

CHAPTER 2 DEFINITIONS

Section 2.01. Rules of Construction. The following rules of construction shall apply to the interpretation of this Ordinance.

- (a) If in a particular circumstance, the meaning of a word, phrase, section or other portion of this Ordinance is unclear, then the person, board or commission charged with interpreting or applying the ordinance shall construe the provision so as to carry out the intent and purpose of the ordinance, if such intent and purpose can be discerned from other provisions of the ordinance or from applicable law.
- (b) All words and phrases shall be construed and understood according to the common and preferred use of the language; technical words and technical or specialized phrases, such as may have acquired a peculiar and appropriate meaning and the law shall, however, be construed and understood according to such peculiar and appropriate meaning.
- (c) Unless the context clearly requires otherwise, every word or phrase denoting the singular may extend the plural, and every word or phrase denoting the plural may extend to the singular.
- (d) The word "shall" is mandatory and not discretionary. The word "may" is permissive.
- (e) The particular shall control the general.
- (f) The word "person" includes an individual, a corporation, a partnership, an association, a limited liability company, an agent or any other similar person or entity.
- (g) Words and phrases not defined herein shall have the meaning customarily attributed to them.
- (h) A "building" or "structure" includes any part thereof, unless the context indicates otherwise.

In computing a period of days, the first day is excluded and the last day is included.

Section 2.02. Definitions - A through E.

- (a) **Accessory Building (ABU).** A detached structure or building, on the same lot or parcel of land as the principal building or buildings, the use of which is of a nature customarily or clearly incidental and subordinate to that of the main building or structure.

- (b) **Accessory Use.** A use naturally and normally incidental and subordinate to a principal use on the same premises.
- (c) **Accessory Ground-Mounted Solar Energy System – Large:** A ground-mounted solar energy system with the primary purpose of generating electricity for the principal use on the site; covering more than 10% of the lot area, but no more than 20% of the lot.
- (d) **Accessory Ground-Mounted Solar Energy System – Small:** A ground-mounted solar energy system with the primary purpose primarily of generating electricity for the principal use on the site; covering 10% or less of the lot area.
- (e) **Basement.** That portion of a building which is partly or wholly below the grade of the land, but is so constructed that the vertical distance from the average grade of the land down to the floor of the basement is greater than the vertical distance from the average grade of the land to the ceiling of the basement. A basement shall not be counted as a story.
- (f) **Bed and Breakfast Establishment.** A private residence that offers overnight accommodations to lodgers in the innkeeper's (owner or operator) principal residence and serves breakfasts at no extra cost to its lodgers. For the purpose of this definition, a lodger means a person who rents a room in a bed and breakfast establishment for fewer than 30 consecutive days.
- (g) **Building.** Any enclosed structure having a roof supported by columns, walls, or other support used for the purpose of housing or storing of persons, animals, or property, or carrying out of business activities, or similar uses.
- (h) **Building Height.** The vertical distance measured from the lowest point of elevation of the surface of the ground or finished material anywhere around the perimeter of a building, to the highest point of the roof surface of flat roofs, to the deck of mansard roofs, and to a point which is half way between the eaves and the ridge of gable, hip, or gambrel roofs.
- (i) **Building-Integrated Solar Energy System:** A solar energy system that is an integral part of a primary or accessory building or structure (rather than a separate mechanical device), replacing or substituting for an architectural or structural component of the building or structure. Building-integrated systems include, but are not limited to, photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awnings.

- (j) **Cluster Housing.** An arrangement of single family detached dwellings in a land development in which the dwellings are generally located on smaller lots than might otherwise be expected, and in which the dwellings are placed in separate or particular areas of the land, with the result that a significant portion of the overall land area of the development remains in open space, without buildings or other improvements.
- (k) **Commercial Storage Warehouse.** Any building or buildings used primarily as a commercial business for the storage of goods and materials.
- (l) **Driveway.** An improved or unimproved path or road extending from a public or private street or other right-of-way to not more than two buildings, dwellings or parcels of land, and which is intended to provide the primary means of access to not more than two buildings, dwellings or parcels of land. Driveways, as defined herein, are not subject to the private street requirements of Chapter 4 of this Ordinance.
- (m) **Drive-in or Drive-through Facilities.** Any facility used to serve patrons of a business while in their motor vehicles, either exclusively or in addition to service within a building or structure.
- (n) **Dual Use:** A solar energy system that employs one or more of the following land management and conservation practices throughout the project site:
- Pollinator Habitat: Solar sites designed to meet a score of seventy-six (76) or more on the Michigan Pollinator Habitat Planning Scorecard for Solar Sites.
 - Conservation Cover: Solar sites designed in consultation with conservation organizations that focus on restoring native plants, grasses, and prairie with the aim of protecting specific species (e.g., bird habitat) or providing specific ecosystem services (e.g., carbon sequestration, soil health).
 - Forage: Solar sites that incorporate rotational livestock grazing and forage production as part of an overall vegetative maintenance plan.
 - Agrivoltaics: Solar sites that combine raising crops for food, fiber, or fuel, and generating electricity within the project area to maximize land use.
- (o) **Dwelling, Multiple Family.** A building designed for occupancy by three or more families living independently of each other.
- (p) **Dwelling, Single Family Detached.** A detached building designed exclusively for and occupied exclusively by one family.

- (q) **Dwelling, Two-Family.** A building used for occupancy by two families living independently of each other.
- (r) **Dwelling Unit.** A building, or portion of a building, designed for use and occupancy by one family for living and sleeping purposes, with housekeeping facilities.
- (s) **Earth-Bermed Dwelling.** A dwelling in which the ground floor is partly below grade so as to provide climatic protection, noise control or for other reasons.
- (t) **Essential Public Service Structures or Buildings.** Buildings or structures owned and operated by public utilities or municipal departments and used for gas, electrical, steam, fuel, water or sewage treatment or disposal, electrical substations, sewage lift stations which are not located entirely underground, and similar structures or buildings necessary to furnish adequate service within the Township, but not including Essential Public Service Equipment.
- (u) **Essential Public Equipment.** Wires, mains, drains, sewers, pipes, valves, pumps, conduits, cables, fire alarm and police call boxes, traffic signals, fire hydrants, post office boxes, street lights, or similar equipment, but not including Essential Public Service Structures or Buildings.

Section 2.03. Definitions - F through L.

- (a) **Family.**
 - (1) An individual or group of two or more persons related by blood, marriage, or adoption, together with foster children and servants of the principal occupants who are domiciled together as a single, domestic, housekeeping unit in a dwelling unit; or
 - (2) A collective number of individuals domiciled together in one dwelling unit whose relationship is of a continuing, nontransient 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, half-way house, lodge, coterie, organization, group of students, or other individuals whose domestic relationship is of a transitory or seasonal nature, is for an anticipated limited duration of a school term or during a period of rehabilitation or treatment, or is otherwise not intended to be of a permanent nature.
- (b) **Family Day Care Homes.** A private residence in which less than seven minor children are given care and supervision for periods less than 24 hours per day,

operated by a person who permanently resides as a member of the household, which is registered with the Michigan Department of Social Services.

- (c) **Farm.** A parcel of land of not less than ten acres in area within which land area, buildings and other facilities and property are used for the commercial cultivation, growing and harvesting of crops and/or the commercial raising of livestock.
- (d) **Floor Area, Gross.** The sum of the total horizontal areas of all floors of the building in question, measured from the interior faces of exterior walls.
- (e) **Greenbelts.** A planting strip or landscaped buffer strip.
- (f) **Ground-Mounted Solar Energy System:** A solar energy system mounted on support posts, like a rack or pole, that are attached to or rest on the ground.
- (g) **Home Occupation.** An occupation or profession customarily or traditionally carried on in the home, or, where permitted, in an accessory building, and that is incidental and secondary to the use of the home as a dwelling place.
- (h) **Intensive Livestock Operations.** An agricultural operation entailing the feeding and production of livestock with (a) 30 or more cattle, 600 or more swine, goats . or sheep, or 30,000 or more fowl.
- (i) **Invasive Plant:** Non-native (or alien) to the ecosystem under consideration and whose introduction causes or is likely to cause economic or environmental harm or harm to human health.
- (j) **Junkyards, or Salvage Yards.** An open area where waste, used, or second hand materials are bought and sold-, exchanged, stored, bailed, packed, disassembled, crushed, melted, otherwise handled. Scrap materials include but are not limited to: scrap iron and other metals, paper, rags, tires, bottles, automobiles and automobile parts, wood and construction materials.
- (k) **Kennel, Commercial.** Any lot or premises on which three or more dogs, cats, or other household pets, six months of age or older, are either permanently or temporarily boarded for commercial purposes.
- (l) **Loading Space.** Off-street space intended for the temporary parking of a vehicle while loading and unloading materials.
- (m) **Lot.** A parcel of land which is separately described on a deed or other instrument recorded in the office of the Register of Deeds, whether by metes and bounds

description, as part of a platted subdivision, condominium unit intended for individual ownership and use, or otherwise.

- (n) **Lot Area.** The total horizontal area defined by a flat plane intersecting vertical extensions of the lot corners so that area created by contour is not included.
- (o) **Lot Depth.** The horizontal distance between the front and rear lot lines of interior and corner lots, or the two front lines of a through lot, measured along the median line between the side lot lines.
- (p) **Lot Lines.** The lines bounding a lot as defined herein:
 - (1) **Front Lot Line.** In the case of an interior lot, the line separating the lot from the adjacent public or private street or access easement. Through and corner lots shall be considered to have two front lot lines, consisting of the lines separating said lot from each of the streets abutting the lot. In the case of a waterfront lot, the front lot line is the lot line on the waterfront.
 - (2) **Rear Lot Line.** That lot line opposite and most distant from the front lot line. In the case of a corner lot, the property owner may treat one of the lot lines opposite either of the two front lot lines as the rear lot line. In the case of a triangular lot, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten feet long, lying farthest from the front lot line or wholly within the lot. A through lot has no rear lot line.
 - (3) **Side Lot Line.** The lot lines connecting the front and rear lot lines of an interior lot or connecting the front lot lines of a through lot; and the one lot line connecting the front and designated rear lot line of a corner lot.
- (q) **Lot of Record.** A parcel of land which is separately described on a plat, condominium document, or metes and bounds description, recorded in the office of the County Register of Deeds as of a specified date.
- (r) **Lot Width.** The horizontal straight line distance between the side lot lines of an interior lot or through lot, or designated side and opposite front lot line of a corner lot, measured at the minimum required front yard setback.

Section 2.04. Definitions - M through R.

- (a) **Manufactured Home.** A structure, transportable in one or more sections, which 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, excluding,

- however, a vehicle designed and used as temporary living quarters for recreational, camping, or travel purposes, including a vehicle having its own motor power or a vehicle moved on or drawn by another vehicle. Also referred to as a "mobile home" in this Ordinance.
- (b) **Master Plan.** The long range land use plan currently adopted by the Township Planning Commission and any amendment to such plan.
 - (c) **Manufactured Housing Community.** A parcel or tract of land under the control of a person upon which three or more mobile homes are located on a continual, non-recreational basis and which offered to the public for that purpose regardless of whether a charge is made therefor, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home. Also referred to as a "mobile home park" in this Ordinance.
 - (d) **Maximum Tilt:** The maximum angle of a solar array (i.e., most vertical position) for capturing solar radiation as compared to the horizon line.
 - (e) **Minimum Tilt:** The minimal angle of a solar array (i.e., most horizontal position) for capturing solar radiation as compared to the horizon line.
 - (f) **Motel/Hotel.** A building or group of buildings on the same lot, containing sleeping or dwelling units, in which lodging is provided for compensation on a transient basis.
 - (g) **Nonconforming Building.** A building or portion thereof lawfully existing at the effective date of this Ordinance or amendments thereto, but not conforming to the current provisions of the Zoning Ordinance.
 - (h) **Nonconforming Use.** A use or activity lawfully existing on the effective date of this Ordinance or amendments thereto but not conforming with the current provisions of the Zoning Ordinance.
 - (i) **Non-Participating Lot(s):** One or more lots for which there is not a signed lease or easement for development of a principal-use SES associated with the applicant project.
 - (j) **Off-Street Parking Lot.** A facility providing parking spaces, along with adequate drives, maneuvering areas, and aisles, for the parking of more than three vehicles, other than in connection with a single family dwelling.
 - (k) **Open Air Business.** A business, a substantial part of which involves activities or the display and sale of goods outside of a building, including motor vehicle and boat

sales, mobile home sales, lawn and garden centers, golf driving ranges, and similar uses.

- (l) **Participating Lot(s):** One or more lots under a signed lease or easement for development of a principal-use SES associated with the applicant project.
- (m) **Planned Unit Development.** A land development project that is under unified control and is planned and developed as a whole, either in a single land development project or in a series of stages of development, over a period of time. A planned unit development (PUD) may take place only if approved under the PUD District provided for in Chapter 11. A planned unit development is developed in accordance with a specifically-approved plan for the development, and it may include buildings and other improvements, streets, walkways, utilities, storm water drainage areas, landscaping, outdoor lighting, signage, open spaces and other site features and improvements.
- (n) **Point-of-Use Electric Power Generation:** The non-commercial generation of electric power for direct use on and for the location or site of a permitted use or a special land use, including the sale to a regulated public utility of electric power generated on the site of a permitted use or a special land use, but only to the extent of that amount of electric power in excess of the electric power used at such site or location; provided, however, that the maximum quantity of electric power that may be generated by a point-of-use electric power generating facility shall not exceed 250 percent of the usual and customary amount of electric power consumed annually for the permitted use or special land use located on the site.
- (o) **Principal Building.** The building in which the principal use is located.
- (p) **Principal Use.** The primary use to which the premises are devoted.
- (q) **Principal-Use Solar Energy System:** A commercial, ground-mounted solar energy system that converts sunlight into electricity for the primary purpose of off-site use through the electrical grid or export to the wholesale market.
- (r) **Private Garage.** A detached accessory building or portion of a main building used primarily for the parking or storage of passenger motor vehicles and/or trucks.
- (s) **Recreational Vehicle.** Vehicles used primarily for recreational purposes, including but not limited to camper trailers, pop-up campers, boats, snowmobiles, motorcycles, dune buggies, and trailers used to transport them, and similar vehicles.

- (t) **Repowering:** Reconfiguring, renovating, or replacing an SES to maintain or increase the power rating of the SES within the existing project footprint.
- (u) **Roof-Mounted Solar Energy System:** A solar energy system mounted on racking that is attached to or ballasted on the roof of a building or structure.

Section 2.05. Definitions - S through Z.

- (a) **Site Condominium.** A land development project which is owned in the condominium form of land ownership, under the Michigan Condominium Act. A site condominium unit is a dwelling unit established under the condominium act and which consists of an area of vacant land and a volume of surface or subsurface vacant air space, designed for separate ownership and use as described in the master deed for the site condominium project, and within which a building may be constructed by the condominium unit owner. See other condominium- related definitions in Chapter 16 of this Ordinance. Condominium and site condominium are a form of land ownership, not a type of zoning.
- (b) **Solar Array:** A photovoltaic panel, solar thermal collector, or collection of panels or collectors in a solar energy system that collects solar radiation.
- (c) **Solar Carport:** A solar energy system of any size that is installed on a structure that is accessory to a parking area, and which may include electric vehicle supply equipment or energy storage facilities. Solar panels affixed on the roof of an existing carport structure are considered a Roof-Mounted SES.
- (d) **Solar Energy System (SES):** A photovoltaic system or solar thermal system for generating and/or storing electricity or heat, including all above and below ground equipment or components required for the system to operate properly and to be secured to a roof surface or the ground. This includes any necessary operations and maintenance building(s), but does not include any temporary construction offices, substation(s) or other transmission facilities between the SES and the point of interconnection to the electric grid.
- (e) **Solar Thermal System:** A system of equipment that converts sunlight into heat.
- (f) **Story.** That part of a building included between the surface of any floor and the surface of the next floor, or if there is no floor above, then the ceiling next above.
- (g) **Street, Public.** A public, dedicated right-of-way or public dedicated easement which provides the principal means of access to a parcel or parcels of land. A public street may be conveyed or dedicated to the County, the County Road Commission, the Township or other public body having jurisdiction over public streets. A public street

may be dedicated by means of a recorded plat or by means of a separate recorded easement or other properly recorded document.

- (h) **Street, Private.** A path, trail, road, driveway or street which provides or is intended to provide the primary means of access to more than two buildings, dwellings or parcels of land. A private street may be established by easement, right-of-way agreement or other written instrument, or by prescription or other rights of use. A private street is established or conveyed to a person or persons, a legal entity or other party that is authorized to hold title to land, but it is not conveyed or dedicated to the County, the County Road Commission, the Township or other public agency having jurisdiction over roads.
- (i) **Structure.** Anything constructed or erected in or upon the ground and having a permanent location in or upon the ground, including, though not limited to, buildings, accessory buildings, sheds, gazebos, radio and television towers, decks and platforms.
- (j) **Vehicle Service Stations.** Buildings and premises where the principal use is supplying and dispensing at retail of motor fuels, lubricants, batteries, tires, or other motor vehicle accessories.
- (k) **Yards.** The open spaces on the same lot located between a building and a lot line, as defined herein. The term "required yard" shall refer to that portion of the yard lying within the minimum required setback.
 - (1) **Front Yard.** The space extending the full width of the lot, the depth of which is the furthest horizontal distance between the front lot line and the building line of the main building. In the case of a lot having frontage on a body of water, the front yard shall be considered that area between the shoreline and the building line of the main building.
 - (2) **Rear Yard.** The space extending the full width of the lot, the depth of which is the furthest horizontal distance between the rear lot line and the nearest building line of the principal building. In the case of a corner lot, the rear yard may be opposite either street frontage.
 - (3) **Side Yard.** The space between a main building and the side lot line, extending from the front yard to the rear yard, the width of which is the furthest horizontal distance from the side lot line to the nearest building line of the principal building.