

## ARTICLE XX

### DEFINITIONS

#### SECTION 2.05 – CONSTRUCTION OF LANGUAGE

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For the purpose of this Ordinance, ~~certain terms~~ specific terms, and phrases and rules of construction shall be interpreted as follows ~~and certain rules of construction apply to the text as follows in this Article;~~

##### (A) INTERPRETATIONS.

- (1) If the meaning of this Ordinance is unclear in a particular circumstance, the individual or body charged with interpreting or applying this Ordinance shall construe the meaning in a manner consistent with the intent of this Ordinance and other zoning and planning laws.
- (2) ~~All words and phrases shall be construed and understood according to the common preferred use of the language; words~~ Words and phrases defined in this Ordinance shall be construed and understood according to the definition contained in this Ordinance; and technical words and phrases that may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to that peculiar and appropriate meaning. Except as described above, all words and phrases shall be construed and understood according to the common preferred use of the language.

##### (B) TERMS.

- (1) The words “this Ordinance” means the text of this Ordinance as well as all maps, tables, graphics, and schedules, as included or attached, as enacted or subsequently amended.
- (2) The term “shall” is always mandatory and not discretionary; the word “may” is permissive.
- (3) The particular shall control the general. For terms used in this Ordinance, the use of a general term shall not be taken to be the same as the use of any other specific term.
- (4) Words used in the present tense include the future tense, unless the context clearly indicates otherwise.
- (5) The singular includes the plural, and the plural shall include the singular, unless the context clearly indicates otherwise.

- (6) The word “person” includes an individual, corporation, association, partnership, trust, firm, or similar entity.
- (7) The word “building” includes the word “structure” and either includes any part thereof.
- (8) The word “build” includes “erect” and “construct.”
- (9) The word “lot” includes the word “plot,” “tract,” or “parcel.”
- (10) The word “used” or “occupied,” as applied to any land or building, shall be construed to include the words intended, arranged, maintained for or **designed to be used or occupied.**
- (11) The conjunctions noted below shall be interpreted as follows, unless the context clearly indicates otherwise:
- a. “And” indicates that all the connected items, conditions, provisions, or events shall apply.
  - b. “Or” indicates the connected items, conditions, provisions or events may apply singly or in any combination.
  - c. “Either...or” indicates that the connected items, conditions, provisions, or events shall apply singly, but not in combination.
- (12) “Days” means calendar days unless stated otherwise.
- (13) Reference to a specific agency, department, law, act, rule, etcetera in this Ordinance shall include any successor ~~agency, department, law or rule.~~

## SECTION 2.10 – DEFINITIONS

### (A) DEFINITIONS of WORDS and PHRASES STARTING WITH “A”:

- (1) **Abandoned Motor Vehicle:** See “Motor Vehicle, Inoperable.” ~~All forms of transportation requiring registration by the State of Michigan that are mechanically inoperable and/or unlicensed.~~
- (2) **Abandonment:** The relinquishment of land or cessation of a use of the land by the owner or lessee without any intention of transferring rights to the land to another owner or of resuming that use of the land or building.
- (3) **Abutting (lot ~~or parcel~~):** A lot ~~or parcel which that~~ shares a common border with ~~the subject~~ another lot or parcel. See “Contiguous.”

~~(3)~~(4) **Accessory Dwelling:** See “Dwelling, Accessory.”

(5) **Access:** The way by which ~~vehicles-one~~ gains ingress or egress to a site.

~~(4)~~(6) **Accessible:** With concerns to storage

(7) **Accessory Building or Building Structure:** A building or structure that is located on the same lot as the principal structure that is clearly incidental and subordinate to the primary structure. Examples of accessory structures include, but are not limited to: detached garages, detached carports, sheds, pole barns, and fences. A building or structure customarily incidental and subordinate to the principal structure and located on the same lot as the principal building.

(8) **Accessory Use:** See “Use, Accessory.”

(9) **Act:** The term “Act” or “doing of an act” includes “omission to act.”

(10) **Activity:** Any use, operation, development, or action on or to uplands or bottomlands caused by any person, including, but not limited to: constructing, operating, or maintaining any use or development; erecting buildings or other structures; depositing or removing material; dredging, ditching; land balancing, draining, or diverting water; pumping or discharge of surface water; grading, paving, vegetative clearing or excavation; mining or drilling operations. ((ISUSED??))

~~(5)~~(11) **Addition:** A physical enlargement or expansion of the building envelope of an existing structure or building.

~~(12) Accessory Use: A use customarily incidental and subordinate to the principal use of the land or building and located on the same lot as the principal use.~~ **Adjacent or Adjoining:** Touching, contiguous, sharing a common lot line, or located across a street or alley.

~~(6)~~(13) **Administrative Adjustment:** An adjustment to the base developmental standards by the approving authority if specified ~~certain~~ conditions are satisfied.

(14) **Adult Day Care Center:** A day care center that provides care for adults for less than twenty-four (24) consecutive hours.

(15) **Adult-Entertainment Businesses:** Any business, club, or organization where one or more persons display “specified anatomical areas” or engage in “specified sexual activities,” as defined below, either in person or by photograph, motion picture, television, or other means.

- a. **Adult Bookstore or Videostore:** An establishment permitting physical access by customers to floor area or shelf space ~~which-that~~ is devoted to the display of books, magazines, or other periodicals, video tapes, dvds, photographs, ~~or~~ motion picture films, or other types of video

~~which~~that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to “specified sexual activities” or “specified anatomical areas.” This also includes any establishment which indicates the availability of such material by any sign, advertisement, or other device audible or visible from anywhere outside the principal building, regardless of the amount of area devoted to said material.

- b. **Adult Cabaret:** A nightclub, bar, cocktail lounge, restaurant, or similar establishment that has performers and/or employees that are characterized by the exposure of specified anatomical areas or by specified sexual activities or films, motion pictures, slides, or other photographic or video reproductions in which a substantial portion of the total presentation is devoted to the showing of material that is characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
- c. **Adult Theater:** Any establishment presenting material or activity distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” for viewing by patrons or customers.
- d. **Massage Parlor:** An establishment in which a substantial or significant portion of the business conducted involves the administration of non-therapeutic massage, erotic touching, or fondling of ~~such body areas as human genitals, pubic region, buttock, or breasts~~ “specified anatomical areas.” The term “massage parlor” does not include medical or therapeutic massage services or any ~~state-state~~-licensed practitioners or medical or related services such as chiropractors or physical therapists.
- e. **Public Bath:** An establishment providing common bathing facilities or hot tubs for use for a fee. Shower facilities, swimming pools, saunas, and similar facilities intended as accessory uses in a school, health club, motel, or similar facility are not “public baths.”
- f. **Specified Anatomical Areas:** Human genitals, pubic regions, buttock, or any portion of the female breast below a point immediately above the top of the areola when less than completely and opaquely covered, in addition to human genitals in a discernibly turgid state, even if completely and opaquely covered.
- g. **Specified Sexual Activities:** Human genitals in a state of stimulation or arousal; acts of human or animal masturbation or sexual intercourse; fondling of or erotic touching of human genitals, pubic region, buttock, or female breast; bestiality; fellatio or cunnilingus; sadomasochistic abuse; and human excretory functions.

**h. Taxi Dance Hall:** An establishment which provides dance partners as the direct or indirect result of payment of a fee.

~~(7)~~**(16) Adult Foster Care Facility:** A residential structure licensed to provide room, board, and supervised care, but not continuous nursing care, for unrelated adults over the age of 17, in accordance with Public Act 218 of 1979, and the Adult Foster Care Administrative Rules, as administered by the Michigan Department of Social Services. The following types of Adult Foster Care Facilities are provided for: (SLIGHTLY DIFFERENT FROM STATE DEFINITIONS FOR FOSTER CARE FACILITIES)

**a. Adult Foster Care Home:** Private residence for six (6) or fewer adults in which the licensee is a resident.

**b. Adult Foster Care Small Group Home:** Residence for twelve (12) or fewer adults in which the licensee is not required to live be a resident.

**c. Adult Foster Care Large Group Family:** Residence for thirteen (13) to twenty (20) adults in which the licensee is not required to live be a resident.

~~(8)~~**(17) Adverse Impact:** A negative consequence for the physical, social, or economic environment resulting from an action, activity, use, or development.

~~(9)~~**(18) Agriculture:** The use of land for agricultural purposes, including, but not limited to: farming, dairying, pasturage, apiculture, aquaculture, horticulture, floriculture, viticulture, and animal and poultry husbandry.

~~(10)~~**(19) Agricultural Building or Structure:** A building or structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other farm products and that is clearly incidental and accessory to a farm operation, excluding retail trade but including farm stands.

~~(11)~~**(20) Agricultural Land:** Substantially undeveloped land Land devoted to the production of plants and animals useful to humans, including, but not limited to: forage and sod crops, grains, feed crops, field crops, dairy products, poultry and poultry products, livestock, herbs, flowers, seeds, grasses, nursery stock, fruits, vegetables, Christmas trees, and other similar uses and activities.

~~(12)~~**(21) Air Contaminant:** Dust, fumes, gas, mist, smoke, vapor, or any combination thereof.

~~(13)~~**(22) Air Contaminant Source:** Any and all sources of emission of air contaminants.

~~(14)~~(23) ***Air Pollution:*** Presence in the outdoor atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration to be injurious ~~and~~ or to unreasonably interfere with the comfortable enjoyment of life and property.

~~(15)~~(24) ***Alley:*** ~~See “Street” definitions. A public or legally established thoroughfare, other than a street, providing a secondary means of vehicular access to abutting property and not intended for general traffic circulation.~~

~~(25)~~ ***Alteration:*** Any change, addition, or modification in construction or type of ~~occupancy~~ use; any change in the structural members of a building structure, such as walls or partitions, columns, beams or girders; or any change which may be referred to herein as altered or reconstructed.

~~(16)~~(26) ***Amendment:*** See “Zoning Text Amendment” or “Zoning Map Amendment.”

~~(17)~~(27) ***Apartment:*** A room or suite of rooms, including bath and kitchen facilities, in a two-family or multiple-family dwelling intended and designed for use as a residence by a single family. ~~((ISUSED??))~~

~~(18)~~(28) ***Appeal:*** A petition to the Zoning Board of Appeals for a variance, appeal of a decision, or interpretation; or any other petition to the Zoning Board of Appeals, as allowed in this Ordinance and state law.

~~(19)~~(29) ***Appeal of Decision:*** An appeal to the Zoning Board of Appeals requesting a reversal, change, or modification of a decision or action by a Township official or body involved in the enforcement and execution of this Ordinance.

~~(30)~~ ***Automobile:*** See “Motor Vehicle.”

~~(31)~~ ***Automobile Service and Repair Stations:*** ~~Buildings and premises~~ A facility for the primary purpose of the retail sales of gasoline, oil, grease, batteries, tires, and other operational fluids and accessories for automobiles ~~motor vehicles, and other accessory retail sales, and the installation of such items, and for other mechanical automobile repair not to include auto refinishing, body work or painting, dismantling of vehicles for the purpose of reuse or resale of parts, or storage of automobiles other than those in for immediate repair.~~

~~(32)~~ ***Automobile Repair/Maintenance:*** A facility for the primary purpose of the retail sales of oil, grease, batteries, tires, and other operational fluids and accessories for motor vehicles and the installation of such items, and for other mechanical automobile repair, not including body work or painting, dismantling of vehicles for the purpose of reuse or resale of parts, or storage of automobiles other than those in for immediate repair.)

(33) *Automobile Sales*: A facility used primarily for the sale of new and/or used motor vehicles, including the outside storage of vehicles for sale.

(34) *Automobile Wash*: Any building or structure, or portion thereof, containing facilities for washing motor vehicles using a conveyor, blower, steam cleaning device, or other mechanical devices, including coin, self-service, and attendant operated drive-through, automatic self-serve, track-mounted units, and similar high-volume washing establishments, but not including hand-washing operations.

~~(20)~~(35) *Average Grade*: C “Grade, Average.”

~~(21)~~(36) *Awning*: An architectural projection that provides weather protection, identity, or decoration ~~and that~~ is wholly supported by the building structure to which it is attached. ~~An and awning~~ is comprised of a lightweight, rigid skeleton structure over which a covering is attached.

**(B) DEFINITIONS of WORDS and PHRASES STARTING WITH “B”:**

(1) *Bar*: An establishment or part of an establishment devoted primarily to the selling, serving, or dispensing of alcoholic beverages for on-site consumption. ((ISUESED??))

(2) *Basement*: That portion of a building which is partly or wholly below grade, but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story. ((ISUSED))

~~(2)~~(3) *Bed and Breakfast*: A single-family dwelling which is owner-occupied in which overnight accommodations are provided or offered for compensation, including the provision of bathing and lavatory facilities and a breakfast meal.

(4) *Berm*: A mound of earth graded, shaped, and improved with landscaping in such a fashion as to be used for visual and/or audible screening purposes to provide a transition between uses of differing intensity or to raise a structure above the natural grade.

~~(3)~~(5) *Best Management Practices*: A structural, vegetative, or managerial practice or combination of design ~~criteria~~ and practices used to treat nonpoint source pollution and to prevent or reduce to the maximum extent practicable, the discharge of nonpoint source pollution directly or indirectly to storm water, storm water conveyance systems, or receiving waters.

~~(4)~~(6) *Biofuel Production Facility, Small*: A facility for the production of biofuel with an annual production capacity of not more than 100,000 gallons.

~~(5)~~(7) **Biofuel Production Facility, Large:** A facility for the production of biofuel with an annual production capacity of more than 100,000 but not more than 500,000 gallons.

**(8) Blight:** Unightly and hazardous condition, including, but not limited to:

a. the accumulation of debris, litter, ~~rubbish~~junk, or rubble;

b. ~~fences~~structures characterized by holed, breaks, rot, crumbing, cracking, peeling, or rusting;

c. landscaping that is dead, characterized by uncontrolled growth or lack of typical maintenance, or damage;

d. Outdoor storage of inoperable motor vehicles, recreational vehicles, trailers, and watercraft;  
and

~~c.~~ any other similar conditions of disrepair and deterioration.

~~(7)~~(9) **Block:** An area that abuts a street and lies between two (2) adjoining streets or barriers, such as railroad right-of-way, rivers, lakes, and other lines of demarcation.

~~(8) Boat:~~ ~~A watercraft having a motor, engine, or other machinery of more than five (5) horsepower or the equivalent, also including, personal watercraft, as defined in the~~ Marine Safety Act.

~~(9) Boat Access Ramp:~~ ~~A public or private facility at the water's edge used for the launching and retrieving of watercraft and the parking of the associated tow vehicle and trailer.~~

~~(10) Boat Repair and Storage:~~ ~~Repair or storage of boats on property that is not owned or controlled by the owner of the boat or for a commercial purpose. See "Watercraft."~~

~~(11) Body of Water:~~ ~~definition here// see~~ See surface "Surface water body, of water

~~(12) Bottom Land:~~ The land area of an inland lake, ~~or~~ stream, or river that lies below the ordinary high-water mark and that may or may not be covered by water.

~~(13) Breezeway:~~ A covered structure connecting an accessory building with the principal building.

**(14) Buffer Area:** A strip of land reserved for plant material, berms, walls, or fencing to serve as a visual and/or sound barrier between properties, often between abutting properties and properties in different zoning districts. Landscaping, berms, fencing, or open space can also be used to buffer noise, light, and related impacts from abutting properties even if not in a separately established buffer zone.

~~(14)~~(15) **Buildable Area:** The open space ~~remaining~~ on a lot, exclusive of the required yards (setbacks), where on which a building may be constructed.



~~(15)~~(16) **Buildable Envelope:** The ~~area~~three dimensional space of a lot defined by the setback standards and height standards in which a building may be constructed.

~~(16)~~(17) **Building:** ~~Any~~A type of structure, either temporary or permanent, having a roof supported by columns, walls, or any other supports, that is used for the purpose of housing, sheltering, storing, or enclosing persons, animals, or personal property, or carrying on business activities. This definition includes but is not limited to: mobile homes, tents, sheds, garages, greenhouses, and other principal or accessory structures.

~~(17)~~

(18) **Building Code:** The building code that is in force in the Township.

~~(19)~~ **Building Envelope:** The exterior of a building as defined by the facades and roofs.

~~(20)~~ **Building Height:** In the case of a principal or accessory building or structure, the vertical distance measured from the finished grade at the center of the building where the building abuts the front yard(s) and waterfront yard(s) to the highest point of the roof surface, except as follows: to the deck line of mansard roofs, and the average height between eaves and the ridge of gable, hip, and gambrel roofs (*see Figure 2-1 at end of this Section*). For structures on a lot which has two (2) or more front yards, the largest height measurement where the center of the building abuts the front yard shall be the ~~structure~~building height.

~~(19)~~(21) **Building Inspector:** An individual hired, or under contract to, the Building Authority/Agency responsible for administering the building code in force in the Township.

~~(22)~~ **Building Lines:** A line ~~which~~that defines the minimum distance, as determined by the minimum front, side, ~~or~~ rear-yard setback, or other setbacks that any building shall be located from a ~~property~~lot line, existing street right-of-way line, or ordinary ~~high~~high-water mark.  
((ISUSED??))

~~(20)~~(23) **Building, Principal:** A building or, ~~where the context so indicates,~~ a group of buildings, where the context so indicates, in which the main or principal use of the site is located.

~~(21)~~(24) **Bulk:** The term used to indicated the size and setbacks of buildings and structures and their location with respect to one another, including standards for the height and area of buildings, the location of exterior walls in relation to lot lines, streets, and other buildings, gross floor area of buildings in relation to lot area, open space, and the amount of lot area required for each dwelling unit. ((ISUSED??))

~~(22)~~(25) **Bus Shelter:** A small, roofed structure, usually having three (3) walls, located near a street and designed for the protection and convenience of bus passengers.

~~(23)~~(26) **Business:** A facility or enterprise that purchases, sells, exhibits, or exchanges goods or services or maintains offices. ~~((ISUSED??))~~

(C) DEFINITIONS of WORDS and PHRASES STARTING WITH “C”:

(1) **Caliper:** The diameter of a tree measured at: four and a half (4.5) feet above the natural grade for existing trees, ~~and~~ twelve (12) inches above the average grade for new trees four (4) inches or more in caliper, and six (6) inches above the average grade for new trees less than four (4) inches in caliper.

(2) **Campground:** A site under the control of a person, business, corporation or public body on which camping sites and/or rustic cabins are offered for the use by the public or members of an organization, either free of charge or for a fee, for the establishment of temporary living quarters. Temporary living quarters means a tent, recreational vehicle, or any portable structure designed to be carried or towed by a vehicle and placed for temporary living quarters.

(3) **Canopy Structure:** Any overhead protective structure that is constructed in such a manner as to allow pedestrians or vehicles to pass under.

~~(2)~~(4) **Capital Improvement Plan:** A plan setting forth a timetable or schedule of all future capital improvements to be carried out during a specific period, including cost estimates.

~~(3)~~ **Car Wash Facility:** ~~Any commercial facility where the washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment or vehicles occurs for remuneration, including self-service facilities, automated facilities, and assembly line facilities.~~

~~(4)~~(5) **Carport:** A partially-open structure, intended to shelter at least one (1) vehicle.

~~(6)~~ **Cellar:** ~~Cemetery:~~ PropertyLand or a facility, including ~~crematories,~~ mausoleums, and/or columbariums, used ~~or intended to be used solely~~ for the perpetual interment of deceased human beings or customary household pets.

(7) **Certificate of Occupancy:** A document signed by the Building Inspector as a condition precedent to the commencement of a the legal use of a ~~structure or building~~ which that acknowledges that ~~such use, the~~ structure ~~or building~~ complies with the provisions of this Ordinance and the building Building code Code in force in the Township.

(8) Certificate of Zoning Compliance: A document signed by the Zoning Administrator acknowledging that a structure or other improvements or the use of land is consistent with the standards of this Ordinance.

(9) Certificate of Zoning Compliance, Final: A document signed by the Zoning Administrator as a condition precedent to the commencement of the legal use of a structure or land acknowledging that the structure or other improvements or the use of the land is consistent with the standards of this Ordinance.

(10) Change of Use: ~~A~~The use of a building, structure, ~~or parcel of land~~lot, or portion thereof which that is different from the previous use in the way ~~it~~ is classified ~~in~~by this Ordinance or ~~in the State Building Code, as amended~~the Building Code.

(11) Change of Use, Minor: definition here.

(12) Change of Use, Major: definition here.

(13) Church: See “Religious Institution.”

(14) Clear-Vision Zone: The triangular area at the intersection or a driveway and a street or streets that is to remain clear of visual obstructions.

(15) Club: An organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics, agriculture, or similar activities, ~~but not operated for profit and open~~that is not operated for profit and open only to members and not the general public.

(16) Commercial Agriculture: The use of land and/or structures for the growing and/or production of farm products for income.

(17) Commercial Facility: A facility used for a commercial use. ~~((ISUSED??))~~

(18) Commercial Vehicle: Any motor vehicle, other than a passenger vehicle, and any trailer, semi-trailer, or pole trailer drawn by ~~such a~~ motor vehicle, ~~which that~~ is designed, used, and maintained for the transportation of persons or property for hire, compensation, profit, or in the furtherance of a commercial ~~enterprise~~use.

(19) Commercial Use: An occupation, employment, or enterprise that is conducted for profit by the owner. ~~((NON-PROFITS TOO??))~~

(20) Common Use Access Lot: A lot that is used to provide ~~access to a~~ surface water body ~~access~~ for more than two (2) dwelling units not located on the lot. ~~((NEEDS ATTENTION))~~

**(21) Common Use Lot:** A lot that other lots have added or dedicated right to use. Also known as common area.

**(22) Communication Tower:** ~~A radio, telephone, or television relay structure of skeleton framework, attached directly to the ground or to another structure, used for the transmission or reception of radio, television, microwave, or any other form of telecommunications signals.~~ See “Wireless Communication Facility” definitions.

**(23) Community Water or Waste Water System:** A facility that is owned by a non-governmental entity and is designed, constructed, operated, and maintained to transport, collect, process and treat sanitary sewage from or provide potable water to more than one (1) lot. ((CHECK WITH STATE, POSSIBLY CALL COMMON WATER OR WASTE))

~~(5)~~**(24) Conditional Rezoning:** See “Zoning Map Amendment, Conditional.”

~~(6)~~**(25) Conditional Use:** See “Special Land Use.”

~~(7)~~**(26) Condominium Definitions:** The following words, terms, and phrases related to condominiums shall have the following meanings:

- a. **Common Elements, General:** Common elements, other than the limited common elements, intended for the common use of all the co-owners.
- b. **Common Elements, Limited:** Portions of the common elements reserved in the master deed for the exclusive use of less than all the co-owners.
- c. **Condominium:** A system of separate ownership of individual units and/or multi-unit projects according to the Condominium Act. In addition to the interest acquired in a particular unit, each unit owner is also a tenant in common in the underlying fee and in the spaces and building parts used in common by all the unit owners.
- d. **Condominium Act:** Public Act 59 of 1978, MCL 559.101 et seq.
- e. **Condominium, Expandable:** A condominium project to which additional land may be added.

f. **Condominium Lot:** That portion of the land area of a site condominium project designed as the building envelope and intended to function similar to a ~~platted subdivision~~ lot for purposes of determining minimum yard setback standards and other standards of this Ordinance. —; a condominium unit of vacant land in a site condominium. A condominium lot shall be the equivalent of a “lot.”(SEE CONDOMINIUM UNIT)

- g. **Condominium Project:** A plan or project consisting of two (2) or more condominium units established and approved in conformance with the Condominium Act.
- h. **Condominium Subdivision or Site Condominium:** A division of land on the basis of condominium ownership that is not subject to the provisions of the Subdivision Control Act.
- i. **Condominium Subdivision Plan:** The drawings attached to the master deed for a condominium subdivision which describe the size, location, area, horizontal, and vertical boundaries and volume of each condominium unit contained in the condominium subdivision, as well as the nature, location and size of common elements.
- j. **Condominium Unit:** That portion of a condominium project or condominium subdivision that is designed and intended for separate ownership and use, as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use. A condominium unit may consist of either vacant land or space which either encloses, or is enclosed by, a building structure. ~~Any “condominium unit,” or portion thereof, consisting of vacant land shall be equivalent to the term “lot” for the purposes of determining compliance of the condominium subdivision with the standards of this Ordinance including, but not limited to: minimum lot size, minimum lot width, maximum lot coverage, and maximum floor area ratio.~~
- k. **Contractible Condominium:** A condominium project from which any portion of the submitted land or buildings may be withdrawn pursuant to provisions in the condominium documents and in accordance with this Ordinance and the Condominium Act.
- l. **Convertible Area:** A unit or a portion of the common elements of the condominium project referred to in the condominium documents within which additional condominium units or general or limited common elements may be created pursuant to provisions in the condominium documents and in accordance with this Ordinance and the Condominium Act.
- m. **Master Deed:** The condominium document recording the condominium project, including all exhibits.
- n. **Site Condominium Project:** A condominium project designed to function in a similar manner or as an alternative to a platted subdivision.
- ~~(8)~~(27) **Construction:** The erection, alteration, repair, renovation, demolition, or removal of any structure and the excavation, filling, and grading in connection thereto.

(28) Country Club: See “Golf Course/Country Club.”

~~(9)~~(29) *County*: Washtenaw County, Michigan.

~~(10)~~(30) *Crawl Space*: An enclosed area below the first useable floor of a building, generally less than five (5) feet in height. ~~((REVIEW WITH STATE BUILDING CODE))~~

~~(31)~~ *Cul-de-sac*: See street definitions.

~~(32)~~ *Culvert*: A pipe, conduit, or similar enclosed structure that carries surface or storm water under or through an embankment, fill, roadway, or other obstruction.

~~(33)~~ *Curb Cut*: The entrance to or exit from a property provided for vehicular traffic. ~~((ISUSED??))~~

**(D) DEFINITIONS of WORDS and PHRASES STARTING WITH “D”:**

(1) *Day Care Center*: A facility, other than a private residence, receiving one (1) or more preschool or school age children **or adults** for care for periods of less than twenty-four (24) hours a day and where the parents or guardians are not immediately available. Day ~~care~~Care center~~Center~~ includes a facility that provides care for at least two (2) consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. Day ~~care~~Care center~~Center~~ does not include any of the following:

- a. A Sunday school, vacation bible school, or religious instructional class that are conducted by a religious institution where children are in attendance for:
  1. No more than three (3) hours per day for an indefinite period; or
  2. No more than eight (8) hours per day for a period not to exceed four (4) weeks during a twelve (12) month period.
- b. A facility operated by a religious institution where children are cared for no more than three (3) hours while the children’s ~~parents~~or guardians, or caregivers are attending religious services.
- c. A private home (private residence) in which the licensee or registrant permanently resides as a member of the household, which residency shall not be contingent upon caring for children or employment by a licensed or approved child placing agency, including: a full-time foster family home, a full-time foster family group home, a group day care home, or a family day care home.

- (2) **Day Care Home, Family:** A private home in which the operator permanently resides as a member of the household in which at least one (1) but less than seven (7) minor children **or adults** are received for care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children **or adults** related to an adult member of the family by blood, marriage, or adoption. Family day care home includes a home that gives care to an unrelated minor child **or adult** for more than four (4) weeks during a calendar year.
- (3) **Day Care Home, Group:** A private home in which the operator permanently resides as a member of the household in which more than six (6) but not more than twelve (12) minor children **or adults** are given care and supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group day care home includes a home that gives care to more than six (6) unrelated minor children **or adults** for more than four (4) weeks during a calendar year.
- (4) **Deck:** A platform constructed of wood or similar materials, either freestanding or attached to a ~~building structure~~ that is commonly used for outdoor leisure activities ~~and at least eight (8) inches above grade.~~
- (5) **Dedicated Open Space:** Open land that is permanently set aside for protection in an undeveloped ~~or very limited developed~~ state.
- (6) **Dedication:** The transfer of property interests from ~~one private party to another~~ private ~~or~~ to public ownership for a public purpose. The transfer may be of fee-simple interest or of less than fee interest, including an easement.
- (7) **Demolition:** Any act or process, whether natural or human, that destroys or razes a building or structure or portion thereof.
- (8) **Density:** The number of dwelling units (LOTS) situated on or to be developed per lot area, excluding right-of-ways.
- (9) **Deed Restriction:** A restriction ~~on~~ of the use or development ~~of land~~ that is set forth in ~~the deed instrument~~ and recorded with the County Register of Deeds. It is binding on subsequent owners and is sometimes also known as a restrictive covenant.
- (10) **Department of Agriculture and Rural Development:** The Michigan Department of Agriculture and Rural Development, also known as MDARD, previously known as the Michigan Department of Agriculture. ((ISUESED??))

(11) **Department of Environmental Quality:** The Michigan Department of Environmental Quality, also known as MDEQ. ~~((ISUSED??))~~

(12) **Department of Natural Resources:** The Michigan Department of Natural Resources, also known as MDNR. ~~((ISUSED??))~~

(13) **Design Standards:** A set of standards regarding the appearance and quality of new developments, which include, but are not limited to: building materials, landscaping, signs, lighting, and overall site layout.

~~(14) **Detention Basin or Pond:** A structure or facility, natural or artificial, which stores storm water on a temporary basis and releases it at a controlled rate. A detention basin may drain completely after a storm event, or it may be a pond with a fixed minimum water elevation between storm events.~~

~~(15)~~(14) **Detention Basin or Pond:** A man-made or natural water collection facility designed to collect surface water in order to impede its flow and to release the water gradually, at a rate not greater than that prior to the development of the property, into natural or man-made outlets. A detention basin may drain completely after a storm event or may be pond with a fixed, minimum water elevation between storm events.

~~(16)~~(15) **Development:** The construction of a new building or structure, the relocation of an existing building, or the use of open land for a new use.

~~(17)~~(16) **Development Agreement:** A document approved by the Township that sets forth the terms and conditions under which a development shall be constructed, implemented, and maintained.

~~(18)~~(17) **Developmental-Standard Variance:** Permission to depart from the strict application of a developmental standard of this Ordinance, ~~upon determination by the Zoning Board of Appeals that a practical difficulty exists and specific criteria have been met.~~ Also known as a non-use variance.

~~(19)~~(18) **Discharge:** Any addition or introduction of any pollutant, storm water, or any other substance into the storm water system, groundwater, or off-site.

~~(20)~~(19) **District or Zoning District:** An area of land for which there are uniform standards governing the use of buildings, sites, and premises, density of development, setbacks, yards, and height . A “district” is also known as a “zone” or “zoning district” and includes overlay districts.



~~(21)~~(20) ***Disturbed Area:*** An extent of the area of land subject to development through clearing of all or a portion of vegetation, grading, or excavation.

~~(22)~~(21) ***Divide or Division:*** The partitioning or splitting of a parcel of land for the purpose of sale or lease of more than one year, or for the building development that results in one or more parcels of less than forty (40) acres or the equivalent. It does not include a property transfer between two or more adjacent lots, if the property taken from one parcel is added to an adjacent parcel. (ISUSED??)

~~(23)~~(22) ***Dock:*** A structure built over or floating upon a surface water body and used as-or intended for use as a landing place for ~~boats-and~~ watercraft, fishing, swimming, and other recreational uses and for access to a surface water body or adjacent watercraft.

~~(24)~~(23) ***Drainage:*** The collection, conveyance, or discharge of ground water and/or surface water. The removal of surface water or groundwater from land by drains, grading, or other means. Drainage includes the control of runoff to minimize erosion and sedimentation during and after development and includes the means necessary to preserve the water supply or to prevent or alleviate flooding. -- The outflow of water or other fluid from a site, whether by natural or artificial means.

~~(25)~~(24) ***Drainage System:*** The area within which surface water or groundwater is carried from one part of a site to another part of the site or to adjacent land, including all facilities, areas, and structures that serve to convey, catch, hold, filter, store, and/or receive storm water, either on a temporary or permanent basis.

~~(26)~~(25) ***Drive-In or Drive-Through Establishment:*** An establishment that by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles.

~~(27)~~(26) ***Driveway:*** A means of access for vehicles from a street, ~~or alley,~~ or approved access easement across a lot to a parking or loading area, garage, dwelling, or other structure or area on the lot, ~~that is located and constructed in accordance with the standards of this Ordinance, other Township Ordinances, and any requirements of the Washtenaw County Road Commission or State of Michigan.~~

~~(28)~~(27) ***Driving Range:*** A limited area on which golfers drive golf balls from a central tee, which may also include a practice putting green.

~~(29)~~(28) ***Duplex:*** See “Dwelling, Two-Family.”

~~(30)~~(29) **Dwelling Definitions:** The following words, terms, and phrases related to dwellings shall have the following meanings:

a. **Dwelling:** Any building, or portion thereof, which is designed or used exclusively ~~for residential purposes as a residence~~. In no case shall a motor home, trailer coach, recreational vehicle, automobile chassis, tent, or portable building be considered a dwelling.

~~b. **Dwelling (International Building Code):** A building that contains one (1) or two (2) dwelling units used, intended or designed to be used, rented, leased, let, or hired out to be occupied for living purposes. (included for discussion purposes)~~

~~e~~b. **Dwelling, Accessory:** An accessory dwelling is an area associated with a single-family dwelling that provides supplementary housing for a relative or relatives of the owner or residents ~~and that~~ is associated with the principal single-family dwelling, and contains provisions for living, sleeping, and cooking. An accessory dwelling shall not be considered a separate dwelling unit. Also known as a guest apartment, accessory apartment, granny flat, or in-law apartment.

~~d~~c. **Dwelling, Multiple-Family:** A building containing three (3) or more dwelling units designed for residential use for three (3) or more families living independently of each other.

~~e~~d. **Dwelling, Single-Family:** A detached building, or portion thereof, designed and used exclusively as the home, residence, or sleeping place of one (1) family. In the case of a mixed occupancy, where a building is occupied in part as a dwelling, the part so occupied shall be considered a dwelling for purposes of this Ordinance.

~~f~~e. **Dwelling, Two-Family:** A building containing two (2) separate dwelling units designed for residential use. This shall not include a single-family dwelling with an accessory dwelling.

~~g~~f. **Dwelling Unit:** One or more rooms with a bathroom and kitchen facilities designed as a self-contained unit for occupancy by one family for living, cooking, ~~and sleeping~~, and sanitation purposes.

~~h. **Dwelling Unit (International Building Code):** A single unit providing complete, independent living facilities for one or more persons living as a single housekeeping unit, including permanent provisions for living, sleeping, eating, cooking, and sanitation. (included for discussion purposes)~~

**(E) DEFINITIONS of WORDS and PHRASES STARTING WITH “E”:**

- (1) **Easement:** A ~~right-of-way use~~ granted, ~~but not dedicated~~, for limited use of private land for a public, quasi-public, or private purpose and within which the owner of the property shall not ~~erect any permanent structures~~ restrict the granted use.
- (2) **Eave:** The portion of the roof that extends beyond the vertical wall of the building, excluding gutters.
- (3) **Egress:** See “Access.”
- (4) **Electrical Distribution Lines:** Electrical power lines that carry electricity from a substation to local neighborhoods.
- (5) **Electrical Transmission Lines:** Electrical power lines, generally mounted on towers, that carry electricity from power plants to substations.
- (6) **Employees:** Any person employed or hired, directly or as a contractor, by a firm, business, educational institution, nonprofit agency, corporation, government agency, or other entity. ((INCORPORATE NON-PROFIT EMPLOYEE/VOLUNTEERS))
- (7) **Encroachment:** ~~here~~ An intrusion upon the property of another, a right-of-way, or easement, without permission.
- (8) **Entrepreneurial Kitchens:** ~~here~~ Use of a commercial kitchen by a party other than the tenants for production of food products to be marketed, sold, and consumed off-site.
- (9) **Environmental Impact:** A beneficial or detrimental ~~impact~~ effect on the environment, including, but not limited to: significant changes in an area’s air, water, and land resources.
- (10) **Environmental Impact Statement:** A statement describing the effect of a proposed development on the environment.
- ~~(11) **Equipment Compound:** An area surrounding or adjacent to the base of a wireless communications support structure and within which wireless communications equipment is located. ((MOVE TO WIRELESS COMMUNICATION))~~
- ~~(12)~~(11) **Erected:** The word “erected” means built, constructed, reconstructed, moved upon, or any physical activity upon a site required for a ~~building or~~ structure. Excavation, fill, drainage, and the like, shall be considered a part of erection when done in conjunction with a ~~building or~~ structure.
- ~~(13)~~(12) **Erosion or Soil Erosion.** The process by which the ground surface is worn away by action of wind, water, gravity, or a combination thereof.

~~(14)~~(13) **Essential Services:** The erection, construction, alteration, or maintenance by public utilities or municipal departments of underground, surface, or overhead gas, communication, telephone, electrical, steam, fuel, or water transmission or distribution systems, collection, supply, or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, fire hydrants, and similar accessories that are necessary for the furnishing of adequate service by such utilities or municipal departments for the general public health, safety, convenience, or welfare, but not including towers, office buildings, substations, structures ~~which~~that are enclosures, shelters for service equipment, maintenance depots, or the outside storage of pipes, cables, transformers, poles, and similar utility equipment or materials.

~~(15)~~(14) **Ethanol:** A substance that meets ASTM international standard in effect on the effective date of this section as the D-4806 specification for denatured fuel grade ethanol for blending with gasoline. ~~((ISUSED??))~~

~~(16)~~(15) **Ex-Parte Contact:** Any communication between one party and a member of a public body with responsibility for making a decision that occurs outside the formal decision-making process and without the knowledge of other parties or other members of the public body.

~~(17)~~(16) **Excavation:** Any breaking of ground, except common household gardening, general farming and ground care. The phrase “general farming” shall not be interpreted to include the removal of soil, minerals, or other material for the purposes of creating a pond or other water body.

~~(18)~~(17) **Extraction Operation:** The removal, extraction, or mining of sand, gravel, or similar material for off-site use.

**(F) DEFINITIONS of WORDS and PHRASES STARTING WITH “F”:**

(1) **Facade:** The exterior elevation of a building or structure, as viewed from outside the building or structure.

~~(1)~~(2) **Fall Zone:** An area around a tower in which a tower could collapse and fall.

~~(2)~~(3) **Family:** Family shall mean one of the following:

- a. An individual or group of two or more persons related by blood, marriage, or adoption, including foster children and ~~servants~~domestic employees, together with not more than two

(2) additional persons not related by blood, marriage, or adoption, living together as a single housekeeping unit in a dwelling unit, or

- b. A collective number of individuals domiciled together in one (1) dwelling unit whose relationship is of a continuing non-transient domestic character and who are cooking and living as a single, nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization, group of students, or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or terms or other similar determinable period.

The above definition shall not apply in instances of group care centers or state-licensed residential facilities, as established under **Public Act 395 of 1976**.

~~(3)~~**(4)** ***Family Day Care Home:*** See “Day Care Home, Family.”

~~(4)~~**(5)** ***Farm:*** Land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products. **(Verify meets section 2 of RTFA, MCL 286.472.)**

~~(5)~~**(6)** ***Farm Operation:*** The operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of farm products, and includes, but is not limited to:

- a. Marketing produce at roadside stands or farm markets;
- b. The generation of noise, odors, dust, fumes, and other associated conditions;
- c. The operation of machinery and equipment necessary for a farm including, but not limited to, irrigation and drainage systems and pumps and on-farm grain dryers, and the movement of vehicles, machinery, equipment, and farm products and associated inputs necessary for farm operations on the roadway as authorized by the Michigan Vehicle Code, Public Act 300 of 1949, MCL 257.1 to 257.923
- d. Field preparation and ground and aerial seeding and spraying;
- e. The application of chemical fertilizers or organic materials, conditioners, liming materials, or pesticides;
- f. Use of alternative pest management techniques;
- g. The fencing, feeding, watering, sheltering, transportation, treatment, use, handling and care of farm animals;

- h. The management, storage, transport, utilization, and application of farm by-products, including manure or agricultural wastes.
- i. The conversion from a farm operation activity to other farm operation activities.
- j. The employment and use of labor.

~~(6)(7)~~ ***Farm Labor Housing:*** ~~definition here~~ Facilities used as living quarters for five (5) or more migratory laborers engaged in agricultural activities, including related food processing.

**(8)** ***Farm Product:*** Those plants and animals useful to human beings produced by agriculture and includes, but is not limited to: forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae, livestock, including breeding and grazing, equine, fish, and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, trees and tree products, mushrooms, and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur, as determined by the Michigan commission of agriculture. The phrase “farm product” shall not be interpreted to include the commercial slaughtering of farm animals.

~~(7)(9)~~ ***Fence Definitions:*** The following words, terms, and phrases related to fences shall have the following meanings:

a. ***Fence:*** An accessory structure artificially constructed to serve as an obscuring screen, physical barrier, and/or decorative landscape element.

b. ~~*Fence,*~~ ***Agricultural Fence:*** A fence erected to enclose an area of land used for agricultural purposes.

c. ~~*Fence,*~~ ***Athletic Fence:*** A fence erected to enclose an athletic field or court.

d. ***Fence Height:*** The vertical distance between the lowest adjacent grade and the topmost portion of the fence, excluding fence posts.

~~(8)(10)~~ ***Filing Date:*** The date on which a completed application, all required materials, and fees and deposits are submitted to the Township.

~~(9)(11)~~ ***Filling:*** The depositing or dumping of any matter into or onto the ground.

~~(10)(12)~~ ***Fire Hydrant:*** ~~An upright~~ hydrant for drawing water to fight fires, whether pressurized or a dry hydrant.

~~(11)(13)~~ ***Flagpole:*** A structure used for the sole purpose of displaying flags.

~~(12)~~(14) **Floor Area, Gross:** The sum of all gross horizontal areas of all floors of a building or buildings, measured from the outside dimensions of the building's facades. Unenclosed and uncovered porches, ~~unenclosed and covered porches~~, court yards, or patios shall not be considered as part of the gross floor area except where they are used for commercial purposes.

~~(13)~~(15) **Floor Area, Useable:** The area used for the sale of merchandise or services or to serve patrons, clients, or customers. Floor area that is used, or intended to be used, principally for the storage or processing of merchandise, hallways, stairways, elevator shafts, restrooms, or janitorial service rooms, shall be excluded from the usable floor area. Usable floor area shall be measured from the interior faces of the exterior walls, and total usable floor area for a building shall include the sum of the usable floor area for all floors.

~~(14)~~(16) **Food Cart:** A motor vehicle, cart, or trailer used for the preparation and/or sale of ready-to consume foods and beverages.~~here~~

~~(15)~~(17) **Footing:** That portion of the foundation of a structure which spreads and transmits loads directly to the soil or the pilings.

~~(16)~~(18) **Foster Care Facility:** An establishment which provides supervision, assistance, protection, or personal care, in addition to room and board, to persons. A foster care facility does not include a nursing home, licensed under **Public Act 139 of 1956**, or a mental hospital for mental patients, licensed under **Public Act 151 of 1923**.

a. **Family Home:** A facility which provides foster care to six (6) or fewer persons.

b. **Group Home:** A facility which provides foster care to seven (7) or more persons.

~~(17)~~(19) **Foundation:** The supporting substructure of a building or other structure, including, but not limited to: basements, slabs, rat walls, sills, posts, or frost walls.

~~(20)~~ **Fraternal Organization:** See "Club."

~~(18)~~(21) **Freedom Drain:** See "French Drain."

~~(19)~~(22) **French Drain:** A below-ground drain consisting of a perforated pipe in a trench filled with gravel to permit movement of water through the gravel and into the ground.

~~(20)~~(23) **Frontage:** The total continuous length of the line separating a lot from the right-of-way or access easements and frequently identical to the front lot line. In the case of waterfront lots, the term frontage shall also apply to the total continuous length of the ordinary high-water mark, excluding manmade alterations. (See "**Lot Line, Front**")

~~(21)~~(24) **Fumes:** Minute solid particles generated by the condensation of vapors from solid matter after coagulation from the molten state or generated by sublimation, distillation, calcination, or chemical reaction, when these processes create airborne particles.

~~(22)~~(25) **Funeral Home:** A building used for the preparation of the deceased for burial, ~~and~~ display of the deceased, ~~and~~ for rituals associated with burial or cremation.

**(G) DEFINITIONS of WORDS and PHRASES STARTING WITH “G”:**

(1) **Garage:** An accessory building or an accessory portion of a principal building designed or used primarily for the storage of ~~noncommercial~~ motor vehicles, ~~boats~~watercraft, recreational vehicles, ~~snowmobiles, and,~~ similar vehicles, and other property owned and used by the occupants of the building to which it is accessory.

~~(2) **Garage Apartment:** An accessory dwelling that is located within a detached garage.~~

~~(3)~~(2) **Gated Community:** A development, whether single-family, multiple-family, or accessory uses, that are enclosed within a geographical area by restrictive gates.

~~(4)~~(3) **Gated Entrance:** An entrance to a gated community at which a gate, crossbar, door, or other obstructive device is used for the purpose of restricting, controlling, or obstructing access by motor vehicles or pedestrians to or from a street.

~~(5)~~(4) **General Development Plan:** See “Master Plan.”

~~(6)~~(5) **Golf Course/Country Club:** A golf course, ~~public or private,~~ where the game of golf is played, including customary accessory uses and buildings, such as, but not limited to: club house, locker rooms, maintenance and administrative facilities, and country club.

~~(7)~~(6) **Grade Definitions:** The following words, terms, and phrases related to grade shall have the following meanings:

- a. **Grade, Average:** A reference plain-plane representing the average of the level of the ground adjoining a building along all exterior walls.
- b. **Grade, Finished:** The elevation of the ground surface upon completion of construction activities.
- c. **Grade, Natural:** The elevation of the ground surface in its natural state, before man-made alterations.
- d. **Grade, Rough:** The stage at which the grade approximately conforms to the approved plan.



e. **Grading:** Any stripping, cutting, digging, excavation, filling, or stockpiling of soil or any combination thereof ~~and the land in its excavated or filled condition.~~

~~(8) **Greenbelt:** A area of land of definite width and location upon which existing vegetation is preserved or reserved for the planting of living plant materials to serve as an obscuring screen or buffer strip.~~

~~(9)~~(7) **Greenhouse:** A structure having a roof and/or walls of glass or similar material for the protection or propagation of plants.

~~(10)~~(8) **Group Day Care Home:** See “Day Care Home, Group.”

~~(11)~~(9) **Group Home:** see this thing ~~((DELETE OR REOLCATE))~~

#### (H) DEFINITIONS of WORDS and PHRASES STARTING WITH “H”:

(1) **Habitable Room:** A room capable of being lived in for any time, as defined in the Building Code.

(2) **Hazardous Material:** A substance that, because of its quantity or concentration, or physical, chemical, or infectious characteristics, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose hazard to human health or to the environment when improperly used, handled, treated, stored, transported, disposed of, or otherwise managed.

(3) **Height:** ~~see here or list here~~ See the structure type for the height definition of that structure.

(4) **Heliport, Private:** An airfield for the operation of helicopters for the personal use of the property owner with no public or commercial use.

(5) **Home Occupation:** An occupation, profession, activity, or use carried on in a dwelling or residential property by the resident that is clearly a secondary and incidental use of the property that does not ~~alter the exterior of the property or~~ affect the residential character of the neighborhood.

(6) **Homeowner Association:** A non-profit, community association that is organized in a development in which individual owners share common interests and responsibilities for open space, landscaping, or facilities.

~~(6)~~(7) **Hoop House:** An unheated greenhouse with light, ridged framing and light-weight covering. Also known as a polytunnel.

~~(7)~~(8) **Horse:** Mule, burro, pony, jack, hinny, and all other ~~quadrupeds-members~~ of the genus equus.

~~(8)~~(9) **Hospital:** A facility where ~~sick or injured in-~~patients ~~are receive given~~ medical or surgical care that operates under license from the Michigan Department of Public Health. A facility offering inpatient, overnight, care, and services for observation, diagnosis, and active treatment of an individual with a medical, surgical, obstetric, chronic, or rehabilitative condition requiring the daily direction or supervision of a physician, operating under license from the Michigan Department of Community Health.

~~(9)~~(10) **Hotel:** See “Motel.”

~~(10)~~(11) **Household Pets:** Animals that are customarily kept for personal use or enjoyment within the home. Household pets include, but are not limited to, the following: domestic dogs, domestic cats, domestic tropical birds, domestic tropical fish, and domestic rodents, but exclude poisonous or constrictive snakes and animals that are considered livestock or wild animals.

**(I) DEFINITIONS of WORDS and PHRASES STARTING WITH “T”:**

(1) **Impervious Surface:** Any surface that cannot be effectively and easily penetrated by water, thereby resulting in runoff. Examples include, but are not limited to, ~~“lot coverage” (as defined in this Ordinance)~~ and any material (asphalt, concrete, stone, gravel, etc.) used in roads, driveways, decks, terraces, patios, porches, or sidewalks that cannot be effectively and easily penetrated by water. The definition of an impervious surface shall exclude roads, driveways, and sidewalks that are composed of materials that will allow infiltration and prevent runoff, such as permeable pavers, permeable pavement, or crushed stone or pea stone without binding. The definition of an impervious surface shall also exclude decks, terraces, patios, or porches that are composed of pervious materials and/or designed to allow for infiltration and underlain with materials that will allow infiltration and prevent runoff. Swimming pools and ponds shall not be classified as impervious surfaces. ((REVIEW WITH TOWNSHIP ENGINEER))

(2) **Impervious Area:** The percentage of the lot area that is covered by impervious surfaces.

(3) **Ingress and Egress:** See “Access.”

(4) **Inoperable ~~Automobile~~Motor Vehicle:** Any ~~motor~~-vehicle requiring a license from the state of Michigan -that is not licensed for use upon the highways, waterways, or lands of the State of Michigan for a period in excess of at least of thirty (30) days and shall also include, whether so licensed or not, any ~~motor~~-vehicle which is inoperative-mechanically inoperable for any reason

for a period of at least thirty (30) days, except where such vehicle is in a completely enclosed building.

~~(5) **Intensification of Use:** To alter the character of a use to the extent that the use generates new or different impacts on the health, safety, or welfare of the surrounding neighborhood, including, but not limited to: the level or amount of traffic, noise, light, smoke, odor, vibration, outside storage, the amount of parking required, an increase in the number of days or hours of operation, or other similar conditions associated with the use. (MOVE TO USE)~~

~~(6)~~(5) **Interpretation:** An appeal to the Zoning Board of Appeals requesting an **interpretation clarification** of the text of this Ordinance where the meaning is unclear or there may be multiple meanings or of the Zoning Map where the actual boundary is unclear.

#### (J) DEFINITIONS of WORDS and PHRASES STARTING WITH “J”:

- (1) **Junk:** Any motor vehicle, recreational vehicle, machinery, appliance, product, or merchandise with parts missing, or scrap metals or other trash, rubbish, refuse, paper, building materials and equipment, bottles, glass, appliances, furniture, beds and bedding, rags, rubber, plastic, cordage or scrap material-s that are damaged or deteriorated whether or not the same could be put to any reasonable use, except if in a completely enclosed building. Junk includes any inoperable motor vehicle or recreational vehicle. ~~or abandoned motor vehicle that is not licensed for use upon the highways of the State of Michigan and shall also include, whether licensed or not, any motor vehicle that is inoperative for any reason and that is not in a completely enclosed building.~~
- (2) **Junkyard:** Any land or building used for: 1) the abandonment, storage, keeping, collecting, or baling of paper, rags, scrap metals, or other scrap or discarded materials; or 2) the abandonment, demolition, dismantling, storage or salvaging of machinery, automobiles or other vehicles not in normal running conditions, or parts thereof.

#### (K) DEFINITIONS of WORDS and PHRASES STARTING WITH “K”:

(1) **Keeping of Animals:** definition here

(2) **Kennel, Commercial:** A facility at which three (3) or more dogs, cats, or other domestic pets, six (6) months of age or older, are kept, either permanently or temporarily, for the purposes of breeding, boarding, training, sale, or transfer.

- (3) ***Kennel, Hobby:*** A facility at which no more than two (2) dogs, cats, or other domestic pets, six (6) months of age or older, are kept, either permanently or temporarily, for the purposes of breeding, boarding, training, sale, or transfer.

(L) DEFINITIONS of WORDS and PHRASES STARTING WITH “L”:

- (1) ***Lake:*** A permanent surface water body that is at least five (5) acres in size.
- (2) ***Land Division Act:*** The Michigan Land Division Act, Public Act 288 of 1967, MCL 560.101 et seq). ((ISUSED??))
- (3) ***Landing Strip, Private:*** An airfield used for agricultural crop dusting ~~or personal use of the property owner without~~ no other public ~~use~~ or commercial operations use.
- (4) ***Landscaping:*** The treatment of the ground surface with live plant materials, ~~decorative~~ natural materials, ~~and~~ structural features, water features, and topography for the purposes of blending the site with the surroundings or providing a buffer with adjacent lots or uses.
- (5) ***Landscaping Plan:*** A plan showing landscaping elements to be installed or preserved, existing landscaping to be removed, and any clearing.
- (6) ***Lighting:*** The following words, terms, and phrases related to lighting shall have the following meanings:

~~***Canopy Structure:***~~ Any overhead protective structure that is constructed in such a manner as to allow pedestrians or vehicles to pass under.

- a. ~~***Cut-Off Angle:***~~ An angle measured upward from nadir at the lowest point of the light source, beyond which no light, or only a limited amount of light, is permitted to penetrate. The maximum angle formed by a line drawn in the direction of emitted light rays at the light source and a line perpendicular to the ground from the light source.
- b. ***Direct Light:*** Light emitted directly by a lamp, off a reflector, or through a refractor of a luminaire.
- ~~c. ***Fixture:***~~ The assembly that holds a lamp and may include an assembly housing, mounting bracket or pole socket, lamp holder, ballast, reflector or mirror, and refractor or lens.
- ~~d. c.~~ ***Flood or Spot Light:*** Any light fixture or lamp that incorporates a reflector or refractor to concentrate the light output into a directed beam in a particular direction.

**e.d. Foot Candle:** A unit of illumination produced on a surface, all points of which are one (1) foot from a uniform point source of one (1) candle.

**f.e. Full Cutoff Shielding:** A light fixture that cuts off all upward transmission of light and emits light projected below an imaginary plane passing through the fixture below the light source.

**g.f. Glare:** ~~Direct light emitted by a lamp, luminous tube lighting, or other source~~The brightness of a light source which causes eye discomfort.

**h.g. Illuminance:** The level of light measured at a surface.

**i.h. Lamp:** The component of a luminaire that produces the actual light, including luminous tube lighting.

**j.i. Light-Emitting Surface:** Part of a fixture that emits light rays.

**k.j. Light Fixture:** The assembly that holds a lamp and may include an assembly housing mounting bracket or pole socket, lamp holder, ballast, reflector or mirror, and a refractor or lens for outdoor use or illumination. A light fixture also includes the assembly for luminous tube and fluorescent lighting.

**l.k. Lighting Plan:** A plan showing the location of light fixtures and the intensity of the light within a site and at the lot lines.

**m.l. Light Pollution:** Artificial light that causes a detrimental effect on the environment, enjoyment of the night sky, or causes undesirable glare or unnecessary illumination of neighboring properties or uses. (ISUSED??)

**n.m. Light Shield:** Any attachment that interrupts and blocks the path of light emitted from a luminaire or fixture.

**o.n. Light Source:** The primary source of a lighting fixture from which light is emitted, such as a light bulb or similar source.

**p.o. Light Trespass:** Light emitted by a luminaire that shines beyond the boundaries of the property on which the luminaire is located. (ISUSED??)

**q.p. Lumen:** A unit of measurement of luminous flux.

**r.q. Luminaire:** The complete lighting system, including the lamp and the light fixture.

**s.r. Luminaire, Full Cutoff:** A luminaire that allows no direct light emissions above a horizontal plane through the luminaire's lowest light-emitting part.

~~t.s.~~ ***Luminaire, Permanent Outdoor:*** Any fixed luminaire or system of luminaries that is outdoors and is intended to be used for at least seven (7) days.

~~u.t.~~ ***Luminous Tube Lighting:*** Gas-filled tubing that, when subjected to high voltage, becomes luminescent in a color characteristic of the particular gas used.

~~v.u.~~ ***Lux:*** A unit of illumination equal to the direct illumination on a surface that is everywhere one meter from a uniform point source of one (1) candle intensity or equal to one (1) lumen per square meter.

~~w.y.~~ ***Nadir:*** An imaginary vertical line extending from ground level to the bottom of a light source. ((DOUBLE CHECK))

~~x.~~ ***Outdoor Light Fixtures:*** ~~Outdoor artificial illuminating devices, outdoor fixtures, lamps, and other similar devices, permanently installed or portable, used for floodlighting, general illumination, or advertisement.~~

~~y.~~ ***Roadway Lighting:*** ~~Permanent outdoor luminaries that are specifically intended to illuminate roadways for automotive vehicles.~~

~~z.w.~~ ***Shielded Fixture:*** Outdoor light fixtures shielded or constructed so that light rays emitted by the fixture are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted.

~~x.~~ ***Shielding:*** A permanently installed, non-translucent shade, baffle, or other construction, that limits, restricts, or directs light to meet the standards of this Ordinance.

~~aa.y.~~ ***Street Lighting:*** Permanent outdoor light fixtures that are specifically intended to illuminate roadways for motor vehicles.

~~(7)~~ ***Litter:*** ~~The term shall include, without limitation, shavings, sawdust, refuse, rubbish, trash, chips, bricks, ice, dirt, manure, filth, parts of machinery, motor vehicles, or recreational vehicles, parts of broken furniture, stoves, or other appliances, or any other loose or cast off material or articles of any kind. ((ISUSED??))~~

~~(8)(7)~~ ***Livestock:*** ~~Cattle, sheep, goats, swine, poultry, and other animals or fowl~~ Those species of animals used for human food and fiber or those species of animals used for service to humans. Livestock includes, but is not limited to, cattle, sheep, new world camelids, goats, bison, privately-owned cervids, swine, equine, poultry, aquaculture, and rabbits. Livestock does not include household pets.

~~(9)~~(8) **Loading Space:** An off-street space ~~on the same lot with a building, or group of buildings,~~ for the temporary parking of a commercial vehicle while loading or ~~unloading merchandise or materials.~~

~~(10)~~(9) **Lodges and Private Clubs:** See “Clubs.”

~~(11)~~(10) **Lot:** Land described in a recorded plat or by metes and bounds description, or combination thereof, including a site condominium unit ~~in a condominium subdivision, occupied or to be occupied by a building,~~ structure, land use or group of buildings, having sufficient size to comply with the frontage, area, width to depth ratio, setbacks, yards, coverage and buildable area requirements of this Ordinance, and having its principal frontage upon a public street or on a private road approved by the Township. ~~(See Figure 2-2 at end of this Section)~~ A lot may consist of:

- a. A single lot of record;
- b. A portion of a lot of record; or
- c. Any combination of complete and/or portions of lots of record and/or parcels described by metes and bounds, contiguous to each other, or separated by not more than the width of a public road, or a private road or easement over which the owner of the parcels has access; provided that in no case of division or combination shall any lot or parcel created, including residuals, be less than that required by this Ordinance.

~~(12)~~(11) **Lot Area:** The total horizontal area within the lot lines of a lot, excluding any street right-of-way or road easement, shared driveway easement, other permanent access easements, ~~and surface water bodies~~ bottomlands, and or wetlands within the lot.

~~(13)~~(12) **Lot, Contiguous:** Lots adjoining each other.

~~(14)~~(13) **Lot, Corner:** Any lot having at least two (2) contiguous adjacent sides abutting upon one or more streets, provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five (135) degrees. A lot abutting a curved street(s) shall be a corner lot if the arc has a radius less than one hundred and fifty (150) feet. *(See Figure 2-2 at end of this Section)*

~~(14)~~ **Lot Coverage:** The amount horizontal area of a lot, stated as a percentage of the lot area, that is covered by all ~~buildings and/or~~ structures located thereon on the lot. This includes all buildings, roofed porches, arbors, breezeways, patio roofs, whether open box types and/or lathe roofs, or fully roofed, but does not include fences, walls or hedges used as fences, unroofed decks or patios or swimming pools. Lot coverage shall be measured from the drip line of the roof or from

~~the wall or foundation if there is no projecting portion of the roof exterior facades, including roofed porches, patios, and breezeways. Lot coverage shall exclude the first two (2) feet of overhang extending from the façade but shall include all overhangs that extend more than two (2) feet from the façade.—(MEASURED FROM EXTERIOR FACADES AND INCLUDING ROOFED PATIOS/PORCHES/ETC??) (CONSIDER RENAMING THIS AS BUILDING COVERAGE??)~~

(15) **Lot Density:** See “Density.”

(16) **Lot Depth:** The average distance from the front-lot line of the lot to its opposite rear line measured, or the opposite front-lot line for through lots, in the general direction of the side lot lines ~~of the lot.~~ (See Figure 2-3 at end of this Section.) *What about thru lots?*

(17) **Lot, Flag:** A lot whose access to a street is by a narrow, private right-of-way that is either a part of the lot or an easement across another property and does not meet the frontage requirements standards of the district in which it is located. (See Figures 2-3 and 2-4 at end of this Section.)

(18) **Lot Frontage:** The length of the front-lot line.

(19) **Lot, Interior:** A lot other than a corner lot which, with the exception of a “through lot,” has only one (1) lot line fronting on a street. (See Figure 2-2 at end of this Section.)

(20) **Lot Lines:** The lines bounding a lot. (See Figure 2-4 at end of this Section.) The following words, terms, and phrases related to lot lines shall have the following meanings:

a. **Lot Line, Front:** The line(s) separating the lot from any street right-of-way, private road, or other access easement (see Figure 2-4 at end of this Section) ~~except in the case of a waterfront lot which shall have an additional front lot line consisting of the ordinary high water mark.~~ A corner-Corner lots and through lots shall have two (2) front lot lines.

b. **Lot Line, Rear:** The lot line opposite and most distant from the front lot line, except in the case of a waterfront lot or through lot, which shall not have a rear lot line. In the case of a triangular or otherwise irregularly shaped lot or parcel, an imaginary line at least ten feet in length entirely within the lot or parcel, parallel to and at a maximum distance from the front lot line. (See Figure 2-4 at end of this Section.)

c. **Lot Line, Side:** Any lot line other than a front or rear lot line. (See Figure 2-4 at end of this Section.)

d. **Lot Line, Interior Side:** The lot line opposite an exterior side lot line for corner lots.

e. **Lot Line, Exterior Side:** A front lot line that is not along the primary road for corner lots.



f. **Lot Line, Waterfront:** The lot line separating a lot and a surface water body or the ordinary high-water mark for lots that extend into a surface water body.

(21) **Lot of Record:** A lot that is part of a subdivision and is shown on a map thereof which has been recorded in the Office of the Washtenaw County Register of Deeds, a lot described by metes and bounds, or a site condominium unit ~~of a site condominium and identified as a separate tax parcel through the issuance of a tax parcel number by the Township Assessor, provided said lot that~~ was lawfully created in accordance with applicable statutes and ordinances.

(22) **Lot, Through:** An interior lot having frontage on two (2) relatively parallel streets. (See Figure 2-2 at end of this Section)

(23) **Lot, Waterfront:** A lot that contains or is contiguous with a surface water body.

(24) **Lot Width:** The ~~straight line~~ horizontal distance between the side lot lines at a distance equal to the front-yard setback, measured at the two (2) points where the minimum required front setback line intersects the side lot lines. (See Figure 2-4 at end of this Section) ~~(CURVING LOTS OR UNUSUAL GEOMETRY)~~

(25) **Lot Width, Minimum:** The minimum required lot width.

(26) **Lot, Waterfront:** Any lot that includes or abuts a surface water body.

#### (M) DEFINITIONS of WORDS and PHRASES STARTING WITH "M":

(1) **Manufactured Housing:** A dwelling unit which is designed for long-term residential use and is wholly or substantially constructed at an off-site location. Manufactured housing includes mobile homes and modular housing units.

(2) **Marina:** A lake or riverfront lot that is used for one or more of the following activities:

a. Commercial launching or docking of watercraft;

b. Commercial storage of water craft;

c. Commercial servicing or repair of watercraft; or

~~a.d. Sales and rental of watercraft, providing docking space for more than eight (8) boats, including sailboats, providing storage for more than eight (8) boats, including sailboats, servicing and repair of boats and other watercraft, sales of petroleum products for use in boats or other watercraft, and sales or rental of boats, watercraft, and fishing accessories.~~

~~(2)~~**(3) Marquee:** A permanent, roof-like structure projecting beyond a building or extending along and projecting beyond the ~~wall of the building facade~~, generally designed and constructed to provide protection from the weather and for use as a sign.

~~(4)~~ **Master Plan:** ~~Modify our general development plan to match ZEA definition. A plan adopted by the Planning Commission to guide and accomplish development within the Township that:~~

- ~~a.~~ Is coordinated, adjusted, harmonious, efficient, and economical;
- ~~b.~~ Considers the character of the Zoning Jurisdiction and its suitability for particular uses, judged in terms of such factors as trends in land and population development;
- ~~c.~~ Best promotes the public health, safety, order, convenience, prosperity, and general welfare; and
- ~~d.~~ Includes, among other things, promotion of or adequate provision for at least one (1) of the following:
  - ~~1.~~ A transportation system to lessen congestion on streets and provide for safe and efficient movement of people and goods by motor vehicles, bicycles, pedestrians, and other legal users;
  - ~~2.~~ Safety from fire and other dangers;
  - ~~3.~~ Light and air;
  - ~~4.~~ Healthful and convenient distribution of population;
  - ~~5.~~ Good civic design and arrangement and wise and efficient expenditure of public funds;
  - ~~6.~~ Public utilities, such as sewage disposal and water supply, and other public improvements;
  - ~~7.~~ Recreation;
  - ~~1-8.~~ The use of resources in accordance with their character and adaptability.

~~**Mini/Self-Storage Facilities:** A building or group of buildings in a controlled access or fenced area that contains individual, compartmentalized, and controlled access stalls or lockers for the storage of customer's goods or wares that are generally not used on a daily basis. A mini/self-storage facility may include accessory outdoor storage.~~

~~(3)~~**(5) Mining:** The commercial extraction of minerals from the ground.

~~(4)~~(6) **Mixed-Use Development:** A development ~~which that~~ integrates a variety of ~~land~~-uses on the same site or within the same building.

~~(5)~~(7) **Mobile Home:** A structure, transportable in one or more sections, that is built on a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. The term mobile home shall not include pick-up campers, travel trailers, motor homes, modular homes housing unit, recreational vehicles, converted buses, tent trailers, or other transportable structures designed for temporary use.

~~(6)~~(8) **Mobile Home Park:** A site-lot under the control of a single person upon which three (3) or more mobile homes are located on a continual, non-recreational basis and which is offered to the public for that purpose regardless of whether ~~a charge is made therefor~~ not for remuneration, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home.

~~(7)~~(9) **Mobile Home Site:** The area within a mobile home park designed and designated for use by one (1) mobile home.

~~(8)~~(10) **Model Home:** A dwelling temporarily used as an office or show house for a residential development that is under construction for on-site sales.

~~(9)~~(11) **Modular Housing Unit:** A dwelling unit constructed solely within a factory, as a single unit or in various sized modules or components, that are then transported by truck or other means to a site where they are assembled on a permanent foundation to form a single-family dwelling unit, and meeting all codes and regulations applicable to conventional single-family home construction.

~~(10)~~(12) **Moratorium:** A temporary halting or severe restriction on specified developmental activities or uses to allow the Township the necessary time to change policies and adopt or amend Ordinances to best protect and serve the health, safety, and welfare of the community.

~~(11)~~(13) **Mosque:** See “Religious Institution.”

(14) **Motel:** A building or group of buildings used as individual sleeping or dwelling units designed primarily for transient use. The term “motel” shall include buildings designated as hotels, auto courts, tourist courts, motor courts, motor hotel, and similar uses that are designed as integrated units of individual rooms under common ownership. A motel shall not be considered or construed to be a multiple-family dwelling.

~~(12)~~(15) **Motor Vehicle:** Unless specifically indicated otherwise, any vehicle including, by way of example, cars, trucks, vans, motorcycles, and the like

~~(13)~~(16) **Multiple-Family Dwelling:** See “Dwelling, Multiple-Family.”

~~(14)~~(17) **Municipal Civil Infraction:** An act or omission that is prohibited by Township Ordinance, but that is not a criminal offense, and for which civil sanctions, including, without limitation: fines, damages, expenses, and costs may be ordered, as authorized by Chapter 87 of Public Act 236 of 1961.

**(N) DEFINITIONS of WORDS and PHRASES STARTING WITH “N”:**

(1) **Native Species:** A plant or animal that originally occurred in the area.

(2) **Natural Features:** Soils, wetlands, floodplains, surface water bodies, topography, trees, woodlands, and other types of vegetative cover, animal life, endangered species habitat, and geology and geologic formations.

(3) **Net Area:** See “Area, Net.”

(4) **Noise:** A loud or unpleasant sound.

(5) **Noise Disturbance:** Any sound that endangers or injures the safety or health of humans or animals, annoys or disturbs a reasonable person with normal sensitivities, or endangers or injures personal or real property.

(6) **Nonconforming:** A structure, lot, or site that did not meet the standards of the zoning ordinance in effect at the time and does not meet the standards of the current Zoning Ordinance. Also known as illegal.

(7) **Nonconforming Building (or Structure), Legally:** A building or structure ~~(, or portion thereof,)~~ lawfully existing at the time of adoption of this Ordinance or a subsequent amendment thereto, that does not conform to the ~~provisions~~ standards of this Ordinance relative to height, bulk, area, placement, ~~setbacks, or required yards,~~ or other developmental standards for the zoning district in which it is located.

(8) **Nonconforming Lot, Legally-:** A lot lawfully existing at the effective date of this Ordinance, or ~~affecting an amendment thereto, and which that~~ fails to meet the area and/or dimensional ~~requirements~~ standards of the zoning district in which it is located.

(9) *Nonconforming Site:* A site lawfully existing at the existing date of this Ordinance, or an amendment thereto, and conforming to the standards of this Ordinance, or amendment, that fails to meet the current standards of this Ordinance.

(10) *Non-Ferrous Metallic Mining:* The mining or extraction of metals that do not contain iron.

(11) *Nuisance Per Se/Nuisance:* A “nuisance per se” is an act, use, thing, structure, or occupation which when it exists in violation of a provision of this ~~Zoning~~ Ordinance is declared by this ~~Zoning~~ Ordinance and ~~Public Act 110 of 2006~~ the Zoning Enabling Act, as amended, to be a nuisance at all times and in all conditions, regardless of location, circumstance, or surroundings. A “nuisance per se” is distinguished from a “nuisance” which is an act, use, thing, structure, or occupation which annoys, disturbs, or gives offense because of its condition, time, location, circumstance or surrounding. A “nuisance per se” is subject to abatement by order of a circuit court, in addition to civil infraction and misdemeanor penalties and fines.

(12) *Nursing Home:* An ~~installation facility~~, other than a hospital, having as its primary function the rendering of ~~nursing~~ care for extended periods of time to persons afflicted with illness, injury, or an infirmity, including accessory uses that provide services to the residents.

#### (O) DEFINITIONS of WORDS and PHRASES STARTING WITH “O”:

(1) *Obscuring:* To conceal from view and/or make less conspicuous.

(2) *Occupancy, Change of:* The term “change of occupancy” or “change of use” shall mean a discontinuance of an existing use and the substitution of a use of a similar or different kind or class or the expansion of a use.

(3) *Occupied:* Used in any manner at the time in question.

(4) *Offset:* The distance between the centerlines of driveways or streets across the street from one another.

(5) *Off-Off-Street Parking Area:* See “Parking Area, Off-Street.”

(6) *Office:* A building or portion of a building where services are performed involving predominantly administrative, professional, or clerical operations.

(7) *Open-Air Business:* A business or portion of a business that involves activities for the display and sale of goods, products, and objects outside of a building, including, but not limited to: motor vehicles, bicycles, trailers, swimming pools, snowmobiles, and watercraft sales; rental

equipment and services; manufactured home sales; flea markets, lawn furniture, playground equipment, and other home garden supplies and equipment, cemetery monuments; and similar uses.

**(8) *Open Space, Common:*** Open space which is held for the collective use and enjoyment of the owners, tenants, or occupants of a single development.

**(9) *Open Space, Dedicated:*** Common open space dedicated through permanent recorded deed restrictions or easement.

**(10) *Ordinary High-Water Mark:*** The line between upland and bottomland which persists through successive changes in water levels below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil, and the vegetation.

**(11) *Outdoor Eating and Cafes:*** A restaurant or portion of a restaurant that is located outside of an enclosed building.

**(12) *Outdoor Storage:*** The storage of any material for a period of at least twenty four (24) hours not within an enclosed building.

**(13) *Overhang:*** The portion of the roof that extends beyond the exterior wall or covered porch, deck, or patio.

**(14) *Overlay Zoning District:*** See “Zoning District, Overlay.”

**(15) *Owner:*** The owner of the premises or lesser estate in the premises, a mortgagee or vendee in possession, an assignee of rents, receiver, executor, trustee, leasee, or any other person, sole proprietorship, partnership, association, or corporation directly or indirectly in control of a building, structure, or real property, or his or her duly authorized agent.

**(P) DEFINITIONS of WORDS and PHRASES STARTING WITH “P”:**

**(1) *Parcel:*** A lot described by metes and bounds or described in a recorded plat.

**(2) *Parcel, Parent:*** A lawfully existing parcel or contiguous parcels under common ownership as of March 31, 1997, as defined in the Land Division Act.

**(3) *Park:*** An ~~parcel of land, building or structure~~area used for recreational purposes, including, but not limited: to playgrounds, sport fields, game courts, beaches, trails, picnicking areas, and ~~leisure-leisure~~time activities.

- (4) **Parking Definitions:** The following words, terms, and phrases related to parking shall have the following meanings:
- a. **Maneuvering Lanes:** The areas within a parking area that provide circulation and access to parking spaces.
  - b. **Parking Area, ~~Off-Off-Street:~~** A land surface or facility providing vehicular, ~~off-street~~ parking spaces, ~~off of a street along with adequate drives driveways,~~ and ~~aisles for maneuvering maneuvering lanes~~ so as to provide access for ~~entrance and exit for~~ the parking of three (3) or more ~~automobiles or truck~~ motorvehicles.
  - c. **Parking, Shared:** A parking area jointly used by more than one (1) use or sites.
  - d. **Parking Space:** An area of land provided for vehicles off of a street exclusive of driveways, aisles, maneuvering lanes, or entrances giving access thereto, ~~which that~~ is fully accessible for parking of ~~permitted~~ vehicles.
  - e. **Parking Space, Compact:** A parking space that is smaller than a typical parking space and designed to provide parking for smaller vehicles.
  - f. **Parking Space, Handicapped:** A parking space that is larger than a typical parking space and designed to provide parking for handicapped-accessible vehicles, including the loading area.
- (5) **Patio:** An outdoor courtyard or platform extending horizontally out from a building or located within a yard for leisure activities.
- (6) **Performance Guarantee:** A cash deposit, certified check, irrevocable bank letter of credit, or similar instrument acceptable to the Township to ensure that all improvements and conditions will be completed and adhered to according to an approved plan.
- (7) **Person:** Any individual, partnership, corporation, joint stock association, or any political entity, including any trustee, receiver, assignee, or personal representative.
- (8) **Pervious Surface:** A surface that permits full or partial absorption of storm water.
- (9) **Planned Unit Development:** A zoning district established pursuant to Section 503 of the Michigan Zoning Enabling Act, MCL 125.3503. The phrase includes such terms as cluster zoning, planned development, community unit plan, planned residential development, and other terminology denoting zoning requirements designed to accomplish the objects of this Ordinance through a land development project review process based on the application of site planning

criteria to achieve integration of the proposed land development project with the characteristics of the project area.

**(10) *Planning Commission:*** The Dexter Township Planning Commission of the Township.

**(11) *Planning Enabling Act:*** The Michigan Planning Enabling Act, Public Act 33 of 2008. (MCL 125.3101 et seq)

**(12) *Plat:*** A map of a subdivision of land recorded with the Register of Deeds pursuant to the Subdivision Control Act of 1967 or a prior statute.

**(13) *Platted Subdivision:*** See “Plat.”

**(14) *Plot Plan:*** A plan, drawn to scale, showing the actual measurements, the size and location of existing and proposed structures, the dimensions of the lot, and other relevant information.

**(15) *Pond:*** A natural or manmade surface body of water that is less than five (5) acres and does not have a stream outlet that is used to provide water for livestock, fish and wildlife, recreation, fire control, crop and orchard spraying and irrigation, and other related uses for the personal use of the property owner and/or tenants.

**(16) *Porch:*** A structure providing a landing at the entrance of a building, which may include a roof.

**(17) *Practical Difficulty:*** Special or unique conditions that are peculiar to a lot that cause compliance with the standards of this Ordinance to deprive the property owner of substantial rights similar to those enjoyed by other lots in the same Zoning District. Mere economic, personal, or financial hardship alone does not constitute a practical difficulty. Additionally, inconvenience, aesthetic considerations, personal preferences, or neighbors’ opinions cannot, as are not considered a practical difficulty.

**(18) *Premises:*** A site, together with all the buildings, structures, and other improvements located on it.

**(19) *Principal Building:*** The main building on a lot in which the principal use exists or is served by.

**(20) *Principal Residence:*** The primary location of a person’s residence.

**(21) *Principal Use:*** The main use to which the premises are devoted and the main purpose for which the premises exist.

**(22) *Private Heliport:*** See “Heliport, Private.”

**(23) *Private Landing Strip:*** See “Landing Strip, Private.”



(24) Private Road: See “Street, Private.” ~~A private way or means of approach, not dedicated for general public use, and meets the requirements of the Dexter Township Private Road Ordinance. A private road shall include shared driveways and other permanent access easements as defined in the Dexter Township Private Road Ordinance.~~

(25) Private Sanitary Sewage Disposal System: An individual, on-site sewage disposal system, as defined in the County Environmental Health Department Sanitary Code

(26) Private Water Supply: A well or other water supply system approved by the County Health Department pursuant to Part 127 of Public Act 368 ~~of the Public Acts~~ of 1978, ~~as amended.~~

(27) Prohibited Use: A use ~~of land which that~~ is not permitted within a particular zoning district. ((USE PROHIBITED))

(28) Proof Gallon: A gallon of liquid at 60 degrees Fahrenheit which contains 50 percent by volume of ethyl alcohol having a specific gravity of 0.7939 at 60 degrees Fahrenheit referred to water at 60 degrees Fahrenheit as unity, or the alcoholic equivalent thereof.

(29) Property Lines: The boundary line between two properties or a property and a right-of-way. Property lines are not necessarily the same as lot lines.

(30) Public Access: A watercraft access site operated by a governmental entity, including access from a public road authorized expressly or implicitly by a governmental entity.

(31) Public Facility: A structure, building, or use that is operated or maintained by a governmental or similar public unit, agency, commission, board, or similar arm or branch of a governmental or public unit, including, but not ~~necessarily~~ limited to, ~~;~~ cities, villages, townships, ~~;~~ counties, school districts, sewer and water authorities, road commissions, fire departments, and police departments.

(32) Public Sanitary Sewer: A system of pipes, owned and maintained by a governmental unit, used to ~~carry-transport~~ human, organic, and industrial waste from the point of origin to a point of treatment and discharge.

(33) Public Safety and Nuisance: Anything that is injurious to the safety and health of an entire community, neighborhood, or any considerable number of persons, or unlawfully obstructs free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin.

(34) Public Water System: A system of pipes, owned and maintained by a governmental unit, used to transport potable water from the point of origin to lots.

**(35) Public Utility:** Any person, firm, or corporation, municipal department, board or commission duly authorized to furnish and furnishing under federal, state, or municipal regulations to the public;—: gas, steam, electricity, sewage disposal, communication, telephone, telegraph, transportation, or water.

**(Q) DEFINITIONS of WORDS and PHRASES STARTING WITH “Q”:**

**(1) Queuing Space:** A temporary waiting space for motor vehicles obtaining a service or other activity at a drive-through establishment.

**(R) DEFINITIONS of WORDS and PHRASES STARTING WITH “R”:**

**(1) Reclamation Plan:** A plan showing how a site will be restored following a particular use.

**(2) Recognizable and Substantial Benefit:** A clear benefit, both to the ultimate users of the property in question and to the community that would reasonably be expected to accrue, taking into consideration the reasonably foreseeable detriments of the proposed development and uses. Such benefits may include: long-term protection or preservation of natural resources and natural features, historical features, or architectural features; or elimination of or reduction in the degree of nonconformity in a nonconforming use or structure.

**(3) Recreational Facilities:** A use, area, or structure used by the general public for outdoor recreation activities, including, but not limited to: miniature golf, swimming pools, athletic fields, and athletic courts.

**a. Indoor:** A building or structure used for recreation activities having an indoors orientation, such as, but not limited to: bowling alleys, health spas, tennis clubs, squash course, ice and roller skating rinks, electronic game arcades, and other indoor recreation activities.

**b. Outdoor:** A use, area, building, or structure used by the general public for recreation activities having an outdoors orientation, such as, but not limited to: miniature golf, golf driving ranges, marinas, swimming pools, carnivals, public meeting tents and circuses, baseball fields, soccer fields, tennis courts, and similar uses.

**(4) Recreational Vehicle:** A vehicle primarily designed and used as temporary living quarters for recreational, camping, or travel purposes, including a vehicle having its own motor power or a vehicle mounted on or drawn by another vehicle. (~~Public Act 96, Michigan Public Acts~~ of 1987, ~~as amended, MCL 125.2301~~);

- ~~(5) A recreational vehicle designed to be used for temporary residence purposes.~~ **Registered Engineer:** An engineer registered and qualified to practice in the State of Michigan.
- (6) Religious Institution:** A building, together with its accessory buildings, structures, and use, where persons regularly assemble for religious purposes and related social events that is maintained and controlled by a religious body to sustain religious ceremonies and purposes.
- (7) Repair:** The reconstruction or renewal of any part of an existing ~~building-structure~~ for the purpose of maintenance.
- (8) Resident:** An individual whose principal residence is at that location; not a visitor, guest, or transient.
- (9) Resolution:** The recorded expression of the will of a public body.
- (10) Restaurant, Carry Out:** A restaurant in which all or a substantial portion of the business consists of serving foods and beverages in a ready-to-consume state for off-site consumption. A carry-out restaurant may or may not also have indoor seating.
- (11) Restaurant, Drive Through:** A restaurant in which all or a substantial portion of the business consists of serving foods and beverages in a ready-to-consume state from a drive-through window to patrons in motor vehicles. A drive-through restaurant may or may not also have indoor seating.
- (12) Restaurant, Open-Air:** A restaurant or portion of a restaurant where food and beverages are consumed on-site outside of an enclosed building.
- (13) Restaurant, Standard:** An establishment whose principal business is the sale of food and/or beverages to customers in a ready-to-consume state, and whose principal method of operation includes one or both of the following characteristics:
- a. ~~eustomers~~Customers,** normally provided with an individual menu, are served their food and beverage by a restaurant employee, at the same table or counter at which food and beverage are consumed;
  - b. ~~a~~ A** cafeteria-type operation where food and beverage generally are consumed within the restaurant building or on the site.
- (14) Restoration:** The reconstruction or replication of an existing ~~building's-structure's~~ original architectural features.
- (15) Retail Sales:** The selling of goods, wares, or merchandise directly to the ultimate consumer.

(16) Retaining Wall: A wall or similar structure at least twenty four (24) inches high designed to change grade, stabilize soil, retard erosion, or terrace land.

(17) Retention Basin or Pond: A natural or manmade pond, pool, basin, or depression used for the permanent storage of storm water that does not have an outlet. Water is removed through infiltration and/or evaporation processes. Retention basins may or may not have a permanent pool of water.

(18) Rezone or Rezoning: See “Zoning Map Amendment.”

(19) Right-of-Way: A street, alley, or other thoroughfare or easement ~~permanently~~ permanently established for passage of persons, vehicles, or the location of utilities. The right-of-way is delineated by ~~legally~~ legally-established lines or boundaries.

(20) Right to Farm Act: The Michigan Right to Farm Act, Public Act 93 of 1981 (MCL 286.471 et seq).

(21) Road: See “~~street~~ Street.”

(22) Roadside Stand: A structure ~~which~~ that is used seasonally for display and sale of agricultural products. ~~The seasonal operation of a roadside~~ Roadside stands shall not be considered a commercial use.

(23) Roof Line: The top edge of a roof or building parapet, whichever is higher, excluding cupolas, pylons, chimneys, or similar minor projections.

(24) Runoff: That part of storm water that flows or discharges off-site.

(25) Runoff Coefficient: The ratio of the volume of runoff to the volume or precipitation.

(S) DEFINITIONS of WORDS and PHRASES STARTING WITH “S”:

(1) Sanitary Facility, Temporary: A portable, watertight, chemical vault used by the public for special events or on an on-going basis and workmen at a construction site. Also known as a porta-pot, porta-john, or honey bucket.

(2) Satellite Dish: A parabolic, spherical, or similarly shaped structure that is greater than thirty-six (36) inches in diameter that is used for or intended to be used for reception of satellite transmission signals.

(3) School: An educational facility, whether public or private, that provides education in pre-elementary, elementary, secondary, and/or ~~post~~ post-secondary curriculums; special arts such as

crafts, dance, music, and/or self-defense; occupational trades; and similar areas of education. This definition shall not apply ~~where the facility complies with this Ordinance's definition for "home occupation" and Section 18.19 to home occupations.~~

- (4) Screen:** A structure providing enclosure or separation, such as a fence and/or visual barrier, between the enclosed area ~~enelosed~~ and ~~the~~ adjacent property or rights-of-way. A screen may also be non-structural, consisting of shrubs or other growing materials.
- (5) Secondary Containment:** A device and/or measures taken to prevent regulated substances that can be spilled at a loading or unloading facility from entering a public sewer, ground water, surface water, subsurface soils, or the impoundment area for the tanks.
- (6) Sediment:** ~~Solid matter that has been removed from its site of origin by soil erosion, suspension in water, or wind or water transport.~~
- (7) Self-Storage Facility:** ~~A building or group of buildings in a controlled access or fenced area that contains individual, compartmentalized, and controlled-access stalls or lockers for the storage of customer's goods or wares that are generally not used on a daily basis. A self-storage facility may include accessory outdoor storage.~~
- (8) Service Drive:** ~~See "Street" definitions.~~
- (9) Setback:** The minimum required distance between ~~the lot line and the~~ a structure or improvement and lot lines, other structures, and natural features, as required herein (see definition for "lot line" and its application to waterfront lots). This distance is measured horizontally from the nearest point of the structure. The following words, terms, and phrases related to setback shall have the following meanings:
- a. Building-to-Building:** The minimum required distance between adjacent buildings. This
  - b. Exterior:** The minimum required distance between a structure and an exterior side lot line.
  - c. Front:** The ~~Minimum~~ minimum required distance between a structure and the front lot line, extending the full ~~lot width of the lot, between the structure and the front lot line.~~
  - d. Interior:** The minimum required distance between a structure and an interior side lot line.
  - e. Rear:** The minimum required distance between the structure and the rear lot line, extending the full ~~lot width of the lot, between the structure and the lot line opposite the front lot line.~~
  - f. Side:** The minimum required distance between a structure and the side lot line, extending from the front setback to the rear setback, ~~between the structure and the side lot line.~~

g. *Water Body*: The minimum required distance between a structure and a surface water body.

h. *Wetland*: The minimum required distance between a structure and a wetland.

(10) *Sewage Treatment Plant*: A facility designed and used for the collection, removal, treatment, and disposal of waterborne sewage.

(11) *Shared Driveway*: A driveway described by a recorded easement ~~that providing~~ provides access to more than one (1) lot ~~but no more than four (4) lots, and complies with the provisions of this Ordinance.~~

(12) *Shooting Range*: Any facility ~~for which a fee is paid, either for use of the facility or for membership to the facility or related club, whether public or private, which~~ that is principally designed ~~and used~~ for the use of firearms and/or bow and arrows ~~which~~ that are aimed at targets, skeet or trap, including animals.

(13) *Sidewalk*: An improved surface for pedestrian or other non-motorized transportation, generally consisting of a hard surface.

(14) *Shoreline*: The boundary line between upland and bottomland that persists through excessive changes in water levels, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil, the configuration of the soil surface, and the vegetation. Shoreline generally corresponds to the ordinary high-water mark.

(15) *Sign Definitions*: The following words, terms, and phrases related to signs shall have the following meanings:

~~*Sign*: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or marks, or other representation, or combination thereof, by which anything is made known, such as the designation of an individual, a firm, an association, a profession, a business, a commodity or product, which is located upon any land or on or in any building, in such a manner as to attract attention from outside the premises. (Refer to Article 22: Signs, for additional definitions pertaining to signs.)~~

a. *Abandoned Sign*: A sign that no longer identifies or advertises a bona fide business, lessor, service, product, or activity or for which no legal owner of record can be found.

b. *Awning Sign*: A sign located on an awning or similar material that covers the sidewalk or is located on the storefront.

c. *Back-to-Back Sign*: A sign consisting of two (2) sign faces oriented in opposite directions.

- d. **Billboard:** A sign structure advertising a service, commodity, or establishment that is not sold, produced, manufactured, or furnished at the site on which the sign is located, also known as "off-premise sign" or "outdoor advertising structure." Such sign is subject to the requirements of the Highway Advertising Act, Public Act 106 of 1972 as well as the standards of this Ordinance.
- e. **Business Center:** A grouping of two (2) or more business establishments on one (1) or more lots that may share parking and access and are linked architecturally or otherwise developed as a unified grouping of businesses. A business center shall be considered one use for the purposes of determination of the maximum number of free-standing signs.
- f. **Business Sign:** A sign advertising the name, services, goods or any other aspect or feature of a commercial or industrial business.
- g. **Changeable Message Board:** A sign ~~which that~~ identifies an institution or organization on the ~~premises site of on~~ which it is located and ~~which contains the name of the institution or organization, the names of individuals connected with it,~~ and general announcements of events or activities occurring at the institution, or similar messages that are changed on a regular basis.
- h. **Directional Sign:** A sign that only designates the location or direction of any area or place, such as directing traffic movement, parking, or restrooms, etc. and bearing no advertising messages.
- i. **Electronic Message Sign:** A sign that displays changing messages or graphics using light emitting diodes.
- j. **Freestanding Sign:** A sign that is not attached to a principal or an accessory structure, including center pole signs, posts and panels, or monument signs, but excluding off-premises signs.
- k. **Ground/Monument Sign:** A self-supporting, solid, base-mounted, freestanding sign.
- l. **Moving Sign:** A sign that moves, contains moving parts, or simulates movement.
- m. **Non-commercial Sign:** A sign that contains non-commercial messages, such as designation of public telephones, restrooms, restrictions on smoking, or political or religious philosophies.
- n. **Off-Site Sign:** A sign that identifies goods, services, facilities, events, or attractions that are available or provided at a location other than the site upon which such sign is located.

- o. Portable Sign:** Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building, including but not limited to “A-frame,” “T-frame,” or inverted “T-shaped” devices, including signs mounted on wheeled trailers, hot-air and gas filled balloons, sandwich boards, banners, pennants, streamers, festoons, ribbons, tinsel, pinwheels, non-governmental flags and searchlights; but excluding: political signs, construction signs, signs pertaining to the sale, lease or rent of real estate, permanent changeable message signs, and regulatory/governmental signs.
- p. Projecting Sign:** A sign, other than a wall sign that is attached to and projects from a structure or building face and does not project above the roof line or cornice wall.
- q. Prohibited Sign:** A sign that is not permitted according to the standards of this Ordinance.
- r. Real Estate Sign:** A temporary sign advertising a property or structure’s availability for sale, lease, or rent.
- s. Roof Sign:** A sign mounted on the roof of a building or structure, lying either flat against the roof or upright at an angle to the roof pitch.
- t. Sign:** Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or marks, or other representation, or combination thereof, by which anything is made known, such as the designation of an individual, a firm, an association, a profession, a business, a commodity or product, that is located upon any land or on or in any building, in such manner as to attract attention from off-site.
- u. Sign Area:** The area enclosing the most protruding points or edges of all sign faces of the sign within a single geometric form or combinations of such forms, excluding any framing.
- v. Sign Height:** The vertical distance from the average grade along a sign to the highest point of the sign, including framing.
- w. Sign Setbacks:** The horizontal distance between any portion of a sign and lot lines, structures, and other features.
- x. Temporary Sign:** Any sign, banner, pennant, etc with or without frames, that is displayed or intended to be displayed for a limited period of time.
- y. Vehicle Sign:** A sign attached to or painted on a motor vehicle, recreational vehicle, trailer, or watercraft, whether motorized or not, that is placed, parked, or maintained at a particular location or driven for the purpose and intent of advertising.



z. **Wall Sign:** A sign that is attached or painted directly to a building wall with the horizontal sign surface generally parallel to the building wall, but excluding window signs.

aa. **Window Sign:** A sign that is applied or attached to the exterior or interior of a window or located in a manner within the building that it is visible from the exterior of the building through a window, but excluding a window display.

(16) **Site:** A contiguous area of land, including a lot, lots, parcel, parcels, or combination thereof, under single ownership and control, devoted to or intended for a use or occupied by a structure or a group of structures.

(17) **Site Plan Definitions:** The following words, terms, and phrases related to site plans shall have the following meanings:

a. **Site Plan:** A plan showing all salient features of a proposed development, so that it may be evaluated in order to determine whether it meets the ~~provisions~~ standards of this Ordinance. A plot plan depicts a subset of the information required by this Ordinance for a site plan.

b. **Site Plan Amendment:** A change or modification of a previously-approved site plan.

c. **Site Plan, Approved:** A plan, including all conditions thereto, that has been approved by the Planning Commission following a duly-noticed public hearing.

d. **Site Plan, Final:** A plan submitted for site plan review to determine compliance with the standards of this Ordinance and other Township Ordinances.

e. **Site Plan, Preliminary:** A plan submitted for site plan review to determine general compliance with the standards of this Ordinance and other Township Ordinances.

f. **Site Plan Review:** The process of reviewing a site plan to determine compliance with the standards of this Ordinance and other Township Ordinances.

(18) **Slope:** The degree of deviation of a surface from the horizontal, expressed as a ratio of vertical rise or fall to horizontal distance.

(19) **Smoke:** Small gasses and airborne particles in sufficient density to be observable.

(20) **Soil Erosion Control Measure:** A structure, facility, barrier, berm, process, vegetative cover, basin, and/or other installations designed to control accelerated soil erosion. Temporary measures are installed to control soil erosion during construction or until soils in the contributing drainage area are stabilized. Permanent measures remain after the project is completed.

(21) **Soil Erosion and Sedimentation Control:** definition here

(22) Solar Energy System, Accessory: A system that converts light energy into electrical energy for the purposes of providing on-site electricity to houses, garages, commercial buildings, and public buildings.

(23) Special Event: An event of limited duration within any zoning district. A temporary use shall not be interpreted to be a continuance of a nonconforming use. Special events include, but are not limited to: carnivals, circuses, farmers markets, art fairs, craft shows, sidewalk sales, antique sales, Christmas tree sales, flower sales, and similar events. **Also includes large events and seasonal events.**

(24) Special Event Facility: A facility where large-scale public or private events are held on a regular basis, provided that ~~certain zoning requirements are met and that~~ the facility is incidental and accessory to the primary agricultural or residential ~~land use~~ of the site. Special events facilities may include the sale and consumption of food, beverages, and other goods, but shall not include lodging for patrons, except for an approved bed and breakfast.

(25) Special Land Use: Uses and structures ~~which that~~ have been generally accepted as reasonably compatible with the primary uses and structures within a zoning district, but which could present unique impacts and/or potential injurious effects upon the primary uses and structures within the zoning district and, therefore, require special consideration in relation to the welfare of adjacent properties and to the community as a whole. ~~All such proposed uses shall be subject to a public hearing. Refer to Articles 7: Procedures for Special Land Uses. "Special land use" denotes the same meaning as the term "conditional use" used in the Township's zoning regulations prior to the adoption of this Zoning Ordinance.~~

**(26) Spire:** The tapering termination of a roof tower, such as a steeple.

(27) Stable, Commercial: A structure and/or land use where horses are bred, reared, and/or trained for remuneration.

(28) Stable, Private: An accessory structure and/or land use where horses are kept for private use and are not for hire, remuneration, or sale.

(29) Stop Work Order: An administrative order ~~which that~~ is either posted on the property or mailed to the property owner ~~which directs~~ directing a person not to continue, or not to allow the continuation of an activity which is in violation of this Ordinance.

(30) Storage of Inoperable Vehicles: The storage or keeping of inoperable motor vehicles or recreational vehicles.

(31) Storage, Outdoors: The storage of any materials outside of a structure for a period of twenty-four (24) hours or more.

(32) Storm Water: The flow of water that results from precipitation.

(33) Storm Water Plan: A plan showing natural and man-made storm water system improvements and the associated calculations.

(34) Story: Webster, village, steuben ((ISUSED??))

(35) Street Definitions: ~~A state highway, county road, dedicated public thoroughfare or approved private road which affords the principal means of access to abutting property and if newly constructed, or reconstructed, meets construction standards promulgated by this Ordinance~~ The following words, terms, and phrases related to streets shall have the following meanings-

a. Alley: A public or legally established thoroughfare, other than a street, providing a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

b. Capacity: The maximum number of vehicles that can pass a given point in one hour under prevailing street and traffic conditions.

c. Centerline: The true center of a street right-of-way.

d. Cul-de-sac: A dead-end street, generally with a traffic circle, turn-around, or other termination point.

e. Service Drive: Any street, generally parallel to a major or minor thoroughfare, that is designed to provide access to abutting properties so that these properties are somewhat sheltered from the effects of the through traffic on the primary road and so that the flow of traffic on the primary road is not impeded by direct driveway access from a large number of abutting properties.

f. Street: A state highway, county road, dedicated public thoroughfare or approved private road which affords the principal means of access to abutting property and if newly constructed, or reconstructed, meets construction standards promulgated by this Ordinance.

g. Street Line: The legal line of demarcation between a street right-of-way and abutting land.

h. Street, Private: Any street that is not publicly owned and maintained.

i. Street, Private II: A private way or means of approach, not dedicated for general public use, and meets the requirements of the Dexter Township Private Road Ordinance. A private road

shall include shared driveways and other permanent access easements as defined in the Dexter Township Private Road Ordinance.

j. *Street, Public:* Any street that is publicly owned and maintained.

k. *Street, Stub:* A street having only one (1) access point for vehicles but which is intended to be extended or continued to serve or connect with adjacent properties or developments in the future.

l. *Street Width:* The shortest distance between the lines delineating a street right-of-way.

a-m. *Thoroughfare, Major:* A public street, the principal use or function of which is to provide an arterial route for through traffic, with its secondary function the provision of access to abutting property and which is classified as a county primary road by the Washtenaw County Road Commission or as a principal or minor arterial by the Michigan Department of Transportation.

n. *Thoroughfare, Minor:* A public street identified as a county local road by the Washtenaw County Road Commission, except that no street in a platted or condominium subdivision nor any private road shall be considered a minor thoroughfare under this Ordinance.

o. *Traffic Circle:* A raised island located in a street or intersection that is usually landscaped and used as a traffic calming device.

(36) *Structural Alterations:* Any change in the supporting members of a building such as the bearing walls or partition, columns, beams, or girders, or foundation or any change in the dimensions or configuration of the roof, ~~or exterior walls or foundation.~~

(37) *Structure:* Anything constructed or erected, excluding roads, the use of which requires permanent location on the ground or attachment to something having such location on the ground including, but not limited to, all buildings, porches, ~~independently supported~~ decks, patios, sidewalks, fences, swimming pools, ~~courts~~, driveways, terraces, satellite dishes, and free-standing signs; excepting anything lawfully in a public right-of-way including, but not limited to, utility poles, sewage pumping stations, utility manholes, fire hydrants, electric transformers, telephone boxes, and related public facilities and utilities defined as essential public services. ~~Though not classified as structures, public and private roads must comply with all applicable provisions of this Ordinance and other Township ordinances, including the issuance of all necessary permits prior to construction activities.~~

(38) *Subdivision Control Act:* Public Act 288 of 1967, MCL 560.101 et seq.

(39) **Subdivision Plat:** See “Plat.” The division of land for the purpose of sale or building development, in accordance with the Subdivision Control Act.

(40) **Substantial Improvement:** Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either before the improvement or repair is started or if the structure has been damaged and is being restored before the damage occurred. The term does not include any project for improvement of a structure to comply with existing state or local health, sanitary or safety code standards or improvements of mechanical systems.

(41) **Substation, Electrical or Gas:** A facility for the local distribution of electricity or gas.

(42) **Surface Water Body:** For the purpose of this Ordinance, a surface water body shall be any ~~Any~~ area that normally has water flowing or standing above ground to the extent that evidence of an ordinary ~~high-high~~ water mark is established. Lakes, ponds, whether natural or artificial, rivers, streams, wetlands, and other watercourses and waters characterized by this definition shall be ~~classified-considered~~ as surface water bodies.

(43) **Surveyor:** Either a land surveyor who is registered in the State of Michigan as a registered land surveyor or a civil engineer who is registered in the State of Michigan as a registered professional engineer.

(44) **Swale:** Defined contour of land with gradual slopes that transports and directs the flow of storm water.

(45) **Swimming Pool:** Any structure or container located either above or below grade designed to hold water to a depth of ~~greater than~~ ~~at least~~ ~~twenty-four (24)~~ ~~thirty (30)~~ inches ~~and with an area of~~ ~~at least two hundred fifty (250) square feet~~, intended for swimming or bathing.

**(T) DEFINITIONS of WORDS and PHRASES STARTING WITH “T”:**

(1) **Tavern:** Any place where malt, vinous, or spirituous liquors are sold for consumption on the site. See “Bar.”

(2) **Temple:** See “Religious Institution.”

(3) **Temporary Building or Structure:** A building or structure that is not permanently attached to the property and is permitted to exist for a specific reason for a specific period of time.

(4) **Temporary Use:** See “Use, Temporary.”

(5) *Thoroughfare, Major:* See “Street” Definitions.

(6) *Thoroughfare, Minor:* See “Street” Definitions.

~~*Thoroughfare, Major:* A public street, the principal use or function of which is to provide an arterial route for through traffic, with its secondary function the provision of access to abutting property and which is classified as a county primary road by the Washtenaw County Road Commission or as a principal or minor arterial by the Michigan Department of Transportation. *Thoroughfare, Minor:* A public street identified as a county local road by the Washtenaw County Road Commission, except that no street in a platted or condominium subdivision nor any private road shall be considered a minor thoroughfare under this Ordinance.~~

(7) *Topographical Map:* A map showing the existing physical characteristics of an area with contour lines of not more than two (2) feet intervals. Such a map should indicate the direction of water flow.

(8) *Township:* Dexter Township, Washtenaw County, Michigan.

(9) *Township Board:* The Dexter Township Board of Trustees.

(10) *Township Clerk:* The Township official elected to the position of Dexter Township Clerk, or the Township Clerk’s appointed agent.

(11) *Township Engineer:* The staff engineer or consulting engineer of the Township.

(12) *Travel Trailer:* See “Recreational Vehicles.” ~~A recreational vehicle designed to be used for temporary residence purposes.~~

(13) *Traffic Impact Analysis:* An analysis of how a use, plan, or development will impact traffic in the surrounding area, including, but not limited to: trips generated, street capacity, street maintenance, and public safety. In some cases, such an analysis should detail the impact on more distant locations within the street network.

(14) *Trail:* An improved or unimproved path designed for use by pedestrians, cyclists, equestrians, and other non-motorized transportation.

(15) *Transfer of Development Rights:* The transfer of development rights from one property to another property.

(16) *Tree Definitions:* The following words, terms, and phrases related to trees shall have the following meanings:

- a. *Dripline*: A line on the ground corresponding to and vertically below the external boundary of the canopy of a tree.
- b. *Landmark Tree*: A tree with a caliper of twenty-four (24) inches or more.
- c. *Mature Tree*: Any tree with a caliper of ten (10) inches or more.
- d. *Native Tree*: A tree that has evolved in the area over thousands of years under certain soil, hydrolic, and other site conditions.
- e. *Public Tree*: Any tree that is located on publicly owned land, including rights-of-way.
- f. *Street Tree*: Any tree located within the street right-of-way or substantially near the street right-of-way.

(17) *Trip*: A one-way journey from an origin to a destination.

(U) DEFINITIONS of WORDS and PHRASES STARTING WITH “U”:

- (1) *Unbuildable Area*: An area in which a structure cannot be erected according to the standards of this Ordinance.
- (2) *Underground Storage Tank*: Any tank located underground, including underground pipes, that is used to contain regulated substances or hazardous materials.
- (3) *Undeveloped State*: A natural state preserving natural resources, natural features, scenic or wooded conditions, agricultural use, open space, or a similar use, or condition. Land in an undeveloped state does not include a golf course but may include a recreational trail, picnic area, children’s play area, greenway, or linear park.
- ~~(15)~~(4) *Upland Area*: The portion of a lot that does not contain soils associated with a wetland, marsh, or floodplain and is not wet for more than thirty (30) days during any given year.
- (5) *Use*: The following terms, words, and phrases associated with use shall have the following meanings:
  - a. *Use*: The purpose for which land or a building is arranged, designed or intended, or for which land or a building ~~may be~~is occupied.
  - b. *Use, Accessory*: A use customarily incidental and subordinate to the principal use of the land or building and located on the same lot as the principal use.

c. *Use, Comparable:* A use not specifically listed as a permitted, accessory, or special land use in a Zoning District but is similar to a listed use whose nature is likely to have a similar impact.

d. *Use, Intensification of:* To alter the character of a use to the extent that the use generates new or different impacts on the health, safety, or welfare of the surrounding neighborhood, including, but not limited to: the level or amount of traffic, noise, light, smoke, odor, vibration, outside storage, the amount of parking required, an increase in the number of days or hours of operation, or other similar conditions associated with the use.

e. *Use, Legally-nonconforming:* A use that was a permitted use at the time it commenced but is currently a prohibited use following adoption or amendment of this Ordinance or previous ordinances.

f. *Use, Nonconforming:* A use that was not a permitted use at the time it commenced and remains a prohibited use.

g. *Use, Permitted:* A use that is permitted in a zoning district, excluding special land uses.

h. *Use, Principal:* The primary use of a lot.

i. *Use, Prohibited:* A use that is not permitted in a zoning district.

j. *Use, Similar:* A use that has the same characteristics as the specifically cited uses in terms of the following: p 436

k. *Use, Reasonable:* A use of property for a suitable and beneficial purpose that does not lead to unreasonable interference with another's use of property or public health, safety, and welfare. Reasonable use shall not be construed as highest and best use.

(6) *Utilities:* All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewer, oil, gas, electricity, information, and telecommunication.

(7) *Utility Box:* Electrical transformers, switch boxes, telephone pedestals and boxes, television pedestals and boxes, traffic boxes, and similar devices.

(8) *Utility Pole:* A pole used to support essential services, such as electricity, telephone, cable, or similar telecommunications or used to support street lights, typically located in rights-of-way.

(V) DEFINITIONS of WORDS and PHRASES STARTING WITH "V":



(1) *Variance*: A variance is a modification of the literal ~~provisions~~ standards of the Zoning Ordinance, granted by the Zoning Board of Appeals, where such variance will not be contrary to the public interest or permit a use in a District that is not identified as a permitted principal use in such District. (see Section 4.05(C)). See “Developmental-Standard Variance.”

(2) *Veterinary Clinic*: An establishment ~~which~~ that is licensed by the State of Michigan to provide for the care, diagnosis, and treatment of sick or injured animals, including those in need of medical or surgical attention. A veterinary clinic may provide overnight boarding of animals receiving medical treatment only; and ~~such~~ other accessory facilities such as laboratories, testing services, and offices.

(3) *Vicinity Map*: A map, not necessarily to scale, showing the general location of a lot in relation to abutting properties, streets, and other landmarks.

(4) *Violation*: The failure of a structure, development, use, or lot to be fully compliant with this Ordinance.

(W) **DEFINITIONS of WORDS and PHRASES STARTING WITH “W”:**

(1) *Wall*: A solid, durable fence made of masonry, stone, concrete, or similar material.

(2) *Waste Receptacle (Dumpster)*: Any accessory exterior container used for the temporary storage of rubbish, pending collection, having a capacity of at least one (1) cubic yard. Recycling stations and exterior compactors shall be considered waste receptacles.

(3) *Waterbody*: See “Surface Water Body.”

(4) *Watercraft*: A contrivance used or designed for navigation on water, including a vessel, boat, motor vessel, steam Bessel, vessel operated by machinery either permanently or temporarily affixed, scow, tugboat, personal water craft, or any marine equipment that is capable of carrying passengers, except a ferry.

(5) *Watercraft Access Ramp*: A public or private facility at the water’s edge used for the launching and retrieving of watercraft and the parking of the associated tow vehicle and trailer.

(6) *Watercraft Repair and Storage*: Repair or storage of boats on property that is not owned or controlled by the owner of the boat or for a commercial purpose.

(7) *Water Supply, Individual*: A well or similar installation on an individual lot that provides a water supply to any structures or uses on that lot.

**(8) Water Supply, Public or Central:** A well or similar installation system that provides water supply to lots on more than one (1) lot.

**(9) Watercourse:** Any and all rivers, streams, creeks, tributaries, lakes, ponds, wetlands, and other types of natural or man-made structures that channel, contain, or retain water.

**(10) Wetland:** Land characterized by the presence of water at a frequency and duration sufficient to support, and that, under normal circumstances, ~~does support,~~ wetland vegetation or aquatic life, and is commonly referred to as a bog, swamp, or marsh, including both regulated and unregulated wetlands, as defined by the Michigan Department of Environmental Quality.

**(11) Wild Animal:** Any animal, other than a customary household pet or ~~farm animal~~ livestock, that attacks, bites, or injures human beings or domesticated animals without adequate provocation, or ~~which that~~, because of temperament, conditioning, or training, has a known propensity to attack, bite, or injure human beings or domesticated animals, including dogs ~~which that~~ are hybrids of wolves, coyotes, or jackals, and cats which are hybrids of ocelots or margays.

**(12) Wind Energy Conservation System Definitions (WECS):** The following words, terms, and phrases associated with Wind Energy Conversion System shall have the following meanings:

**a. Ambient Sound Level:** The L90 A-weighted sound pressure emissions level; the level of sound exceeded ninety (90) percent of the time.

**b. Experimental WECS:** Any WECS not approved by Underwriter Laboratories, Det Noske Veritas, Germanishcher Lloyd Wind Energie, or similar third party.

**c. Met Tower:** A tower used to measure wind that generally has anemometers, direction vanes, temperature and pressure sensors, and other measurement devices.

**d. Micro WECS:** A WECS mounted on a building that projects no more than fifteen (15) feet above roofline or mounted on a tower with a total height less than or equal to the permitted building high for the zoning district in which it is located and having a nameplate capacity of two (2) kW or less.

**e. Non-Participating Lots:** Lots that are not participating in a WECS project.

**f. Participating Lots:** Lots that are participating in a WECS project.

**g. Total (System) Height:** The vertical distance between the ground and the highest point of the swept area.

h. *Small WECS*: A WECS with a nameplate capacity of ten (10) kW or less and a total height of less than two hundred (200) feet.

i. *Swept Area*: The area that is swept by the turbine blade.

j. *Wind Energy Conversion System (WECS)*: A device which converts wind energy into electrical energy.

(13) *Wineries*: A facility used for the commercial purpose of processing grapes, fruits, and vegetables into wine or similar spirits, including processing, fermenting, aging, bottling, storage, sales, administration, and tasting room.

(14) *Wireless Communication Definitions*: The following words, terms, and phrases associated with wireless communications shall have the following meanings:

a. *Cell on Wheels or Carrier on Wheels (COW)*: A portable, self-contained wireless communication facility that provides wireless communication service on a temporary or emergency basis.

b. *Colocation*: Placing or installing wireless communications equipment on an existing wireless communications support structure or another existing structure or in an existing equipment compound. This definition has the same meaning as collocation, as used in MCL 125.3101 et seq.

c. *Communication Tower*: A radio, telephone, or television relay structure of skeleton framework, attached directly to the ground or to another structure, used for the transmission or reception of radio, television, microwave, or any other form of telecommunications signals.

d. *Equipment Compound*: An area surrounding or adjacent to the base of a wireless communications support structure and within which wireless communications equipment is located.

e. *Tower*: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for wireless communication purposes. This includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. This term includes the structure and any supporting structure.

f. *Wireless Communication Equipment*: The set of equipment and network components used in the provision of wireless communications services, including, but not limited to, antennas,

transmitters, receivers, base stations, equipment shelters, cabinets, emergency generators, power-supply cables, and coaxial and fiber-optic cables, but excluding wireless communication support structures.

**g. Wireless Communication Facility:** All structures, accessory facilities, transmitters, receivers, and antennas relating to the use of radio and microwave frequency electromagnetic radiation for commercial transmitting and receiving information.

**h. Wireless Communication Support Structure:** A structure that is designed to support, or is capable of supporting, wireless communications equipment, including a monopole, self-supporting lattice tower, guyed tower, water tower, utility pole, electrical transmission line tower, or building.

**(15) Woodland:** A forested area of at least one (1) acre containing forty (40) or more mature trees per acre.

**(X) DEFINITIONS of WORDS and PHRASES STARTING WITH “X”:**

**(1) Xeriscaping:** A set of gardening and landscaping design and maintenance principles that promotes good horticulture and efficient use of water.

**(Y) DEFINITIONS of WORDS and PHRASES STARTING WITH “Y”:**

**(1) Yacht Club:** A club that includes structures and related grounds and mooring spaces for boats and other watercraft that is used for social and recreational purposes related to pleasure boating and/or swimming and related support services.

**(2) Yard Definitions:** The following words, terms, and phrases related to yards shall have the following meanings:

**a. Yard:** An open space, on the same lot with a principal building, unoccupied and unobstructed from the ground upward by a building or structure, except as otherwise permitted in this Ordinance. (See Figure 2-4 at end of this Section.)

**b. Front Yard:** ~~An~~ The open space between the front lot line and the nearest point of the principal building, extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of the foundation. This

distance is measured horizontally. ~~There shall be maintained~~ a front yard on each street side of a lot, including corner lots and through lots.

- c. *Rear Yard:* ~~An~~ ~~The~~ open space between the rear lot line and the nearest point of the principal building, extending the full width of the lot, ~~the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the foundation of the main building.~~ This distance is measured horizontally. In the case of corner lots, there shall be two rear yards consisting of those yards opposite the front yards. A through lot shall not have a rear yard.
- d. *Side Yard:* ~~An~~ ~~The~~ open space between the side lot line and the nearest point of the principal building ~~building and the side lot line~~, extending from the front yard to the rear yard, ~~the width of which is the horizontal distance from the nearest point of the side lot line to the nearest point of the foundation of the main building.~~ This distance is measured horizontally.
- e. *Interior or Exterior Side Yard:* The open space between the interior or exterior side lot lines and the nearest point of the principal building. This distance is measured horizontally.
- f. *Lakefront or Waterbody Yard:* The open space between the ordinary high-water mark and the nearest point of the principal building. This distance is measured horizontally.
- g. *Non-required Yard:* The open space between the required setback and the principal building. It corresponds to the additional open space between the required yard and the principal building.
- h. *Required Yard:* The open space between the lot line and the required setback. The required yard corresponds to the required setbacks for the district.

**(Z) DEFINITIONS of WORDS and PHRASES STARTING WITH “Z”:**

- (1) *Zoning Act or Zoning Enabling Act:* The Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101 et seq.
- (2) *Zoning Administrator:* The authorized individual person charged with the responsibility of administering this Ordinance and appointed by the Township Board of Trustees.
- (3) *Zoning Board of Appeals:* The Dexter Township Zoning Board of Appeals.

- (4) Zoning District or Zone: A portion of the Township within which specific ~~regulations and requirements~~standards are uniformly applied, or various combinations thereof apply as provided outlined in this Ordinance.
- (5) Zoning District, Overlay: A zoning district that extends on top of one or more zoning districts for a specific purpose.
- ~~(16)~~(6) Zoning Jurisdiction: The area encompassed by the legal boundaries of the Township outside the limits of incorporated cities and villages.
- (7) Zoning Officer: A person authorized by the Township to assist the Zoning Administrator in the enforcement and administration of this Ordinance and other Township Ordinances.
- (8) Zoning Permit: A permit issued by the Zoning Administrator or agent signifying compliance with the provisions of this Ordinance, which may include and set forth conditions which must be met. ((OR USE PRELIMINARY CERTIFICATE OF ZONING COMPLIANCE??))
- (9) Zoning Map: The map, adopted as part of this Ordinance that graphically depicts all of the zoning districts and their boundaries.
- (10) Zoning Map Amendment: An amendment to the Zoning Map adopted as part of this Ordinance.
- (11) Zoning Map Amendment, Conditional: An amendment to the Zoning Map adopted as part of this Ordinance with conditions placed upon such amendment.
- (12) Zoning Text Amendment: An amendment to the text, figures, or tables of this Ordinance. See also “Zoning Map Amendment.”

*End of Article XX.*