance with Section 57.04 (Issuance of Zoning Compliance Permits).

- 12. Two-family dwellings shall be established only at locations where a municipal water supply system and a municipal sanitary sewer system [as defined in Section 2.03 (Definitions)] is available, and shall be connected to such systems. The Township has no obligation to install such systems.

[...]

That the Lodi Township Zoning Ordinance Article 55.0, "General Regulations and Standards," Section 55.17, "Accessory Structures," is hereby amended to read as follows:

**Section 55.17 Accessory Structures.**

The following standards shall apply to all accessory structures in the Township:

**A. Approval Required.**

It shall be unlawful for any person to construct, alter or relocate any accessory structure upon any lot without having first obtained all necessary permits or approvals, as follows:

- 1. Construction, alteration or relocation of structures accessory to non-residential land uses and exceeding 120 square feet in floor area shall be subject to site plan approval per Article 44.0 (Site Plan Review).
- 2. Construction, alteration or relocation of structures accessory to non-residential uses and up to 120 square-feet in floor area shall be subject to Zoning Compliance per Section 57.04 (Issuance of Zoning Compliance Permits).
- 3. Construction, alteration or relocation of structures accessory to rural uses and residential uses shall be subject to Zoning Compliance per Section 57.04 (Issuance of Zoning Compliance Permits).
- 4. Building permit approvals for accessory structures shall be required in accordance with the State Construction Code enforced by Washtenaw County.
- 5. The standards of this Section do not apply to fences, which are subject to the requirements of Section 55.18 (Fences).
- 6. The standards of this Section do not apply to wireless communication facilities, which are subject to the requirements of Section 54.12 (Wireless Communication Facilities).
- 7. The standards of this Section do not apply to wind energy conversion systems, which are subject to the requirements of Section 54.19 (Wind Energy Conversion Systems).

8. Temporary storage structures may be allowed based upon appropriate permits and fees from Lodi Township.

**B. General Standards.**

Accessory structures shall conform to the following general standards:

1. **Attached accessory structure.** Where an accessory structure is structurally attached to a principal building, it shall be subject to the requirements of this Ordinance that apply to the principal building.
2. **Allowable use of an accessory structure.** Accessory structures in any district shall only be used for permitted uses or activities customarily incidental to the permitted principal use(s) in the district. Accessory structures shall not be occupied for dwelling purposes, including but not limited to any sleeping quarters or habitable living space, except where authorized in the zoning district as a) a caretaker living quarters in accordance with the requirements of this Ordinance, including Section 40.05 (Caretaker Living Quarters), or b) farm labor housing in accordance with the requirements of this Ordinance, including Section 40.12 (Farm Labor Housing).
3. **Timing of construction.** An accessory structure shall be constructed or established on a lot concurrent with or after construction or establishment of the principal building or use on the same lot.
4. **Vehicle shelters.** Carports and temporary vehicle shelters shall be considered accessory structures and shall comply with the requirements of this Section.
5. **Location in proximity to easements or rights-of-way.** Accessory structures shall not be located within a dedicated easement or right-of-way.
6. **Dimensional standards.** Detached accessory structures shall not exceed 25 feet in height, and shall otherwise conform to all area and setback requirements of Article 30.0 (Dimensional Standards). Limited exceptions to the height standards of this Section, as specified in Section 30.201 (Height Exceptions), shall apply.
7. **Additional standards for structures accessory to residential uses.** The following standards shall apply to all structures accessory to residential uses:
  - a. Detached accessory structures on residential lots shall be set back a minimum of ten (10) feet from and located entirely behind the front building line of any principal building on the same lot.
  - b. For residential lots of less than one (1) acre in lot area, the total floor area of all detached accessory structures shall not exceed the ground floor area of the principal dwelling.
8. **Prohibited accessory structures.** Semi-trailers, shipping or cargo containers, transparent soft sided structures shall be prohibited to be used as accessory structures.



[...]

**Section 2: Repeal and Savings Clause.**

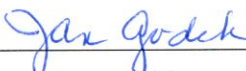
All ordinances and amendments thereto that are in conflict with this Ordinance are hereby repealed. However, the Lodi Township Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act 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.

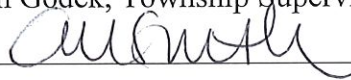
**Section 3: Severability.**

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.**

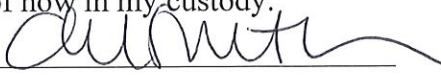
The ordinance changes shall take effect seven days after the publication of the notice of adoption unless petition procedures are initiated under MCL 125.3402. If petition procedures are initiated, the ordinance shall take effect in accordance with MCL 125.3402.

  
\_\_\_\_\_  
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. 2023-004 of Lodi Township, adopted by resolution at a meeting of the Township Board of Trustees held on Tuesday, September 5, 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.

**Effective Date: September 19, 2023**

**Article 55.0  
Supplemental Regulations and Standards**

Adopted: 9/5/2023

Published: 9/12/2023

Effective: 9/19/2023, subject to PA 110 of 2006 as amended.