

# Article VIII: Definitions

Words and phrases used in this chapter shall have their usual and customary meaning, except that the following terms shall have the meanings stated below. In addition to the definitions below, the definitions from the following documents shall apply to this chapter: (1) Part 91 of 1994 PA 451 (Michigan Compiled Laws) as amended; (2) Rules of the Washtenaw County Water Resources Commissioner; and (3) Ann Arbor City Code Chapter 103 *Historical Preservation*. All words defined in the Part 303 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and used in this chapter, shall have the meaning specified in that Act and the Administrative regulations passed pursuant to that Act, unless a different definition for that term is provided in this Article VIII.

**NOTE:** These Definitions are either modified, deleted or are new ones. Endangered Species Habitat is renamed to Rare Species Habitat, in accordance with State language. Finished Grade is removed in favor of three new Grading Definitions. The other Definitions are new (N) or modified (M) from existing.

## **Architect (M)**

A Person licensed by the State of Michigan to engage in the practice of Architecture as defined by Act 299 of the Public Acts of 1980 (as amended).

## **Barrier Fencing (N)**

Orange, 30 mil Safety Fence, 4 feet in height, stretched between 5 foot tall steel T posts planted 1 foot into the ground every 10 feet, securely tied with heavy duty zip ties. This fencing is used to block access to protected areas such as Wetlands and Watercourses and their buffers, Rare Species Habitat, areas outside the Limits of Soil Disturbance, and access to the CRZ's of Protected Trees and Woodlands. Barrier Fencing shall remain in place and in good repair until authorized to be removed by the Site Management Official.

## **Best Management Practices (N)**

An online handbook developed, maintained, and continuously updated by the PDSU that identifies the generally accepted best ways to protect, Restore and manage Natural Features and Natural Areas, in perpetuity. The handbook is a source book of detailed information including best practices for natural feature and natural areas, links to practitioners with demonstrated ability to advise or implement protection and Restoration work, links to native plant vendors, a bibliography of important books and other resources, etc.

## **Boundary Lines (N)**

Lines on plans that indicate where one area ends and another begins, such as the Limits of Soil Disturbance, the CRZ of a Woodland, the buffer area of a Watercourse or a Wetland, required setbacks on a Lot, or property lines.

## **Canopy (M)**

For purposes of protecting and managing Natural Features, and for regulating Storm Water runoff, Canopy is the area within the outermost ends of tree branches and is delineated by their CRZ Boundary Lines.

For purposes related to Structures, Buildings, and Signs, a roof like Structure supported by poles extending over or in front of a place such as over a Vehicular Use Area, sidewalk, patio, door, or entryway, usually to provide shelter from the elements.

**Clearing (M)**

The severing of Woody Plants above ground level, leaving root system and stumps intact. Clearing of any Site in whole or in part is likely to require a Grading Permit to protect Natural Features present on the Site and to minimize Soil Erosion and the creation of of Compacted Soil.

**Compacted Soil (M)**

Any soil whose particles (sand, silt, clay and organic matter) which have been compressed tighter together by the motion of or parking of vehicles or machines or the storage of materials or equipment. By definition such activity on a Site off already impervious surfaces (or off surfaces intended to be impervious or in the footprints of Structures) will cause Soil Compaction.

**Contractors, General Construction and Residential Builders (M)**

Individuals or businesses offering services related to construction of Buildings and Development of land. Included are Residential Builders and Remodelers, Commercial Builders, trade contractors, excavators and road builders, landscape and tree service contractors, City employees or its contractors, utility company employees or their contractors, or anyone who would by mechanized means cause Disturbance to a Protected Tree or other Natural Feature, who would cause Hydrological Changes to the land, or who would erect or alter Buildings or Structures, or who would cause Compacted Soil on a Site.

**Critical Root Zone, CRZ, CRZ of a Woodland (M)**

The circular area of soil surrounding a tree containing a tree's roots. The radius of the Critical Root Zone (CRZ) is, in feet, the same numerical value as the tree's Diameter at Breast Height (DBH) in inches. It is measured outward from the center of the tree. For example, the CRZ of a 12-inch DBH tree has a radius of 12 feet. The CRZ of a Woodland is the area within a Boundary line connecting the outermost limits of CRZ's of trees connected around the outer edge of a Woodland.

**Cut or Excavation (M)**

Any act by which soil or rock is Cut or Excavated into, dug, quarried, uncovered, removed, displaced or relocated as Fill, and shall include the conditions resulting from those actions.

**Development (M)**

Any human alteration to the state of land, including its vegetation, soil, geology, or hydrology for any residential, commercial, industrial, utility, or other use. Such uses are, but are not limited to any Earth Change activity and to any activity to construct or alter Buildings, Structures, walls, Fences, Signs, Solar Panels, utility infrastructure elements, roads and roadways or vehicle parking and storage facilities.

**Diameter at Breast Height (DBH) (M)**

The diameter of a tree measured 4.5 feet above the existing Grade

**Disturbance(s) to a Tree(s) or to a Woodland (s) (N)**

Any Development or Earth Change activity within the CRZ of a Protected Tree or Woodland on a Site or a neighboring Site, or any Hydrological Change to a Site which may cause damage to a Protected Tree or Woodland on or adjacent to the Site. Natural Feature and Natural Area protection and Restoration activities done accordance with Best Management Practices are permitted.

**Earth Change (M)**

An Earth Change activity is any Cut or Excavation, any Fill or Clearing, any Grubbing, or any Grading as herein defined and any such activity which causes surface or subsurface Hydrological Change on a Site. Activities conducted primarily by hand labor and any activities that serve to protect or Restore trees, Natural Features, and Natural Areas, if done with Best Management Practices are permitted.

**Endangered Species Habitat (Renamed Rare Species Habitat, M)****Finished Grade (Deleted, replaced below N)****Grade or Grading (Deleted, replaced below M)****Grade, Topography (M)**

The existing and planned shape and relief of the land of a Site before and after the proposed Development, shown on drawings by spot elevations and by contour lines connecting points of equal elevation. Elevation values on plans should be coordinated with the City's GIS system.

**Grading, to Grade (M)**

Any Earth Change activity on a Site whether permanent or temporary which is to occur off existing or proposed Impervious Surfaces. This includes any portion of a Site which may be used for parking or storage of vehicles, materials or equipment and any portion of a Site used to construct structures or to haul materials.

**Grading Permit (N)**

A soil Erosion and Sedimentation control permit issued to authorize work to be performed under the provisions of Section 5.22 of this Chapter, or a permit issued to authorize work on a Site where Natural Features are present, or a permit issued to authorize work where Compacted Soil may result from a Grading activity where that soil remains after the work in areas not intended to be Impervious Surface.

**Grubbing (M)**

To clear ground of roots and stumps by digging them up. Grubbing within the CRZ's of a Protected Tree or Woodland must be done in accordance with Best Management practices.

**Heritage Tree(s) (N)**

Any native tree of a species and DBH equal to or greater than those shown on the Landmark and Heritage Tree List. (Section 5.23.5 Table 1).

**Haul Road (M)**

A roadway constructed on a Site to prevent the spread of Debris onto a Public Right-of-Way, or any route within a Site to move materials from one location to another that is not on an

impervious surface or on a surface intended to be an impervious, even if temporary, as shown on an approved Site Plan or on a Grading permit.

**Hydrologic Change (N)**

Any Earth Change on a Site that increases or decreases or relocates the surface flow of water, interferes with sidehill seeps or springs, or which provides for storage of water. Such activities which do this shall not occur in a way that causes Soil Erosion or threatens any Natural Feature or natural Area, without a Grading permit or an approved Site Plan.

**Impervious Surface (M)**

All paved or hard surfaced areas, such as areas covered by Buildings and Structures, roads and drives, Parking Lots, curbs and gutters, Vehicular Use Areas, brick or gravel surfaces, sidewalks, bike paths, patios, and any areas of concrete or asphalt or other non-porous material.

**Invasive Species (M)**

Species on the City's current Invasive Species List, Section 5.23.5 Table.....

**Landmark Tree (M)**

Any tree of a species and DBH equal to or greater than those shown on the Landmark and Heritage Tree List (Section 5.23.6 Table 1, as amended).

**Landscape Architect (N)**

A person licensed by the State of Michigan to engage in the practice of Landscape Architecture as defined by Act 299 of the Public Acts of 1980 (as amended).

**Limits of Soil Disturbance (M)**

A Boundary line on a Site marking the perimeter of the area within which there will be construction activity and outside which there will be no. Earth Change activity on a Site. Barrier Fence will be maintained along the Limits of Soil Disturbance line throughout construction activity.

**Native Plantings (M)**

The use of plants in a landscape planting known to have grown in or near Ann Arbor and Southern Michigan prior to European settlement in 1824. Plants growing to the south of Michigan as far as the Ozark Mountains or to southeast of Michigan on the Eastern Mesophytic Forest in the Appalachian Mountains could be helpful in mitigating climate change. They may be used as “native” plantings if they are chosen and used in accordance with Best Management Practices.

**Natural Area (N)**

Areas in the City where a facsimile of presettlement (1824) natural communities of flora and fauna survive. These are most often found on Wetlands, on Steep Slopes, on Floodplains, especially on the City’s Parks, and on native forest fragment Woodlands in many parts of the City.

At their most important these are areas where plants and animals exist of their own accord, in a natural ecosystem array, unplanned and not planted by humans. None of these areas in Ann Arbor can be sustained without active management. They have been and are threatened by the end of indigenous people’s fire management practices, tree

clearing and loss, by the widespread advent of Invasive Species and pathogens, most recently by the explosion of a White-tailed deer population, and now by the effects of the changing climate.

**Natural Feature (M)**

Any one or more of the following: Rare Species Habitat, Floodplain, Landmark and Heritage Trees, Steep Slopes, Watercourses (and buffer), Wetlands (and buffer), and Woodlands, including especially, native forest fragments. Areas where multiple natural features occur together are most important.

**Professional Engineer (M)**

A person licensed by the State of Michigan to engage in the practice of Professional Engineering as defined by Act 299 of the Public Acts of 1980, as amended.

**Protected Tree(s) (N)**

Any tree on a Site or within 50 feet of a Site on adjacent land which is a Landmark or Heritage Tree, including any such tree in a Woodland, Wetland or Wetland Buffer, or Watercourse buffer. Trees outside the Boundary line of the Limits of Soil Disturbance as identified on an approved Site Plan or Grading permit shall be Protected Trees. Any Heritage Tree not intended to be removed for the construction or alteration of any Structure shall be a Protected Tree. Protected Trees shall not experience any disturbance within their CRZ's as a result of Grading, Earth Change or any construction activity on a Site.

**Protected Woodland(s) (N)**

Any Woodland or portion of a Woodland not to be disturbed by Earth Change activities, or by activities related to the construction or alteration of Structures. Woodlands or portions of Woodlands placed outside the Limits of Soil Disturbance as defined in an approved Site Plan or Grading permit. Protected Woodlands shall not experience any disturbance within their CRZ's as a result of Grading, Earth Change or any construction activity on a Site.

**Rare Species Habitats (Replaces Endangered Species Habitat, M)**

Flora and fauna that appear on the current [Michigan Natural Features Inventory](#) Lists of Rare, Threatened, Endangered and Special Concern Species for Washtenaw County (Plants and Animals).

**Restoration, Restore, to Restore (N)**

To improve the biological diversity on degraded landscapes, to increase populations and distributions of native, rare and threatened species, to enhance landscape connectivity, to increase the availability of environmental goods and services, and to contribute to the improvement of human well-being. For Ann Arbor the model set point is the arrangement of natural communities and species of flora and fauna composing them when Europeans arrived in 1824.

**Site (M)**

For purposes of applying Site Plan or permit reviews under the provisions of the City Code, a Site is a lot or parcel of land, or contiguous lots or contiguous parcels of land where Development may be permitted and performed.

For purposes of applying Grading and drainage review and standards, Stormwater control review and standards, and for ensuring protection of Natural Features, a Site is a Lot or parcel of land or combination of contiguous Lots or parcels of land where Grading may be permitted or performed.

For purposes of applying streets and Curb Cut standards, a Site is all contiguous land under the same ownership, or it is one platted Lot for which a recorded plat exists.

**Site Plan (N)**

Formal or informal drawings, annotations, computations, descriptions, as required by the PDSU for review of Development plans, or by the Building Department for review of Grading, Wetland, Stormwater and other Natural Feature protection permit applications.

**Site Management Official (N)**

A person appointed to regularly monitor and directly manage Site Development activities on a Site as it occurs, to regularly monitor work allowed under an approved Site Plan or other permits involving Site work (Grading, Storm Water, Wetland or other Natural Features protection permits). The appointed person shall be trained and qualified to work with all types of Contractors on all types of outdoor Site work to ensure that plans and permit conditions are faithfully complied with, that Natural Features are protected, that landscape work is completed successfully, that Stormwater systems function as expected, that Compacted Soil is repaired, that Barrier Fencing and silt fencing are installed, maintained and finally removed at the end of all construction.

**Stockpiling (N)**

The depositing of earth materials, stone or rock, or construction materials for temporary periods of time, for the purpose of facilitating construction operations.

**Wetland and Watercourse Buffer Areas (M)**

The area delineated by a Boundary Line on an approved Site Plan or Grading permit for a Site that is adjacent to Wetlands and Watercourses wherein disturbance by Clearing, Grubbing, Grading or the activities of the construction of Buildings and Structures is not permitted. Barrier Fencing is placed upon these Boundary Lines.

**Woodland**

A forested area of 1/2 acre or more with a gross basal area of 30 square feet per 1/2 acre, containing 20 trees per 1/2 acre greater than 6 inches in Diameter at Breast Height (DBH).

**Woodland, Native Forest Fragment (N)**

A Woodland composed predominantly of native trees, most often of Landmark or Heritage Trees, and areas of such Woodlands visible on current and historical aerial imagery (back to 1940) of the City (if any trees remain); and the area of “Ann’s Arbour” (bounded by State Street, Kingsley Street, North Main Street, and Washington Street in which Heritage Burr Oaks still survive). See the City’s Natural Features Web pages.

**Woodland, Qualified Urban (N)**

A type of Urban Woodland on which there are at least 30 Landmark or Heritage trees growing, and on which there are no habitable structures.