

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF LODI TOWNSHIP, WASHTENAW COUNTY, MICHIGAN.

Pursuant to the authority vested in it by the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, Lodi Township, Washtenaw County, Michigan ordains the following amendments to the Lodi Township Zoning Ordinance, including Sections 30.101 (Table of Dimensional Standards by District), 30.202 (Lot Standards), 40.04 (Board Stable and/or Riding Arena), 40.11 (Farming Operation), 40.14 (Keeping of Farm Animals and Livestock, Non-Farm), and 55.08 (Dumping and Filling of Land), to delete the separate set of dimensional standards for lots of five acres or larger; to re-establish the minimum 100.0-foot setback requirement from the previous Zoning Ordinance for the housing of livestock and any storage of hay, feed or manure; and to insert a new permit approval process and requirements for certain land balancing, alteration, and filling activities in the Township.

LODI TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, HEREBY ORDAINS:

PART A.

Section 2.03 (Definitions) is hereby amended to revise the definition of "Lot Area, Net" to confirm that the term is synonymous with "Lot Area" where used in this Ordinance, and to revise the definition of "Lot Area, Net" to delete the reference to easements, as follows:

Section 2.03 Definitions.

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

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 net lot area per dwelling unit.

Lot Area, Gross. The total area of land contained within the boundaries of a zoning lot, including rights-of-way, easements, floodplains, wetlands, bodies of water, and watercourses.

Lot Area, Net. Gross lot area minus any area(s) within rights-of-way. This term is synonymous with the term "lot area" where used in this Ordinance.

PART B.

Section 30.101 (Table of Dimensional Standards by District) is hereby amended to delete the "A-1 (5 Acres or More)" column in its entirety, delete the "(Less than 5 Acres)" reference in the remaining "A-1" column, and correct the "A-1" typographical error in the table to "AG," as follows:

Section 30.101 Table of Dimensional Standards by District.

Type of Requirement		Dimensional Standards										Additional Standards		
		Rural			Residential			Business		Other				
		RC	AG	NR	R-1	R-3	MHP	O	C-1	LCD	PSP		I-1	
Maximum Structure Height	Feet	45	45	see Section 40.604 (Extraction Operations)	45	45	see Section 40.206 (Manufactured Housing Parks)	45	45	see Section 42.302 [Lodi Central (LCD) Special District]	45	45	Section 30.201	
	Stories	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0		3.0
Lot Standard	Minimum Width (feet)	250	250		150	150		150	150		150	250	250	Section 30.202
	Minimum Area (acres)	5.0	2.0		1.0	1.0		1.0	1.0		1.0	5.0	5.0	
Yard/Setback Standard (feet)	Minimum Front Yard		100		100	100		100	100		100	100	100	Section 30.203 Section 30.206
	Minimum Side Yard	Each Side	30		30	25		15	10		10	20	20	
		Total of Two Sides	60		60	50		35	20		20	40	40	
	Minimum Street Side		100		100	100		100	100		100	100	100	
	Minimum Rear Yard		50		50	35		35	35		35	35	35	
Maximum Lot Coverage		10%	10%		20%	30%		25%	25%		25%	25%	Section 30.202	
Maximum Floor Area Ratio (FAR)		10%	10%	20%	30%	40%	60%	40%	60%	Section 30.202				
Maximum Net Dwelling Unit Density (units per acre)		0.2	0.5	1.0	1.0					Section 30.204				

PART C.

Subsection "B" (Lot Area) of Section 30.202 (Lot Standards) is hereby amended to add the word "net" to "lot area" in three places; and subsection "C" (Lot Exclusions and Depth to Width Ratio) of this Section is hereby amended to revise paragraphs "1." and "3." and add paragraph "4." as follows:

Section 30.202 Lot Standards.

The following standards and exceptions to the lot provisions set forth in this Article shall apply to all lots in the Township:

B. Lot Area.

Minimum area requirements shall be based upon the net lot area. Net lot area measurements shall be further subject to the following requirements:

- Uses served by municipal water and sanitary sewerage systems.** A reduced minimum net lot area shall be permitted for certain land uses established at locations planned for municipal services where a municipal water supply system and a municipal sanitary sewerage system is available and the use is or will be connected to such systems, provided that the Township has no obligation to install such systems:

Land Use or Zoning District		Reduced Minimum Net Lot Area (per unit)
Single-Family Dwelling		20,000 square-feet
Two-Family Dwelling		30,000 square-feet
Multiple-Family Housing and Townhouses	Studio or Efficiency Unit	4,000 square-feet
	One (1) Bedroom Unit	5,000 square-feet
	Two (2) Bedroom Unit	5,600 square-feet
	Three (3) or More Bedroom Unit	5,600 square-feet for the first two (2) bedrooms in a unit, plus 1,100 square-feet per additional bedroom
PSP (Public/Semi-Public Services) District		20,000 square-feet
Business Districts		20,000 square-feet
I-1 (Industrial-Research) District		2.0 acres

2. **Cul-de-sac lot width standards.** The width of lots fronting on a cul-de-sac shall not be less than 50 feet at the road right-of-way line. No more than five (5) parcels may have access on the circumference of a cul-de-sac right-of-way.

C. Lot Exclusions and Depth to Width Ratio.

1. The area used to satisfy the lot coverage and floor area ratio requirements shall be the net lot area.
2. No lot of less than 10 acres in gross lot area shall exceed a maximum depth to width ratio of four to one (4:1).
3. In the Agricultural (AG) District, the minimum lot area shall be two (2) acres for a single-family dwelling and accessory structures thereto. The minimum lot area for all other buildings and structures shall be five (5) acres.
4. In the Single-Family Residential (R-1) District, the minimum lot area for a single-family dwelling and accessory structures thereto shall not be less than one (1) acre. The minimum gross lot area for all other buildings and structures shall not be less than three (3) acres.

PART D.

Sections 40.04 (Boarding Stable and/or Riding Arena), 40.11 (Farming Operation), and 40.14 (Keeping of Farm Animals and Livestock, Non-Farm) are hereby amended to re-establish the minimum 100.0-foot setback requirement from the previous Zoning Ordinance, as follows:

Section 40.04 Boarding Stable and/or Riding Arena.

A parcel may be used, and a building or structure located thereon for a boarding stable and/or riding arena, subject to the following:

1. The lot shall have an area of not less than five (5) acres, and a width of not less than 250 feet.

2. Up to five (5) animals shall be allowed on the first five (5) net acres plus an additional one (1) acre for each additional animal for lots or parcels up to 29.99 acres in net lot area. The number of animals on a lot or parcel having thirty (30) or more acres in net lot area shall be consistent with all applicable Generally Accepted Agricultural Management Practices (GAAMPS) established by the State of Michigan.
3. Such facilities shall conform to all applicable Generally Accepted Agricultural Management Practices (GAAMPS) established by the State of Michigan.
4. Any structure for housing of livestock and any storage of hay, feed or manure shall be located no less than 100 feet from any lot line.

Section 40.11 Farming Operations.

Farming operations shall be subject to the following:

1. The operation shall be maintained in conformance with the Right to Farm Act and applicable Generally Accepted Agricultural Management Practices (GAAMPS) from the State of Michigan.
2. Any land kept as idle cropland or non-cropland areas shall be so treated as to prevent soil erosion by wind or water and excessive growth of noxious weeds and shrubs.
3. Any land kept for the growing, stripping and removal of sod shall be reseeded after stripping by fall of the year in which it was stripped so as to reduce the actual or potential erosion of soil by water or wind.
4. Any structure for housing of livestock and any storage of hay, feed or manure shall be located no less than 100 feet from any lot line.

Section 40.14 Keeping of Farm Animals and Livestock, Non-Farm.

Non-farm raising and keeping of farm animals and livestock is subject to the following:

1. The standards of this Section shall not apply to keeping of animals as part of an active farming operation maintained in conformance with the Right to Farm Act, and all applicable Generally Accepted Agricultural Management Practices (GAAMPS) established by the State of Michigan.
2. A Youth Agricultural Project on a lot or parcel in the R-C (Recreation-Conservation) District or R-1 (Single-Family Residential) District, as provided for in Article 20.0 (Land Use Table), may include non-farm raising or keeping of farm animals and livestock only for the duration of the project.
3. This activity shall remain an accessory use for the principal dwelling.
4. A maximum of three (3) chickens shall be allowed on a lot or parcel of between one (1) and 4.99 acres in net lot area. A lot or parcel with a minimum net lot area of five (5) acres shall be required for the raising or keeping of any other farm animals, whether for profit or pleasure.

5. Roosters shall be prohibited on lots or parcels of less than ten (10) acres in net lot area.
6. Up to six (6) chickens and five (5) other farm animals shall be allowed on five (5) net acres, plus one (1) additional acre for each additional three (3) chickens and one (1) other farm animal for lots or parcels up to 29.99 acres in net lot area. The number of farm animals on a lot or parcel having thirty (30) or more acres in net lot area shall be consistent with all applicable Generally Accepted Agricultural Management Practices (GAAMPS) established by the State of Michigan.
7. Feed shall be stored in rodent proof containers, and all pens and shelters shall be maintained in a sanitary condition. Enclosures shall be provided to prevent such animals from roaming-at-large off the premises.
8. All containers, shelters, pens, and enclosures shall conform to the minimum yard setbacks for the zoning district.
9. Any structure for housing of livestock and any storage of hay, feed or manure shall be located no less than 100 feet from any lot line.

PART E.

Subsection "B.5." of Section 44.02 (Site Plan Approval Required) is hereby deleted in its entirety and replaced for the purpose of inserting indemnification provisions, as follows:

Section 44.02 Site Plan Approval Required.

B. Administrative Site Plan Approval.

The following land use or development activities are eligible for administrative review and approval by the Township Planner and Zoning Administrator. The applicant shall have the option to apply for minor site plan approval of a project otherwise eligible for administrative approval. Upon determination that the proposed scope of work would exceed the allowable range of activities for administrative approval, the Zoning Administrator shall return the application and direct the applicant to apply for minor site plan approval or preliminary/final site plan approval, as appropriate to the project.

5. Incidental alterations to a previously approved private road such as paving of the roadway surface from a gravel surface to a paved surface, provided that the Township and its employees, officials, and representatives shall be held harmless from and against any loss, damage or liability arising out of or in any manner relating to the alterations. Such paving shall not include or require any physical access changes, either to parcels accessing the subject roadway or to adjacent roadways.

PART F.

Subsection "E.4." of Section 42.301 (Planned Unit Development (PUD) District), subsection "E.1." of Section 42.302 (Lodi Central (LCD) Special District), the table in Section 44.08 (Required Site Plan Information), and subsection "A." of Section 59.08 (Variances) are hereby revised for the purpose of clarifying the lot area provisions as follows:

Section 42.301 Planned Unit Development (PUD) District.

E. Perimeter Open Space and Yard Requirements.

The following perimeter open space, transition buffer, and landscape strip requirements shall apply to PUD District projects:

4. **Lot area and setbacks for individual lots.** Minimum gross and net lot areas and required yard setbacks for individual lots shall be specified on the approved PUD Area Plan. Such standards shall conform to the requirements of the zoning district most nearly reflecting the Master Plan policies that apply to the area in question, subject to any approved deviations per Section 42.003 (Regulatory Flexibility).

Section 42.302 Lodi Central (LCD) Special District.

E. Dimensional Standards.

1. The minimum gross and net lot areas for new lots in the LCD Special District shall be identified on the Area Plan for the development. The minimum net lot area shall be consistent with the maximum net dwelling unit density for the district and requirements for use of a private on-site septic system and private well, as determined by the Planning Commission.

Section 44.08 Required Site Plan Information.

The following minimum information shall be included with any application for site plan approval, except where the Planning Commission determines that an item of information is not applicable or necessary for review of the site plan:

Minimum Site Plan Information	Minor Site Plan	Preliminary Site Plan	Final Site Plan
SITE PLAN DESCRIPTIVE INFORMATION			
A schedule of the number, sizes (bedrooms, floor areas), and types of dwelling units; and the gross and net lot areas per dwelling unit.		●	●

Section 59.08 Variances.

The Zoning Board of Appeals shall have the authority to grant non-use variances where, owing to special conditions, strict enforcement of this Ordinance would result in unnecessary hardship or practical difficulty, subject to Michigan Zoning Enabling Act requirements and the following:

A. Additional Required Information.

In addition to the requirements of Section 59.05 (Applications), a variance application shall include an accurate, scaled drawing showing the gross and net lot areas and lot boundaries correlated with a legal description of the parcel; all existing and proposed structures with dimensions and setback distances from lot lines and road rights-of-way; and all calculations necessary to show compliance with the regulations of this Ordinance.

Such drawings shall also include locations of septic systems, wells, easements and significant natural features.

PART G.

Subsection "D." of Section 51.03 (General Regulations) is hereby deleted in its entirety and replaced for the purpose of revising the title and paragraph "4." as follows:

Section 51.03 General Regulations.

The following standards shall apply to all off-street parking and loading facilities:

D. Additional General Parking Requirements.

Off-street parking of licensed and operable motor vehicles, commercial vehicles, and recreational vehicles in any zoning district shall be subject to the following:

1. Facilities for the parking of motor vehicles accessory to residential uses in any zoning district shall be provided in an accessory garage, carport, driveway, parking pad or bay, or combination thereof. Parking of motor vehicles at any other location in the front, side or rear yards of any dwelling unit shall be prohibited.
2. Parking of motor vehicles in the Residential Districts or Planned Unit Development (PUD) incorporating residential uses shall be limited to light duty vehicles, and a maximum of one (1) commercial vehicle per dwelling unit of a light delivery type not exceeding a Gross Vehicle Weight (GVW) rating of 14,000 pounds.
3. Recreational vehicles may be parked anywhere on a lot accessory to residential uses in any zoning district for a period not to exceed 48 hours during loading or unloading. No recreational vehicle shall otherwise be parked or stored in the front yard of the lot, or within any minimum required side or rear yard setback area.
4. Recreational vehicles shall not be used for living, sleeping or housekeeping purposes when parked or stored on a lot in the Residential Districts or Planned Unit Development (PUD) incorporating residential uses, or in any other zoning district except as otherwise authorized by provisions of this Ordinance.

PART H.

Section 55.08 (Dumping and Filling of Land) is hereby re-titled as "Land Balancing and Alteration," and the text of this section is hereby deleted in its entirety and replaced as follows:

Section 55.08 Land Balancing and Alteration.

Filling dumping, removal, adjusting, or balancing of land or depositing of any type of earth material, topsoil, gravel, rock on land shall be subject to the following requirements:

A. Land Balancing and Alteration Permit Required.

A land balancing and alteration permit shall be required in any zoning district, except the Natural Resource (NR) District, for any filling, dumping, removal, adjusting, or balancing of land whenever the material would exceed a cumulative total of 250 cubic yards within a one year period, the land involved is less than 500 feet from a lake or stream, or the

activity is associated with a proposed development project subject to approval in accordance with this Ordinance or other applicable Township ordinances. Required review fees and any required escrow deposits for land alteration permits subject to administrative approval or Planning Commission action shall be set by Township Board resolution.

B. Exemptions.

The following activities shall be exempt from the requirements of this Section:

1. Common household gardening, general ground care of a residential character, and normal soil changes for basement or foundation construction.
2. Normal farming operations and other bona fide agricultural practices.
3. Extraction operations subject to the requirements of the Township's Extraction and Filling Regulations.
4. Normal maintenance of existing roadways and driveways, such as grading.
5. Normal maintenance of existing land uses, such as equestrian tracks and arenas.
6. Normal maintenance and/or replacement of septic fields, wells or other requirements associated with Washtenaw County Environmental Health Division permits and approvals.
7. Excavation for the purpose of construction of single-family dwellings that are not part of a platted subdivision or condominium.

C. General Standards.

The following general standards shall apply to all activities regulated by this Section:

1. The use of land for the storage, collection, or accumulation of used construction materials, or for the dumping or disposal of junk, offal, refuse, ash, garbage, rubbish, waste material, including construction materials such as asphalt or industrial by-products shall be prohibited in all zoning districts, unless otherwise permitted by state law, this Ordinance or other Township ordinances.
2. The excavation or continued existence of unprotected holes, pits or wells that constitute or are reasonably likely to constitute a danger to the public health, safety, and welfare shall be prohibited. This subsection shall not apply to excavations for which permits has been acquired under this Ordinance and other Township ordinances, provided such excavations are properly protected with fencing, guardrails, and warning signs.
3. Fill material shall be composed only of gravel, clay, natural rock, earth, sand, or topsoil.
4. Permitted filling or removal activities shall not encroach into or occur within any floodplain or floodway; and shall not adversely impact adjacent land uses, occupancy of abutting lands or the normal development of the subject land or adjacent lots.

5. Placement or removal of such material shall not impair, obstruct or divert any drain, watercourse, regulated wetland, or pre-existing drainage pattern of surfacewater from the subject land, adjacent land or the road right-of-way.
6. The applicant shall be responsible for securing all required outside agency permits and approvals for permitted filling or removal activities, and shall submit copies of such permits and approvals to the Township prior to commencement of any permitted work on the property.
7. A performance guarantee, sufficient to cover all expenses for completion of groundcover plantings and site restoration and maintenance shall be required in accordance with Section 57.08.C. (Performance Guarantees), prior to commencement of any permitted work on the property.

D. Additional Standards for Berms.

The following additional standards shall apply to land balancing or alteration in all zoning districts, except the Natural Resource (NR) District, for the creation, expansion or alteration of a berm as defined in Section 2.03 (Definitions):

1. Berms shall have side slopes no steeper than one (1) foot vertical to four (4) feet horizontal (1:4 ratio), except where the interior face of the berm may incorporate use of a retaining wall or terrace not exceeding two (2) feet in height for up to fifty percent (50%) of the length of the berm.
2. Berm height shall be equal to the maximum vertical difference in height along the length of the berm between the top elevation of the proposed berm and the existing ground elevation adjacent to the proposed berm.
3. The following height, yard setback, and corner clearance area limitations shall apply to berms:
 - a. No part of any berm shall be located within any public or private road right-of-way or similar dedicated access easement.
 - b. Berms shall not exceed four (4) feet in height within any required front yard or street side yard setback area outside of the road right-of-way, and shall not exceed two (2) feet in height within any area subject to the requirements of Section 30.206 (Corner Clearance Areas).
 - c. Berms shall not exceed six (6) feet in height within any required side yard setback area.
 - d. Berms shall not exceed ten (10) feet in height within any required rear yard setback area.
 - e. All other berms shall not exceed ten (10) feet in height.
4. Berms shall be sodded, hydro-seeded or planted with appropriate groundcover as defined in Section 2.03 (Definitions), provided that adequate measures are taken to prevent soil erosion. Berms shall be graded to blend with existing topography.

E. Application Information.

All land balancing and alteration permit applications shall include the following minimum required information:

1. Written description of the nature of the proposed filling, dumping, removal, adjusting or balancing to be undertaken; the quantity, composition, and compaction qualities of any fill; and provisions for groundcover plantings and site restoration and maintenance, along with a cost estimate for such work.
2. Statement of intended land use following the completion of the filling or removal, and the expected time needed to complete such activities and restore the site.
3. A scaled and accurate survey drawing, correlated with the legal description and showing all areas to be filled or subject to removal; lot boundaries, required setbacks, and adjacent road rights-of-way; wetlands, drains, watercourses, floodplains, and floodways; other landmarks and topographical features; and all existing structures and other improvements.
4. Name, address, telephone, and email address, and other contact information for the applicant and owners of record, along with proof of ownership.
5. The applicant's interest in the property, and if the applicant is not the property owner of record, a signed authorization of the owner(s) for the application.
6. Legal description, address, and tax parcel number of the property.

F. Requirements for Projects Requiring Planning Commission Action.

1. Permit approval applications for the following land balancing and alteration projects shall be subject to review and action by the Planning Commission:
 - a. Where filling, dumping, removal, adjusting or balancing of land occurs as part of a development project subject to site plan approval per Article 44.0 (Site Plan Review), condominium development approval per Article 45.0 (Condominium Regulations), special district development approval per Article 42.0 (Special District Regulations) or subdivision plat approval in accordance with the Land Division Act and any Township subdivision regulations, review of the filling permit application shall be incorporated into and coordinated with the development plan or plat review process.
 - b. Planning Commission approval of the land balancing and alteration permit shall be required for the creation, alteration or expansion of a berm in a manner that would result in the establishment of a berm of more than six (6) feet in height or 250.0 feet in length, as measured from existing grade along the berm's centerline length.
 - c. All other land balancing and alteration projects shall be subject to review and action by the Zoning Administrator in accordance with Section 55.08.G. (Projects Subject to Administrative Approval).
2. Application shall be made by filing at least 12 copies of the completed application form, drawing(s), and other application materials with the Township Clerk, along

with payment of required review fees and escrow deposits to the Township Treasurer.

- a. For drawings with a sheet size exceeding 12-inches by 18-inches, at least five (5) full-size (up to 24-inch by 36-inch) copies and seven (7) reduced-size (12-inch by 18-inch) copies of the drawing(s) shall be required.
 - b. For drawings with a sheet size that does not exceed 12-inches by 18-inches, at least 12 copies of the drawing(s) shall be required.
3. The land balancing and alteration permit application shall be reviewed in accordance with following:
- a. Prior to Planning Commission consideration, the application materials shall be distributed to designated Township officials and the Township Planner for review and comment. The Planning Commission Chair may also request comments from other designated Township consultants, local agencies or departments with jurisdiction.
 - b. The Planning Commission shall review the application at a public meeting, together with any reports and recommendations from Township officials, the Township Planner, other designated Township consultants, and any local agencies or departments with jurisdiction. The Planning Commission is authorized to approve, approve subject to conditions, postpone action, or deny the land balancing and alteration permit application as follows:
 - (1) The application shall be approved by the Planning Commission upon determination that it is in compliance with the provisions of this Section and Ordinance.
 - (2) The Planning Commission may approve the application subject to reasonable conditions intended to verify compliance with the applicable requirements of this Ordinance or other Township ordinances, or to ensure that the permitted fill or removal activities meet the requirements of any outside agencies with jurisdiction.
 - (3) Upon determination that the application is not sufficiently complete for approval or denial, failure of the applicant to attend the meeting, or upon request by the applicant, the Planning Commission may postpone consideration until a later meeting.
 - (4) Upon determination that the application is not in compliance with the provisions of this Section or Ordinance, or would require extensive modifications to comply with said standards and regulations, the application shall be denied. A written record shall be provided to the applicant listing the findings of fact and conclusions or reasons for such denial. Failure of the applicant to attend two (2) or more meetings shall be grounds for the Planning Commission to deny the application.
 - c. Planning Commission action on the application shall be recorded in the Planning Commission meeting minutes, stating the name of the applicant;

address and tax identification number of the parcel; the findings of fact and conclusions or grounds for the Planning Commission's action, and any conditions of approval. The Secretary or Chair shall file one (1) copy of the written record with the Township Clerk for the permanent Township record, and shall forward one (1) copy to the applicant as evidence of the filling permit approval.

G. Requirements for Projects Requiring Administrative Approval.

Permit approval applications for land balancing and alteration projects not otherwise subject to Planning Commission action per Section 55.08.F. shall be subject to review and action by the Zoning Administrator in accordance with Section 57.04 (Issuance of Zoning Compliance Permits) and the following additional requirements:

1. Application shall be made by filing at least four (4) copies of the completed application form, drawing(s), and other application materials with the Township Clerk, along with payment of required review fees and escrow deposits to the Township Treasurer.
2. Prior to Zoning Administrator consideration, the application materials shall be distributed to the Township Planner with a request for review and comment. The Zoning Administrator may also request comments from other designated Township consultants, local agencies or departments with jurisdiction.
3. The Zoning Administrator shall review the application together with any reports from the Township Planner, other designated Township consultants, and any local agencies or departments with jurisdiction. The Zoning Administrator is authorized to take action on the application in accordance with the requirements of this Section and Section 57.04.D. (Approval or Denial).

H. Expiration of Permit Approval.

Any approved land balancing and alteration permit shall be valid for 365 days of the date of issuance.

PART I.

Section 55.17 (Accessory Structures) is hereby deleted in its entirety and replaced to clarify the approval requirements in subsection A." for rural and non-residential accessory structures, and to add "net" to "lot area" in subsection "B.7.b." 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 rural uses shall be subject to Zoning Compliance per Section 57.04 (Issuance of Zoning Compliance Permits).
2. With the exception of rural uses, 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). 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 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. Detached 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 caretaker living quarters in accordance with the requirements of this Ordinance, including Section 40.05 (Caretaker Living Quarters).
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 residential accessory structures.** 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 net 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.

PART J.

All ordinances and amendments thereto that are in conflict with this Ordinance are hereby repealed.

PART K.

Adopted by the Township Board of Trustees for Lodi Township, Washtenaw County, Michigan, at a meeting of the Township Board held on the _____ day of _____, 20____. The adopted amendments shall become effective on the eighth day following publication of a notice of adoption, unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated under MCL 125.3402, the ordinance shall take effect in accordance with MCL 125.3402.

Dated: _____, 20____ _____
Jan Godek, Supervisor

Christina Smith, Clerk

CERTIFICATION

The above Ordinance No. _____ was adopted at a meeting of the Lodi Township Board of Trustees on the _____ day of _____, 20____; and published in the _____, a newspaper of general circulation in Lodi Township, Washtenaw County, Michigan on the _____ day of _____, 20____.

Christina Smith, Clerk