

CHAPTER 35 DEFINITIONS

SECTION 35.10 DEFINITIONS A, B, C

Accessory Building. A detached building on the same lot as a principal building or principal use that is customarily incidental and subordinate to the principal building or principal use and accommodates an accessory use or function.

Accessory Dwelling Unit. A secondary dwelling unit on a lot that is smaller in livable floor area and incidental to a principal single-family detached dwelling that contains an independent living area, including sleeping quarters, bathroom, living area, and kitchen facilities.

- **Accessory Dwelling Unit, Attached.** An accessory dwelling unit that is physically attached to a principal single-family detached dwelling as an addition; incorporated internally within a principal dwelling within the basement or attic; or above an attached garage. The inclusion of a secondary kitchen or kitchenette within the principal dwelling is considered a separate living area and not an attached accessory dwelling unit, so long as the separate living area is fully accessible by an interior connection to the home. A door to the living area that can be permanently locked or blocked, along with outside access, qualifies the living space as an attached accessory dwelling unit.
- **Accessory Dwelling Unit, Detached.** An accessory dwelling unit that is physically detached from a principal single-family detached dwelling as a standalone and separate building.

Accessory Structure. A detached structure on the same lot as a principal building or principal use that is customarily incidental and subordinate to the principal building or principal use and accommodates an accessory use or function.

Accessory Use. A use of a nature customarily and clearly incidental and subordinate to the main use of the land, lot, building, or structure.

Addition. Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a firewall.

Adult Day Care. A private residence with the approved capacity to receive six or fewer adults to be provided with foster care for periods of less than 24 hours per day, five (5) or more days per week, and for two (2) or more consecutive weeks, as licensed and regulated under the Adult Foster Care Facility Licensing Act, Act 218 of the Public Acts of 1979, MCL 400.701 et seq., as amended.

Adult Establishment. Any adult bookstore, adult entertainment establishment, adult motion picture arcade, or adult motion picture theater which are defined as follows:

- **Adult Establishment, Adult Bookstore.** A commercial establishment or facility in the city that maintains 25 percent or more of its floor area for the display, sale, and/or rental of the following items (aisles and walkways used to access these items shall be included in "floor area" maintained for the display, sale, and/or rental of the items): books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, videocassettes, CDs, DVDs or other video reproductions, or slides or other visual representations which are characterized by their emphasis upon the display of specified sexual activities or specified anatomical areas, as defined herein; or instruments, devices, novelties, toys or other paraphernalia that are designed for use in connection with specified sexual activities as defined herein or otherwise emulate, simulate, or represent "specified anatomical areas" as defined herein.

- **Adult Establishment, Adult Entertainment Establishment.** Any establishment or facility where adult entertainment is regularly sponsored, allowed, presented, sold, or offered to the public.
- **Adult Establishment, Adult Motion Picture Arcade.** A commercial establishment to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five or fewer persons per machine at any one time and where the images so displayed are distinguished or characterized by an emphasis upon matter displaying specified sexual activities or specified anatomical areas.
- **Adult Establishment, Adult Motion Picture Theater.** A commercial establishment where films, motion pictures, videocassettes, slides, or similar photographic reproductions, which are characterized by their emphasis upon the display of specified sexual activities or specified anatomical areas, are regularly shown to more than five persons for any form of consideration.

Adult Foster Care Group Home. A private residence where adults are provided with foster care 24 hours a day, five (5) or more days per week, and for two (2) or more consecutive weeks. A foster care group home with an approved capacity of at least seven (7) but not more than 12 adults is a “small group home.” A group home with an approved capacity of at least 13, but not more than 20 adults, is a “large group home.” The facility is licensed under the Adult Foster Care Facility Licensing Act, Act 218 of the Public Acts of 1979, MCL 400.701 et seq., as amended, and the person issued the adult foster care group home license is a member of the household and an occupant of the residence.

Agribusiness. A commercial establishment involved in the production, processing, distribution, and marketing of agricultural products and services, and the businesses that support and benefit from it. Agribusiness includes, but is not limited to, the following:

- **Agribusiness, Agricultural Input Supply.** Agribusinesses provide farmers with essential inputs like seeds, fertilizers, pesticides, and equipment needed for efficient and productive agricultural operations.
- **Agribusiness, Distribution and Logistics.** The distribution of agricultural products involves transportation, storage, and marketing to ensure that products reach markets, retailers, and consumers. This aspect also includes supply chain management.
- **Agribusiness, Processing and Manufacturing.** Agribusinesses engage in the transformation of raw agricultural products into processed goods. This can include food processing, milling, refining, and manufacturing operations.
- **Agribusiness, Research and Development.** Agribusinesses invest in research and development to improve agricultural productivity, develop new technologies, and enhance the sustainability of agricultural practices.

Air Strip. A runway without formal facilities, such as a check-in service desk, TSA security checkpoints, and baggage handling.

Alley. A public or private controlled right-of-way or easement affording only secondary means of vehicular access to abutting lots and land, and which is not intended for general traffic circulation.

Altered or Alteration. Any change, addition or modification in the construction of any building or structure, including, without limitation, any change in the supporting members, bearing walls, columns, posts, beams, girders or roof structure, any architectural change of the interior or exterior of a building or structure which may affect its structural integrity, or any addition to, change to, or diminution of a structure or building.

Amateur Radio Service. A federally licensed radio-communication service for the purpose of self-training, intercommunication, and technical investigations carried out by amateurs, that is, duly authorized persons

interested in radio technique solely with a personal aim and without pecuniary interest, particularly with respect to providing emergency communications.

Animal and Pet Services. Any lot or premises on which six (6) or more dogs or cats or other household pets, six months old or over, are kept temporarily or permanently for sale, boarding, breeding, training, shelter, competition, showing, or day care.

Animal Clinic. A specialized healthcare facility that provides medical care, diagnosis, treatment, and preventive services for a wide range of animals, including pets and sometimes wildlife. These clinics are staffed by trained veterinarians and veterinary technicians who are qualified to address the health and wellness needs of animals. This use may include accessory boarding and grooming services.

Animal, Domestic. An animal commonly domesticated as a companion or pet and kept in a home or yard. Examples include dogs, cats, birds, fish, rabbits, small rodents, and similar animals, and are not used for commercial purposes. Household or domesticated animals do not present an unusual risk to a person or property and are not considered farm or wild animals.

Animal, Farm. Any animal or fowl customarily raised on a bonafide commercial farm for the production of income, including but not limited to goats, rabbits, horses, cows, pigs, chickens, turkeys, sheep, ducks, and geese or that are customarily raised for non-commercial consumption or production by the residents of the premises.

Animal, Wild. A vicious, exotic, or dangerous animal not domesticated by humans or any animal which a person is prohibited from possessing by law.

Antenna, Dish. Dish (parabolic or cylindrical) antennas used for microwave and satellite transmission and reception for commercial purposes. This definition shall not apply to wireless cable satellite dish antennas or dish antennas less than one meter measured diagonally.

Antenna. Any device used to transmit and/or receive radio or electromagnetic waves, such as, but not limited to, panel antennas, reflecting discs, microwave dishes, whip antennas, directional and non-directional antennas consisting of one or more elements, multiple antenna configurations, or other similar devices and configurations. Exterior apparatus designed for telephone, radio, or television communications through the sending and/or receiving of wireless communications signals.

Apartment. Is a self-contained residential dwelling unit within a larger multiple-family building or complex, typically designed for multiple families to live in close proximity to one another. See “dwelling, multiple-family.”

Aquifer. A geological formation, group of formations, or part of a formation capable of storing and yielding a significant amount of groundwater to wells and springs.

Awning. A shelter projecting from and supported by the exterior wall of a building and constructed of non-rigid materials on a supporting framework. Awnings are classified as a roof type.

Bakery, Small Scale. An establishment engaged in the retail sale of baked products for consumption off-site, and total square footage is 5,000 square feet or less. The use may include accessory counter, food service, or café seating.

Banquet or Meeting Hall. A facility that provides rental space for functions, including but not limited to wedding parties, conferences, service club meetings, and other similar gatherings, along with the catering of food, in most cases prepared off-site.

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 is not counted as a story.

Battery Energy Storage System (BESS), Off-Site. One or more devices, assembled together, intended to store electricity and supply it to the electrical grid. This includes but is not limited to, the following: battery cells; enclosures and dedicated-use buildings; thermal, battery, and energy management system components; inverters; access roads; distribution, collection, and feeder lines; wires and cables; conduit; footings; foundations; towers; poles; crossarms; guy lines and anchors; substations; interconnection or switching facilities; circuit breakers and transformers; overhead and underground control, communications and radio relay systems, and telecommunications equipment; utility lines and installations; and accessory equipment and structures.

Bed and Breakfast. A residential dwelling where short-term lodging rooms and breakfast and light snacks are provided to overnight guests and where the operator lives on the premises.

Boat. A vessel used or capable of being used as a means of transportation on water.

Brewery, Winery, or Distillery. The industrial production of beer, wine, and spirits.

Buffer. A strip of land that provides visual separation and aesthetic relief between potentially incompatible uses or provides protection to natural resources through the use of landscaping, preservation of existing vegetation, berms, or screening, or a combination of materials.

Building. A type of permanent independent structure with a roof that is braced by walls, columns, or other supports, that is used or intended for supporting or sheltering any use, storage, or occupancy.

- **Building, Accessory.** See “Accessory Building.”
- **Building, Principal.** “See Principal Building.”

Building Canopy. A permanent roof-like structure projecting from a building and open on at least one (1) side for the purpose of shielding a pedestrian walkway from the elements.

Building Code. Building codes adopted and enforced in accordance with the Stille-DeRossett-Hale Single State Construction Code Act 230 of 1972.

Building Frontage. The horizontal linear measurement of a building facade that is generally parallel, facing, or oriented toward a public or private street. A building on a corner lot has two (2) building frontages.

Building Height. See 3.20 A.

Building Width. See 3.20 E.

Campground. A form of temporary lodging approved by the State of Michigan, where guests bring tents, recreational vehicles, travel trailers, or other similar forms of shelter to experience the natural environment. Campgrounds rent pads or spaces to guests and may also include accessory uses such as a camp store, showers, bathroom facilities, and recreational facilities.

Cemetery. A burial ground for earth interments, a mausoleum for crypt entombments, or a columbarium for the inurnment of cremated remains. For the purposes of this ordinance, a cemetery does not include a crematorium.

Changeable Copy. See “Sign, Changeable Copy.”

Child Day Care

- **Child Day Care Center.** Licensed under the Child Care Organizations Act, Public Act 116 of 1973, a facility other than a private residence in which one (1) or more preschool or school-age children are given care and supervision for periods of less than 24 hours per day, and where the parents or guardians are not immediately available to the child. The facility provides care for not less than 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, before- or after-school program, or drop-in center.

- **Child Day Care, Family Child Care Home.** Licensed under the Child Care Organizations Act, Public Act 116 of 1973, a private home in which one (1) but fewer than seven (7) minor children are received for care and supervision for compensation for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the household. Family child care home includes a home in which care is given to an unrelated minor child for more than four (4) weeks during a calendar year.
- **Child Day Care, Group Child Care Home.** Licensed under the Child Care Organizations Act, Public Act 116 of 1973, a private home in which more than six (6) but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the household. Group child care home includes a home in which care is given to an unrelated minor child for more than four (4) weeks during a calendar year. Group child care home includes a private home with increased capacity.

College or University. A facility for post-secondary education, other than a trade or commercial school, that provides education, whether full-time or part-time, and that grants associates, bachelors, masters, or doctoral degrees, and may include research functions. Includes professional schools (law, medicine, etc.) and technical colleges.

Commercial Driveway. A designated vehicular access point or entrance/exit that connects a commercial property or business establishment to a public street or right-of-way by a formal driving surface. Commercial driveways are intended to facilitate the safe and efficient movement of vehicles, including those of customers, employees, and service providers, between the commercial property and the public street.

Commercial Solar Energy System. A utility-scale facility of solar energy collectors with the primary purpose of wholesale or retail sales of generated electricity. Sometimes referred to as a solar farm.

Commercial Use. An activity involving the sale of goods or services carried out for profit.

Community Mental Health Services Program at a Residence. A private residence with the capacity to receive at least one (1) but not more than four (4) adults who all receive benefits from a community mental health services program if the local community mental health services program monitors the services being delivered in the residential setting.

Condominium. The ownership of a land dwelling, office, commercial, or industrial unit, including the space enclosed by the description thereof, as contained in the Master Deed, together with ownership of an interest in the common elements, as contained in the Master Deed.

Condominium Act. The Condominium Act, Act 59 of Michigan Public Acts of 1978, as amended.

Condominium, Conventional. A development in which ownership interest is divided under the authority of the Condominium Act, P.A. 59 of 1978, as amended, and in which the condominium unit consists primarily of the dwelling or other principal structure and most of the land in the development is part of the general common area.

Master Deed. The condominium document recording the condominium project to which are attached as exhibits and incorporated by reference the bylaws for the project and including those items required in Section 8 of the Condominium Act, P.A. 59 of 1978, as amended.

Condominium, Site. A development in which ownership is divided under the authority of the Condominium Act, P.A. 59 of 1978, as amended, and in which the condominium unit consists of a building site, with or without structures, which, along with associated limited common area elements, constitutes the equivalent of a lot.

Condominium Unit. The portion of a condominium development designed and intended for occupancy and use by the unit owner consistent with the provisions of the master deed, as defined in Condominium Act, P.A. 59 of 1978, as amended.

Construction and Landscape Supply, Outdoor. A commercial establishment that sells supplies for building construction and/or landscaping projects, where such supplies are placed outdoors.

Construction. The erection of a new building or structure or the alteration of an existing building or structure in connection with its repair or renovation.

Contractor Facility. An office and storage or warehouse facility accommodating a construction, skilled trade, landscaping, extermination, tree care, industrial service contracting business, or other similar trades.

Crematorium. A facility consisting of one or more furnaces for cremation services.

Cul-De-Sac. A circular vehicle turn-around area constituting the terminus of a street that has only one outlet to another street.

Cultural Facility. A public or non-profit facility that provides educational and cultural experiences for the general public, examples of which include aquariums, arboretums, art galleries, botanical gardens, libraries, museums, planetariums, civic centers, and theaters predominantly used for live performances, and zoos. The use may also include accessory retail uses such as gift shops and restaurants.

SECTION 35.20 DEFINITIONS D, E, F

Data Center. A facility composed of networked computers and storage used to organize, process, store, and disseminate large amounts of data for various purposes, such as computing operations, data storage, and networking. It typically includes servers, networking equipment, storage systems, and backup power supplies, all housed within a controlled environment to ensure reliability and security.

Develop or Development. The act of constructing permanent structures or buildings, conducting site preparation, excavation, and grading for future construction, or installing site improvements and infrastructure in support of an existing or future structure, building, or land use.

Drive-Through Service. Facilities where services may be obtained by drivers without leaving their vehicles. Examples of land uses that typically include drive-through services include, but are not limited to, restaurants, banks, accessory ATMs, and pharmacies.

Driveway. A way, access, or drive located entirely on the lot that it serves.

Dwelling

- **Dwelling, Single-Family Attached.** A building containing two (2) or more dwelling units arranged side by side and in a row or over and under, designed and intended for two (2) or more families separated by common walls or common floors and ceilings, and having direct means of egress and ingress to each dwelling unit from the outside. Buildings may be referred to as duplexes, townhomes, or rowhomes.
- **Dwelling, Multiple-Family.** A residential building intended for three (3) or more dwelling units arranged side by side and in a row and/or over and under, designed and intended for three (3) or more families separated by common walls and/or common floors and ceilings. Egress and ingress for individual dwelling units are through a common entry or entries.
- **Dwelling, Single-Family Detached.** A freestanding dwelling unit designed and intended for one (1) family that is physically separate from any other dwelling.

Dwelling Area, Minimum. See 3.20 D.

Dwelling Unit. A building or portion of a building, designed for use and occupancy by one family, having permanent provisions for living, sleeping, cooking, and sanitation. A recreational vehicle, portable building, tent, or other transient residential use, such as hotels/motels and bed and breakfasts, is not considered a dwelling.

Easement, Private Street. A right-of-way, easement, or designated area surveyed, legally described, and recorded, applied to a private street, which authorizes vehicle travel and the installation and maintenance of public utilities.

Easement. A designated area surveyed, legally described, and recorded, which authorizes a person, government, agency, or public utility company to use public or private land owned by another for a specific purpose.

Eave. The part of a roof that meets or overhangs the walls of a building.

Electric Vehicle Charging Station. A public or private parking space, or group of parking spaces, that is served by battery charging equipment for the purpose of transferring electric energy to a battery or storage device in an electric vehicle.

Essential Public Services and Utilities. Any facility furnishing to the public, transportation, water, gas, electricity, telephone, cable television, communication, steam, telegraph, sewage disposal, or other similar service, including the Township. The erection, construction, alteration, or maintenance by a public utility, or municipal department, of underground, surface, or overhead gas, communication, telephone, electrical, steam, fuel or water, transmission, distribution collection, supply, or disposal systems. This includes related poles, wires, pipes, conduit, cables, public safety alarm and communication equipment, traffic signals, hydrants, and similar accessories that are necessary to furnish adequate service, addressing general public health, safety, convenience, or welfare. These do not include wireless telecommunication towers (unless located on public property and used as part of a municipal emergency communications network); wind energy turbines; offices, utility buildings, substations, or structures that are enclosures or shelters for service equipment; or maintenance depots.

Exempt. The release of the obligation to comply with specific sections of this Ordinance.

FAA. The Federal Aviation Administration.

Façade. The front of a building, including a parapet, that is generally parallel, facing, or oriented toward a public or private street that commonly includes a primary entrance and is characterized by architectural details not found on other sides of the building. A building on a corner lot may have two (2) facades.

Family. Either of the following:

1. A domestic family, which is one or more persons living together and related by the bonds of blood, marriage, or adoption, together with domestic help of the principal occupants and not more than one additional unrelated person, with all of the individuals being domiciled together as a single, nontransient, domestic, housekeeping unit in a dwelling.
2. The functional equivalent of the domestic family which includes no more than four (4) unrelated persons 18 years of age and older living together in a dwelling unit whose relationship is of a permanent and distinct character and is the functional equivalent of a domestic family with a demonstrable and recognizable bond which constitutes the functional equivalent of the bonds which render the domestic family a cohesive unit. All persons of the functional equivalent of the domestic family must operate as a single housekeeping unit. This definition shall not include any society, club, fraternity, sorority, students living together, association, lodge, boarding house, coterie, organization or group where the common living arrangement and/or the basis for the establishment of the functional equivalency of the domestic family is likely or contemplated to exist for a limited or temporary duration.

Farm. The land, plants, animals, buildings, structures, and ponds used for agricultural or aquacultural activities, along with the machinery, equipment, and other appurtenances used as part of a commercial farm operation that produces farm products.

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:

- Marketing produce at roadside stands or farm markets.
- The generation of noise, odors, dust, fumes, and other associated conditions.
- 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, Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws.
- Field preparation and ground and aerial seeding and spraying.
- The application of chemical fertilizers or organic materials, conditioners, liming materials, or pesticides.
- Use of alternative pest management techniques.
- The fencing, feeding, watering, sheltering, transportation, treatment, use, handling and care of farm animals.
- The management, storage, transport, utilization, and application of farm by-products, including manure or agricultural wastes.
- The conversion from a farm operation activity to other farm operation activities.
- The employment and use of labor.

Farm Product. 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.

FCC. The Federal Communications Commission.

Fence. A constructed barrier intended to prevent access, create an enclosure, or mark a boundary.

Fill. A portion of land surface to which soil or other solid material has been added; the depth above the original ground surface or an excavation.

Fire Code. The latest edition of the International Fire Code (IFC) adopted by the Township.

Floor Area

- **Floor Area, Gross.** The sum of all gross horizontal areas of the several floors of a building or buildings, measured from the outside dimensions of the structure or from the centerline of a wall separating two (2) buildings, but excluding any space where the floor-to-ceiling height is less than six (6) feet.
- **Floor Area, Livable.** See Section 3.20 D.2.
- **Floor Area, Usable.** That area to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers, measured from the interior faces of the exterior walls. Areas used principally for the storage or processing of merchandise, for hallways, stairways, and elevator shafts, or utilities and sanitary facilities shall be excluded from this computation.

Footcandle. A unit of light or density when the foot is the unit of measure. One (1) footcandle (fc) equals one (1) lumen per square foot of area.

Foster Family Group Home. The private home of an individual who has been licensed by the Department of Health and Human services and the Department of Licensing and Regulatory Affairs to provide 24-hour care for more than four (4) but fewer than seven (7) minor children who are placed away from their parent, legal guardian, or legal custodian in foster care.

Foster Family Home. The private home of an individual who is licensed to provide 24-hour care for one (1) but not more than four (4) minor children who are placed away from their parent, legal guardian, or legal custodian in foster care.

Frontage. See Section 3.30 F.2.

Frontage, Primary Street. See Section 3.30 F.2.

Funeral Home or Mortuary. A building used for the preparation of the deceased for burial or cremation, for the display of the deceased and/or for ceremonies or related services, including the storage and sales of caskets, funeral urns, funeral vehicles, and other funeral supplies. For the purposes of this ordinance, this use does not include a crematorium.

SECTION 35.30 DEFINITIONS G, H, I

Garage. An accessory building or portion of a principal building designed and intended for the parking or temporary storage of motorized vehicles and incidental property.

General Offices and Services. Establishments that offer financial, business, business support, medical, personal, professional, and administrative services.

- **Business Services.** Establishments providing direct services to consumers, including, but not limited to: employment agencies, insurance agent offices, real estate offices, and travel agencies.
- **Business Support Services.** Establishments providing services to other businesses, including, but not limited to, computer rental and repair, copying, quick printing, and mailing and mailbox services.
- **Financial Services.** Financial institutions, including, but not limited to, banks, credit agencies, investment companies, security, and commodity exchanges.
- **Medical.** A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis, including, but not limited to, chiropractors, medical doctors, psychiatrists, etc., other than nursing staff.
- **Personal Services.** Establishments providing non-medical services to individuals, including, but not limited to, barber and beauty shops, tattoo parlors, self-serve laundry facilities, dry cleaning pick-up and drop-off, small appliance repair, laundromats, massage therapists, shoe repair shops, and tanning salons. These uses may include incidental retail sales related to the services they provide.
- **Professional and Administrative Services.** Office-type facilities occupied by businesses or agencies that provide professional or government services or are engaged in the production of intellectual property.

Glare. Light emitted without a lens or through a clear lens from a luminaire with an intensity great enough to reduce a person's ability to see, and in extreme cases, to cause momentary blindness.

Golf Course. A use consisting of regulation and par three golf courses having nine (9) or more holes, and accessory facilities and uses, including driving ranges, clubhouses with a bar and restaurant, locker and shower facilities, pro shops for on-site sales of golfing equipment and clothing, and golf cart storage facilities.

Government Facility. Buildings, structures, and facilities that include administrative offices, public works services, law enforcement, fire protection, libraries, museums, cemeteries, recreational centers, and storage areas for public equipment and materials for local, county, state, and federal public agencies.

Grade

- **Grade, Average.** See 3.20 A.4.
- **Grade, Natural.** See 3.20 A.4.

Grading. Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling, and shaping or any combination thereof, and shall include the land in its cut or filled condition.

Greenhouse and Nursery. A non-farm retail or wholesale business whose principal activity is the display and sales of plants grown on the site within an enclosed building (greenhouse) or outdoors (nursery).

Ground Cover. Low-growing, spreading plants, other than turf grass, such as but not limited to ivy, liriope, juniper, mondo grass, or sedge.

Half Story. See Section 3.20 B.2.

Helicopter Landing Pad. A designated area on a roof or on the ground used by pilots of helicopters or steep-gradient aircraft for the purpose of picking up and discharging passengers or cargo.

Home Occupation. A use that includes any activity that is clearly secondary to residential use and carried out for economic gain. It is conducted entirely within a dwelling, carried out by its occupants, utilizing equipment that is typically found in a home. It is not evident from the outside, but may be visited by customers or clients. Home occupations include but are not limited to financial advising, skilled trade contracting, accounting, woodworking, business services, personal services, and the making of handcrafted products. Home occupations also include the instruction of a fine art or craft.

Home Office. A use that includes any activity that is clearly secondary to residential use and carried out for economic gain. It is conducted entirely within a dwelling, carried out by its occupants utilizing office equipment that is typically found in a home, is not evident from the outside, and is not open for customer access.

Hospital. An institution licensed by the State of Michigan, where people, including inpatients, receive medical, surgical, or psychiatric treatment and nursing care.

Hotel or Motel. A building under single management that provides rooms or suites intended primarily as sleeping accommodations for public rental on a daily or longer basis for registered guests. Other supportive facilities may also be included, such as, but not limited to, meeting rooms, incidental retail sales, restaurants, lounges, swimming pools, recreational and fitness facilities, and similar facilities/services intended primarily to serve registered guests.

Household. All persons occupying a house, apartment, group of rooms, or a single room occupied as separate living quarters, regardless of their relationship to one another.

Impervious Surface. Any surface composed of any material that greatly impedes or prevents the natural infiltration of water into the underlying native soils. Impervious surfaces include, but are not limited to, rooftops, buildings, sidewalks, driveways, streets, and roads.

Inland Lake or Stream. An artificial or natural lake, pond, or impoundment that is a water of the United States as that term is used in section 502(7) of the Federal Water Pollution Control Act, 33 USC 1362 or a natural or artificial lake, detention area, pond, or impoundment; a river, stream, or creek which may or may not be serving as a drain as defined by the Drain Code of 1956, 1956 PA 40, MCL 280.1 to 280.630; or any other body of water that has definite banks, a bed, and visible evidence of a continued flow or continued occurrence of water. For the purposes of this ordinance, there is no minimum size for the waterbody to be classified as an inland lake or stream.

SECTION 35.40 DEFINITIONS J, K, L

Keeping of Animals and Bees (Non-Commercial). Raising and keeping livestock, fowl, and bees on a property for hobby or family food production and not for commercial purposes.

Land Division Act. The Michigan Land Division Act, P.A. 87 of 1997, as amended (formerly the Michigan Subdivision Control Act) and any ordinance adopted by the Township Board in furtherance of Township duties required of said act.

Land Division. The act of creating or dividing a lot of land defined by a metes and bounds description pursuant to the provisions of the Michigan Land Division Act, P.A. 87 of 1997, as amended (formerly the Michigan Subdivision Control Act) or the act of creating a condominium plat pursuant to the provisions of the Condominium Act, P.A., 59 of 1978, as amended, for the purpose of recording same with the Register of Deeds of Van Buren County. (See: Land Division Act and Condominium Act.).

Landscape Materials. Any combination of living plant materials and nonliving materials such as rocks, pebbles, wood chips, mulch and pavers, and decorative features, including sculpture, patterned walks, fountains, and pools.

Lawful Nonconformity. A building, structure, lot, sign, site, or use that does not comply with the requirements of this Ordinance but that was lawfully constructed, established, or initiated under the Zoning Ordinance requirements in effect when it was constructed, established, or initiated.

- **Lawful Nonconforming Building or Structure.** A building or structure that does not comply with the requirements of this Ordinance but was lawfully constructed under the Zoning Ordinance requirements in effect at the time.
- **Lawful Nonconforming Lot.** A lot that does not comply with the requirements of this Ordinance but was lawfully established under the Zoning Ordinance requirements in effect at the time.
- **Lawful Nonconforming Sign.** A sign does not comply with the requirements of this Ordinance but was lawfully constructed under the Zoning Ordinance requirements in effect at the time.
- **Lawful Nonconforming Site.** A site that does not comply with the requirements of this Ordinance but was lawfully developed and improved under the Zoning Ordinance requirements in effect at the time.
- **Lawful Nonconforming Use.** A land use that does not comply with the requirements of this Ordinance, including the use requirements of Chapter 15 and specific use requirements of Chapter 18, but was lawfully initiated under the Zoning Ordinance requirements in effect at the time.

Loading Space. An off-street portion of a lot designated for the temporary parking of commercial vehicles while loading or unloading materials used, sold, or made on the premises.

Lot

- **Lot and Lot Types.** See 3.30 B.
- **Lot Area.** See Section 3.30 D.2.
- **Lot Depth.** See Section 3.30 G.2.
- **Lot Frontage.** See Section 3.30 F.2.
- **Lot Lines.** See Section 3.30 C.
- **Lot Width.** See Section 3.30 E.2.

SECTION 35.50 DEFINITIONS M, N, O

Manufactured Home Community. A property under single ownership in which three (3) or more manufactured homes are located on a continual or seasonal, nonrecreational basis and which is offered to the public for that purpose, regardless of whether a charge is made for the lot, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a manufactured home. Occupancy may be seasonal and temporary or may be permanent.

Manufactured Home. A factory-built, single-family structure manufactured under the authority of 42 U.S.C. Sec. 5401, the National Manufactured Home Construction and Safety Standards Act, is transportable in one or more sections, is built on a permanent chassis, and is designed to be used as a place of human habitation with or without a permanent foundation when connected to the required utilities. It is not constructed with a permanent hitch or other device allowing transportation of the unit other than for the purpose of delivery to a permanent site, and which does not have wheels or axles permanently attached to its body or frame.

Manufacturing, Processing, and Packaging- Heavy. A facility accommodating manufacturing processes that involve and/or produce basic metals, building materials, chemicals, fabricated metals, paper products, machinery, textiles, and/or transportation equipment, where the intensity and/or scale of operations may cause significant impacts on surrounding land uses or the community. Examples of heavy manufacturing uses include the following: chemical product manufacturing; concrete, gypsum, and plaster product manufacturing; glass product manufacturing; paving and roofing materials manufacturing; petroleum refining and related industries; plastics, other synthetics, and rubber product manufacturing; primary metal industries; pulp and pulp product manufacturing; textile and leather product manufacturing.

Manufacturing, Processing, and Packaging- Light. A facility accommodating manufacturing processes involving less intense levels of fabrication and/or production, such as the assembly, fabrication, and conversion of already processed raw materials into products, where the operational characteristics of the manufacturing processes and the materials used are unlikely to cause significant impacts on surrounding land uses or the community. The premises may include secondary retail or wholesale sales. Examples of light manufacturing uses include but are not limited to: artisan/craft product manufacturing; clothing and fabric product manufacturing; furniture, fixtures, and appliance manufacturing; electronics manufacturing and assembly; commercial laundry facility, cabinet shop; food preparation, processing, and packaging; welding and sheet metal fabrication; sign manufacturing; and machine shops. This definition does not include uses and activities where the intensity and/or scale of operations may cause significant impacts on surrounding land uses or the community.

Master Plan. The Township's long range plan adopted pursuant to the Michigan Planning Enabling Act, P.A. 33 of 2008, as amended, including graphic and written materials indicating the general location for streets, parks, schools, public buildings, and all physical development of the township, and includes any unit or part of such plan, and any amendment to such plan or parts thereof.

Micro-Brewery, Small Distillery, or Small Winery. A facility that produces and serves beer, wine, or spirits intended for retail sales and consumption on the premises and duly licensed by the State of Michigan Liquor Control Commission (MLCC).

Mineral Extraction. The extraction, by mining, of natural resources from under the ground.

Mixed-Use Residential. A dwelling attached to a commercial building or on an upper floor. A tract of land or building developed for both residential and nonresidential uses. Such uses may be vertically integrated within a multi-story building, horizontally integrated within a single-story building, or horizontally integrated on a lot or development site.

Mobile Home. See "Manufactured Home."

Nameplate Capacity. The maximum generation potential of a power plant.

Non-Residential Use. Any use that does not meet the definition of a residential use, including any vacant lot.

Non-Residential Zoning District. See “Zoning District, Non-Residential.”

Nonconformity. See “Lawful Nonconforming Building or Structure,” “Lawful Nonconforming Lot,” “Lawful Nonconforming Site,” “Lawful Nonconforming Use,” and “Lawful Nonconformity.”

Nursing Home. A facility licensed as a “nursing home” by the State Department of Public Health under Article 17 of the Public Health Code, Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.2010 et seq., MSA 14.15 (20101) et seq.), as amended. A nursing home shall include an extended care facility, hospice, and convalescent home.

Occupancy. The portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

Occupied. Arranged, designed, built, altered, converted, rented or leased, or intended to be occupied.

Outdoor Display and Sales. The outdoor placement, storage, or keeping, for display purposes, of equipment, vehicles, trailers, and other similar goods for sale on premises, as well as the temporary outdoor placement of retail goods for sale on premises in a yard area or sidewalk area directly adjacent to a commercial building.

Outdoor Storage as a Principal Use. The outdoor placement of goods, such as building or construction materials, equipment, vehicles, trailers, and other supplies, for future use, production, assembly, preservation, or disposal where there is no other principal use or principal building on the site.

Outdoor Storage. The outdoor placement of goods such as building or construction materials, equipment, vehicles, trailers, and other supplies for future use, production, assembly, preservation, or disposal as an accessory function to a principal building and use. This definition does not include materials related to permitted on-site construction projects.

Over-The-Air Reception Device and Satellite Dish Antennas. Antennas and dish antennas designed to receive direct broadcast satellite service, including direct-to-home satellite service, to receive or transmit fixed wireless signals via satellite, receive video programming services via broadband radio service (wireless cable), receive or transmit fixed wireless signals other than via satellite, or receive local television broadcast signals.

- **OTARD Antenna Structure.** Any pole, tower, or other structure designed and intended to support an OTARD antenna.
- **OTARD Antenna.** An antenna that is designed to receive direct broadcast satellite service, including direct-to-home satellite services, that is one meter or less in diameter; or an antenna that is designed to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instruction television fixed services, and local multipoint distribution services, and that is one meter or less in diameter or diagonal measurement; or an antenna that is designed to receive television broadcast signals.

SECTION 35.60 DEFINITIONS P, Q, R

Parapet. The portion of a wall that extends above the roof line.

Parking Space. The space required to park one vehicle, exclusive of driveways and access aisles, in accordance with the requirements of this ordinance.

Parking. The temporary, transient storage of motor vehicles used for transportation, while their operators are engaged in other activities. It shall not include storage of new or used motor vehicles for sale, services, rental or any other purpose other than specified above.

Permit. An official authorization, issued by a representative of the township, to conduct a specific activity under the provisions of this ordinance.

Permitted Use. A use of property specifically allowed by-right within a zoning district wherever that district exists in the Township; provided, all dimensional and other requirements applicable to that district are satisfied.

Personal and Commercial Storage Suites. A facility including a building or group of buildings that contain individual storage warehouse suites for personal or business purposes. Suites may include accessory office, kitchen, and bathroom facilities. Suites may be rented or owned through a condominium association.

Place of Assembly. A building, structure, or outdoor area designed or used for the gathering of people for civic, educational, religious, social, cultural, or recreational purposes, including but not limited to private educational facilities, religious institutions, community centers, entertainment venues, recreational facilities, cultural institutions, event spaces, and civic and fraternal organizations.

Place of Worship. A building or structure or group of buildings or structures that, by design and construction, are primarily intended for conducting organized religious worship services. Associated accessory uses include, but are not limited to, classrooms, meeting halls, indoor and outdoor recreational facilities, daycare, counseling, and kitchens.

Planning Commission. The Planning Commission of Gaines Charter Township, Michigan.

Plat. A map of a subdivision of land, recorded with the County Register of Deeds, pursuant to the Subdivision Control Act, PA 288 of 1967, Land Division Act, PA 591 of 1996 (MCL 560.101 et seq.), as amended.

Porch. A roofed-over space attached to the outside of an exterior wall of a building, which has no enclosure other than the exterior walls of the building.

Principal Building. A building in which the main or principal use of the lot on which the building is located is conducted.

Principal Use. The primary or predominant use of a lot.

Private School (K-12). A school that is not a publicly owned or publicly operated school that offers courses of instruction for students in one or more grades from kindergarten through 12th grade.

Probation, Parole, or Sex Offender Home. A facility or dwelling intended for the housing and treatment of persons released from adult correctional institutions (including formerly imprisoned or incarcerated persons) for the purpose of adjustment from prison/jail to self-sufficiency or similar purpose, for offenders on probation, or for registered sex offenders.

Propane Gas Sales. An establishment providing LPG dispensing and bulk containers for sale.

Public Park or Preserve. A facility providing a variety of outdoor recreational opportunities, including, but not limited to, playground equipment, playing fields, tennis and basketball courts, swimming pools, boat ramps, fishing piers, and areas for passive recreation such as hiking trails, picnic areas, and bird blinds.

Qualified Residential Treatment Program. A program within a child-caring institution, as defined in section 1 of 1973 PA 116, MCL 722.111, that provides services for 10 or fewer individuals.

Recreation Facility

- **Recreation Facility, Indoor.** A facility, open either to the general public or to members and their guests, located in an enclosed building that is designed to accommodate sports, recreational activities, training, or related enterprises, including but not limited to a gymnasium, swimming pool, tennis, racquetball, and/or handball courts, and other indoor sports activities. Also included are accessory uses that are clearly in support of the primary use, such as sporting goods shops, food service, and party/banquet facilities serving patrons of the indoor recreation use, spectator accommodations, changing/locker rooms, and employee offices.

- **Recreation Facility, Low-Intensity Outdoor.** An outdoor venue for nature-based, non-motorized recreation and ecotourism activities, including but not limited to disc golf, ropes courses, eco-challenges, adventure racing and events, zip-line courses, and other activities that rely primarily on the preserved natural environment as a core element of the activity and use.
- **Recreation Facility, Outdoor.** A facility providing a variety of outdoor recreational opportunities and entertainment services, often for a fee, including, but not limited to amusement and theme parks; go-cart tracks; pickle ball, golf driving ranges; miniature golf courses; marinas; watercraft rentals; and water parks. It may also include commercial facilities customarily associated with the above indoor commercial recreational uses, including bars and restaurants, arcades, etc.

Recreational Equipment. Any of the following: recreation vehicle, boat, boat trailer, snowmobile, snowmobile trailer, motorcycle or motorcycle trailer, all-terrain vehicle, all-terrain vehicle trailer, enclosed trailers, utility trailers, or similarly licensed vehicles, trailers, or equipment.

Recreational Vehicle. A vehicle that is built on a vehicle chassis or mounted on a motor vehicle; designed to be self-propelled or permanently towable by or mounted upon a light-duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Residential Community Amenities. Facilities, structures, or spaces within a residential development that are designed and maintained for the use and enjoyment of residents. These amenities may include, but are not limited to, recreational areas (e.g., playgrounds, swimming pools, fitness centers, sports courts, and clubhouses), open spaces, walking trails, picnic areas, community gardens, dog parks, and other shared facilities that enhance the quality of life within the residential community.

Residential Use. Any primary land use that includes one (1) or more dwellings except for mixed-use residential buildings.

Residential Zoning District. See “Zoning District, Residential.”

Restaurant. A business establishment whose method of operation involves either the delivery of prepared food by servers to customers seated at indoor or outdoor areas or prepared food is acquired by customers at a counter, window, or cafeteria line and consumed on-site or for take-out. The service of alcoholic beverages by the drink is incidental to the service of food, and food receipts exceed 50 percent of sales. Accessory uses may include an outdoor dining area or sidewalk café.

Retail Sales. Stores and shops that sell goods and merchandise to the general public.

SECTION 35.70 DEFINITIONS S, T, U

Salvage or Impound Operations. Any land or structure used for storing, dismantling, reconditioning, collecting, purchasing, or selling scrap metal or other discarded goods and materials, including the collection, dismantlement, and salvage of two or more inoperative vehicles, boats, trucks, or other types of machinery or equipment, or the impounding of any operable or inoperative vehicle associated with towing or wrecker services.

Sawmill or Planing Mill. A facility where logs are sawn, split, shaved, stripped, chipped, or otherwise processed to produce lumber and other wood products.

Screening. A method of visually shielding or obscuring one adjacent or nearby structure or use from another.

Seasonal Farm Labor Housing. A tract of land and all vehicles, buildings, dwellings, or other structures pertaining to it, part of which is established, occupied, or used as living quarters for migratory laborers engaged in agricultural activities, including related food processing.

Self-Created Problem. A problem that occurs, results, or exists from one or more of the following conditions:

1. A problem that occurs when one can reasonably develop a property in a compliant manner, but the landowner or applicant's personal desires and preferences for property development do not align with zoning requirements.
2. A problem that occurs when a property is currently built-out under current zoning constraints, but the landowner or applicant's personal desires and preferences for expansion do not align with zoning requirements.
3. A problem that results from the action, preference, or desire of the landowner or applicant that is not a result of a unique characteristic of the property.
4. A problem that exists because the landowner, previous landowner, or applicant took a specific action that created the need for the variance, such as adjusting a lot line, constructing a building, or developing a site in a manner that does not allow future compliant construction, building expansion, or site development.

Self-Storage. A building or group of buildings in a controlled access and/or fenced compound that contains varying sizes of individualized, compartmentalized, and controlled access rooms, stalls, or lockers that are rented by customers for general storage needs. This definition does not include "personal and commercial storage suites."

Setbacks. See Section 3.40 A.2.

Shipping Container. A receptacle designed for transport of cargo aboard ship and also by truck trailer or rail car, and which exhibits features designed to facilitate the movement of containerized cargo, including but not limited to corner fittings for pins, design for stacking, and which is otherwise designed and constructed in conformance with standards for shipping containers as set forth by the International Standards Organization.

Short-Term Rental. A dwelling unit or portion of any dwelling unit rented or leased for valuable consideration to a person or persons for periods of time less than 28 days.

Sign. Any object or device containing letters, figures, and/or other means of communication, situated outdoors or indoors, of which the effect produced is to advertise, announce, communicate, identify, declare, demonstrate, direct, display, and/or instruct potential users of a use, product, and/or service, or to bring attention to a message.

- **Sign, Access Point.** A sign located at a driveway access point to a non-residential use.
- **Sign, Address.** A sign that displays the numerical or textual address of a property to identify its location for residents, visitors, delivery services, and emergency responders.
- **Sign, Banner.** A sign made of lightweight fabric or similar material with no enclosing framework.
- **Sign, Billboard.** A freestanding outdoor advertising structure, typically situated along highways, roads, or other high-traffic areas, designed to display messages to passing motorists.
- **Sign, Changeable Copy.** A sign or portion of a sign with letters, characters, or graphics that are not permanently affixed to the structure, framing, or background, allowing the letters, characters, or graphics to be modified from time to time manually.
- **Sign, Device.** A small sign on a gas pump, vending machine, or other similar device.
- **Sign, Electronic Changeable Message (ECM).** A sign with content can be changed or altered by means of electronically controlled electronic impulses.
- **Sign, Feather Flag.** A freestanding sign that is typically constructed of a shaft, driven in the ground or standing with supports, with an attached pennant that is vertically elongated and attached to the shaft. Also known as a feather flag.
- **Sign, Freestanding.** A sign supported from the ground and not attached to any building.

- **Sign, Government and Regulatory.** Any sign erected by the township, county, state, or federal government.
- **Sign, Ground.** A freestanding sign that is supported by a standard or base or installed directly upon the ground.
- **Sign, Inflatable.** A tethered sign consisting of an envelope inflated with pressurized or heated air, or a lighter-than-air gas, and displayed for the purpose of advertising or attracting attention.
- **Sign, Interior Site.** Internally oriented signs on non-residential property that are not readily legible or visible beyond the boundaries of the lot on which they are located.
- **Sign, Nameplate.** A small sign that displays the name of a person, business, or entity associated with a property or space. Typically mounted on a door, wall, desk, or near the entrance of a property, nameplate signs are designed for identification purposes and often include additional information such as a title, profession, or address.
- **Sign, Off-Premise Commercial Advertising.** A sign on a lot that advertises or directs attention to a commercial business, commodity, service, or activity conducted, sold, or offered elsewhere than on the lot upon which such sign is located.
- **Sign, Permanent.** A sign constructed of durable material and affixed, lettered, attached to or placed upon a fixed, non-movable, nonportable supporting structure.
- **Sign, Portable.** Any sign designed to be moved easily and not permanently affixed to the ground, a building, or a structure. Portable signs shall include, but are not limited to, trailer-mounted signs, A-frame signs, sandwich board signs, etc., but not including signs on a motor vehicle.
- **Sign, Pylon.** A sign having a sign face that is elevated above the ground by one or more uprights, pylons, or poles.
- **Sign, Sandwich Board.** A small portable sign that is an A-frame-type sign that is hinged or unhinged, or is vertical and located on skids or runners, and that is portable and temporary in nature.
- **Sign, Temporary Yard.** A sign that is intended to be displayed for a limited period of time in a yard area, which is not intended to be lasting and is not constructed from an enduring material such as masonry and metal, which remains unchanged in position, character, and condition (beyond normal wear), and is not permanently affixed to the ground, wall, or building.
- **Sign, Vehicle.** A sign mounted on a vehicle or trailer, designed to be visible to motorists or pedestrians while the sign is being transported. A logo painted on a vehicle identifying the business owning or using the vehicle, or a lettering depicting the name of the owner of the vehicle, is not considered a vehicle sign.
- **Sign, Wall.** A sign that is attached directly to a wall, mansard roof, roof overhang, parapet wall, or above a marquee of a building with the exposed face of the sign in a plane parallel to the building wall or to the surface on which it is mounted, not projecting more than 12 inches from the wall, and which does not have any part of such sign or sign supports extending above the uppermost building line not including chimneys, flagpoles, electrical or mechanical equipment, TV antennas or any other similar equipment or extensions. This definition shall include writing, letters, or numbers placed or painted directly on a building wall surface.
- **Sign, Window.** A sign placed on the inside of a window and intended to be viewed from the outside. This includes window wraps.

Sign Face. The portion of a sign structure that includes a message or image. A sign face may be a removable sign panel, permanently attached element(s), trivision, or electronic changeable message (ECM).

Site Condominium Unit. A condominium unit established in compliance with the Condominium Act which consists of an area of vacant land and a volume of surface or subsurface vacant airspace, designed and intended for separate ownership and use as described in the site condominium project master deed, and within which a building or other improvements may be constructed by the condominium unit owner.

Site Plan. A plan of a proposed project that shows all relevant features necessary to determine if it meets the requirements of this ordinance.

Solar Energy Collector, Ground-Mounted. A solar energy collector that is mounted directly to a support structure on the ground and is not connected to a building. The system is intended to generate energy for the principal and accessory land uses and buildings on the lot of land on which the system is located.

Special Event. A temporary and non-commercial community event, such as a festival, fair, car show, or sporting event.

Special Land Use. A use identified by this ordinance that may have characteristics of its operation (such as traffic, noise, hours of operation, or other potential nuisance effects) that requires special review and may warrant additional conditions beyond the general requirements of the district in which it is located to mitigate its impacts and ensure its compatibility with its surroundings.

Specialized Training School. A specialized instruction establishment that provides individual and group instruction, education, and/or training, including, but not limited to: the arts, dance, music, tutoring, photography, martial arts, health and wellness, business and vocational schools, passenger vehicle driver education schools, barbering, hairdressing, appliance and computer repair, and teaching of industrial or trade skills which machinery is employed as a means of instruction.

Stables, Commercial. A structure designed for the feeding, boarding, breeding, and exercising of horses that are owned by someone other than the owner of the premises and for which the owner of the premises receives compensation. This definition also includes riding stables, riding academies, and horse show facilities.

State Licensed Residential Facility. A structure constructed for residential purposes that is licensed by the state under the Adult Foster Care Facility Licensing Act, 1979 PA 218, MCL 400.701 to 400.737, or 1973 PA 116, MCL 722.111 to 722.128, and provides residential services for six (6) or fewer individuals under 24-hour supervision or care.

Story. See Section 3.20 B.1.

Story, Half. See Section 3.20 B.2.

Street Centerline. That line surveyed to be the centerline of a street, or in the event that no centerline has been determined, it shall be that line running midway between, and parallel to, the outside right-of-way lines of such streets.

Street Intersection. Any street that joins another street at an angle, whether or not it crosses the other.

Street. Any public or private thoroughfare that affords the principal means of access to abutting property.

- **Street, County Primary.** A county primary street as designated by the Kent County Road Commission
- **Street, County Local.** A local street as designated by the Kent County Road Commission.
- **Street, Private.** A street maintained by private parties through the use of private funds. Also, any undedicated path, trail, or road that provides or is intended to provide primary means of ingress and egress to two (2) or more lots or two (2) or more principal buildings, dwelling units, structures, or combination thereof, whether created by a private right-of-way agreement, a joint ownership, a license, a lease, or an easement, Any and all extensions, additions, or branches of or to a private street shall be considered part of the private street that abuts the public road. A private street also includes the following:
 - Access serving one (1) lot if that lot does not have the requisite amount of frontage on a public road as required by this Ordinance.
 - Where two (2) or more lots or dwellings share or utilize a common access drive, even if each lot has a required frontage on a public road.

- **Street, Public.** A street maintained by federal, state, county, or local public agencies.

Structure. Any constructed, erected, or placed material or combination of materials in or upon the ground having a fixed location (even if the item is portable or moveable), including, but not limited to buildings, dwellings, billboards, light posts, signs, swimming pools, storage bins (or the equivalent), animal enclosures other than fences, garages, sheds, accessory buildings, shipping containers, towers, pools, decks, platforms, patios, solar panels (or the equivalent), portable or movable vehicle carports or similar enclosures, satellite dishes, towers, windmills, wind turbines, gazebos, tennis courts and signs.

Substance Abuse Rehabilitation Home. A facility or dwelling with administrative supervision over adult residents with problems related to substance abuse that provides structured or supervised peer group living and limited health-related services, with an emphasis on social rehabilitation with support and guidance toward the goal of independent living or similar goals or purposes.

Swimming Pool. A structure located inside, outside, or partly in each, designed to hold water to a depth of greater than 24 inches when filled, and intended to be used for swimming purposes.

Tavern. A commercial establishment licensed to sell at retail and serve beer, wine, liquor, or other alcoholic beverages for consumption on the premises, and where the service of food is incidental to the sales and consumption of such beverages. The service of alcoholic beverages exceeds 50 percent of sales. Taverns include nightclubs, lounges, and bars.

Temporary Uses

- **Temporary Construction Office and Yard.** An office, typically mobile, as well as an open storage area, established at a permitted construction site to accommodate personnel. A location for outdoor storage of materials and equipment is commonly associated with the use.
- **Temporary Dwelling.** A recreational vehicle used for temporary living accommodations.
- **Temporary Garage and Yard Sale.** The outdoor or open garage sales of merchandise conducted by a household or civic group, which is located entirely upon a lot on which there is residential or institutional land use. Goods sold are limited primarily to used merchandise provided by the participants.
- **Temporary Mobile Food Unit.** A vehicle or trailer equipped for the preparation and sale of food to consumers at various locations. These units are designed to be mobile, allowing them to move from one location to another, such as street corners, festivals, events, or private catering events. Mobile food units come in various forms, including food trucks, food trailers, food carts, and even bicycles with food vending equipment.
- **Temporary Outdoor Seasonal Parking Lot Sales.** Outdoor sales approved for temporary durations in parking lots and abutting yards, including but not limited to fireworks, Christmas trees, pumpkins, etc.
- **Temporary Sales Office.** An office, either mobile or located in a model home, used to accommodate real estate agents and associated administrative staff for the purposes of selling or renting real property in subdivisions or other housing developments.
- **Temporary Sidewalk or Outdoor Sales.** Temporary outdoor sales areas that are accessory to retail principal uses.
- **Temporary Storage Unit.** A portable, enclosed structure, container, or similar item used for the temporary storage of personal or business goods and materials.

Theater. A building or part of a building used to show movies or a facility used for drama, dance, musicals, or other live performances. This use may also include accessory concession and retail sales.

Township Board. The Township Board of Gaines Charter Township, Michigan.

Township. Unless the context clearly discloses a contrary intent, the word "township" shall mean Gaines Charter Township, Michigan.

Traffic Impact Analysis. A written report prepared by a transportation engineer describing in detail the roads and streets which serve an area of the township, furnishing information on ingress and egress to and from lots, providing current traffic counts on existing streets and projected traffic counts on both existing and proposed streets, and additionally containing an impact statement describing the expected impact of the proposed activities on traffic flow and traffic patterns within a specific area of the township.

Tree

- **Tree, Canopy.** A deciduous shade tree.
- **Tree, Deciduous.** A tree that sheds all leaves annually.
- **Tree, Evergreen.** A tree with needles or leaves that persist and remain green throughout the year.
- **Tree, Ornamental.** A small deciduous tree grown for its foliage and/or flowers.

Truck Driving School. Commercial facilities which provide instruction and education concerning the driving of trucks.

Truck Stop. An establishment that is engaged primarily in the fueling, servicing, repair, or parking of semi-trucks and trailers or similar heavy commercial vehicles, and which may include the sale of accessories and equipment for such vehicles, food sales, and other services for truck drivers.

Truck Terminal. A facility at which freight is consolidated to be shipped or where full load consignments may be loaded and off-loaded, and where vehicles and trailers are regularly maintained and stored.

Uniformity Ratio. A measure of how evenly light is distributed on any given site.

Unique Circumstance. An exceptional, unique, or extraordinary physical condition that is one of the following:

1. Exceptional narrowness of the width or depth of a lot, or an irregular shape, as compared to a conforming lot.
2. Exceptional natural or topographic features located on the lot, such as steep slopes, surface water features, existing significant trees, or other unique or extreme physical conditions of the land.
3. Extraordinary location of an existing building or structure that allows no other practical or feasible location for expansion because of exceptional features of the land.
4. Other natural, topographic, built, or dimensional conditions or characteristics of land or lot which are determined by the Zoning Board of Appeals as exceptional or extraordinary.

Utility Trailer. A vehicle with or without its own motive power, which is mounted on wheels or is designed to be so mounted and transported.

SECTION 35.80 DEFINITIONS V, W, X

Variance. An allowed modification to a requirement of this ordinance, as authorized by the Zoning Board of Appeals under the provisions of this ordinance.

Vehicle and Equipment Sales and Rental, Major. An operation selling or renting commercial trucks and vans, boats, recreational vehicles, heavy equipment, manufactured homes, landscaping machinery, trailers, farm equipment, and similar items. It may also include accessory repair shops and the sales of parts and accessories incidental to dealerships.

Vehicle and Equipment Sales and Rental, Minor. An operation selling or renting cars, trucks, vans, and small equipment. It may also include accessory repair shops and the sales of parts and accessories incidental to dealerships.

Vehicle Repair, Major. The servicing, repairing, refinishing, equipping, or adjusting of vehicles or their components for compensation, including but not limited to powertrain and suspension repair or rebuilding, body work, frame alignment, and other vehicle repair work creating noise, glare, fumes, or smoke, but not including vehicle wrecking, junking, or salvaging or fuel sales.

Vehicle Repair, Minor. A business providing general maintenance on motor vehicles such as oil changes and lubrication; servicing and repair of spark plugs, batteries, pumps, belts, hoses, air filters, windshield wipers and distributors; replacement of mufflers and exhaust systems, brakes and shock absorbers; radiator cleaning and flushing; sale and installation of automobile accessories such as tires, radios, and air conditioners; wheel alignment and balancing; but, excluding tire recapping or grooving or any major mechanical repairs, collision work or painting.

Vehicle Service Station. An establishment where motor vehicle fuel is dispensed for retail sale. This use may also collectively include minor vehicle repair services, retail sales of convenience items, a restaurant, and a single bay vehicle wash, but not overnight vehicle storage.

Vehicle Wash, Cars. A building or portion of a building with machine or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of cars. This use may also include accessory outdoor vacuums.

Vehicle Wash, Trucks. A building or portion of a building with machine or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of commercial trucks and vans, and semi-trucks and trailers. This use may also include accessory outdoor vacuums.

Vehicles or trailers, Commercial. Any vehicle or trailer bearing or required to bear commercial license plates and/or DOT numbers. Examples include, but are not limited to: Semi-truck tractors; Semi-truck trailers, which shall include flat beds, stake beds, roll-off containers, tanker bodies, dump bodies, and full or partial box-type enclosures; Food trucks and vehicles of a type that are commonly used for the delivery of food or vending supplies; Pickup trucks, vans, and trailers commonly used by construction industry contractors; Tow trucks and repair service trucks; Vehicles designed to transport 16 or more passengers, including the driver; and Commercial trailers designed to haul heavy equipment, materials, and supplies.

Violation. The failure of a use, structure, or other development to fully comply with the provisions of this ordinance.

Warehousing, Freight Movement, and Wholesale Sales. An area and related buildings where trucks load and unload cargo or containers on a regular basis, and where the cargo or containers are stored before and after transfer to other sites. This use may include parking and storage areas for trucks and buildings, and areas for the repair of trucks associated with the terminal. Additionally, the facility can be used for the storage, distribution, and handling of products, supplies, and equipment offered for wholesale distribution and not for direct sale to the general public.

Waste Management and Recycling. A facility used for collecting waste and recyclables, sorting, and transferring materials.

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.

Wind Energy System. Any structure-mounted wind energy conversion system, or series of systems, that converts wind energy into electricity through the use of a wind generator and includes the nacelle, rotor, tower, and pad transformer, if any, for the purpose of supplying electricity to off-site customers.

Wireless Telecommunications Facility. The plant, equipment, and property include, but are not limited to, cables, wires, conduits, ducts, pedestals, antennas, electronics, and other appurtenances used or to be used to transmit, receive, distribute, provide, or offer wireless communications services.

SECTION 35.90 DEFINITIONS Y, Z

Yard and Yard Designations. See Section 3.40 E.

Zoning Administrator. An official authorized to administer, interpret, and enforce the Gaines Charter Township Zoning Ordinance.

Zoning District. A designation on the Official Zoning Map in which requirements for the use and dimensions of the land, buildings, and structures are prescribed.

- **Zoning District, Residential.** The Agricultural - Rural Residential, Suburban Residential, Village Residential, and Multiple-Family Residential zoning districts.
- **Zoning District, Non-Residential.** The Neighborhood Commercial, General Commercial, Office and Service, Mixed Business, Light Industrial, and Heavy Industrial zoning districts.