

Article 36: Definitions

Amendments:

ARTICLE XXXVI

DEFINITIONS

SEC. 36.1 CONSTRUCTION OF LANGUAGE

The following rules of construction shall apply to the text of this Ordinance:

1. All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such, as may have acquired a peculiar and appropriate meaning in the law, shall be construed and understood according to such peculiar and appropriate meaning.
2. The particular shall control the general.
3. In case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.
4. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
5. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
6. The word "building" includes the word "structure." A "building" or "structure" includes any part thereof.
7. The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for," or "occupied for."
8. The word "person" includes any individual, a corporation, a partnership, an incorporated association, or any other similar entity.
9. The word "dwelling" includes the word "residence," and the word "lot" includes the words "plot" or "parcel".
10. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and," "or," "either ... or," the conjunction shall be interpreted as follows:
 - (a) "And" indicates that all the connected items, conditions, provisions, or events shall apply.
 - (b) "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.

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- (c) "Either ... or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
- 11. Every word importing the singular number only may extend to and embrace the plural number, and every word importing the plural number may be applied and limited to the singular number. Every word importing the masculine gender only may extend and be applied to females as well as males.
- 12. The words "written" and "in writing" may be construed to include printing, engraving and lithographing; except that in all cases where the written signature of any person is required, it shall always be the proper handwriting of such person; or in case he is unable to write, his proper mark.
- 13. Whenever a reference is made to several sections and the section numbers are connected by the word "to," the reference includes both sections whose numbers are given and all intervening sections.
- 14. The words "include" or "including" shall mean "including, but not limited to."
- 15. In computing a period of days, the first day is excluded and the last day is included. If the last day of any period is a Saturday, Sunday, or legal holiday, the period is extended to include the next day which is not a Saturday, Sunday, or legal holiday.
- 16. The word "Commission" shall refer to the Charter Township of Plymouth Planning Commission.

SEC. 36.2 DEFINITIONS

- 1. **ACCESSORY BUILDING OR STRUCTURE:** A building or structure, or portion of a main building, on the same lot as the main building(s) and use(s), the use of which is incidental to, customarily associated with, and subordinate to that of the main building and use, but not including dwellings, residential or lodging facilities or sleeping quarters for human beings, except for a caretaker's residence permitted as an accessory use to a mortuary under Sections 5.2 and 6.2.
- 2. **ACCESSORY USE:** A use which is located on the same lot and clearly serving a purpose incidental to, customarily associated with, and subordinate to the principal use to which it is related, but not including dwellings, residential or lodging facilities or sleeping quarters for human beings, except for a caretaker's residence where permitted as an accessory use.
- 3. **ACHROMATIC:** Colorless or lacking in saturation or hue. The term includes but is not limited to grays, tans and light earth tones. The term does not include white, black or any bold coloration that attracts attention.

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4. **ADMINISTRATIVE REVIEW COMMITTEE:** A group of five (5) persons, consisting of the Chief Building Official, Community Development Director, Chairman of the Planning Commission, Planning Consultant, and Engineering Consultant which shall conduct administrative reviews, as specifically permitted by provisions of this Ordinance. Approval of no fewer than three (3) members of the Committee shall be required to take action.

5. **ADULT FOSTER CARE FACILITY:** A residential structure licensed by the State of Michigan to provide room, board and supervised care, but not continuous nursing care, for unrelated adults (18 years or older), in accordance with the Adult Foster Care Facility Licensing Act, Public Act 218 of 1979, as amended, and the Adult Foster Care Administrative Rules. The following four (4) types of adult foster care facilities are provided for by these rules:
 - (a) **ADULT FOSTER CARE FAMILY HOME:** Private residence for six (6) or fewer unrelated adults. Licensee must live in the home, and local zoning approval is not required prior to issuance of a license.

 - (b) **ADULT FOSTER CARE SMALL GROUP HOME:** Residence for twelve (12) or fewer unrelated adults. Licensee is not required to live in the home. Local zoning approval is required prior to issuance of a license only if seven (7) or more residents will live in the home.

 - (c) **ADULT FOSTER CARE LARGE GROUP HOME:** Residence for thirteen (13) to twenty (20) unrelated adults. Licensee is not required to live in the home. Local zoning approval is required prior to issuance of a license.

 - (d) **ADULT FOSTER CARE CONGREGATE CARE FACILITY:** Residences for more than twenty (20) unrelated adults. Local zoning approval is required prior to issuance of a license.

6. **ADULT DAY CARE:** A facility which provides care for over twelve (12) adults for less than twenty-four (24) hours.

7. **AGRICULTURE:** Agriculture shall mean the use of land for agricultural purposes, including farming, dairying, pasturage, raising of fowl, rabbits, livestock or large domesticated animals, nurseries, orchards, poultry farms and bona fide greenhouses operated on contiguous, neighboring or associated land as a single unit carried on by the owner-operator, manager or tenant farmer by his own labor or with assistance of members or his household or hired employees; provided, however, that land to be considered a farm hereunder shall include a continuous parcel of five (5) acres or more in area.

8. **ALLEY:** Is any way dedicated to the public which affords a secondary means of access to abutting property, and which is not intended for general traffic circulation.

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9. **ALTERATIONS:**

- (a) Any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as bearing walls or partitions, columns, beams or girders.
- (b) Any substantial change in the roof or in the interior walls or any changes in size or location of any window or door.
- (c) Any change, enlargement or modification to any part of a sign, including the sign copy area, unless designed and approved by the Township as a changeable copy sign.

10. **APARTMENT:** A suite of rooms or a room arranged and intended for a place of residence for a single family commonly located in a multiple-family dwelling or accessory to another use as may be permitted by this Ordinance, and which is typically rented rather than owned by the occupant(s).

11. **APARTMENT, EFFICIENCY:** A dwelling unit consisting of not more than one room in addition to a kitchen and necessary sanitary facilities

12. **AUTOMOBILE:** Any motorized vehicle intended to be driven on roads or trails, such as cars, trucks, vans and motorcycles. An automobile shall not include commercial vehicles as defined herein.

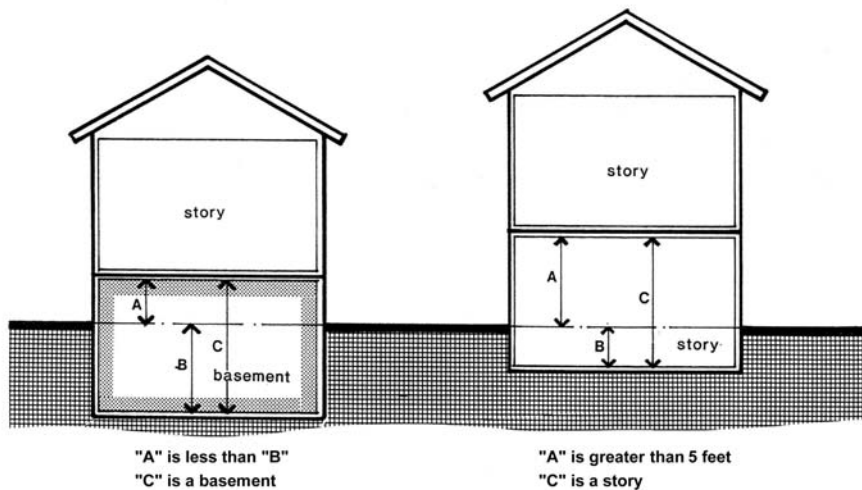
13. **AUTOMOBILE COMMERCIAL GARAGE (ROUTINE MAINTENANCE AND MINOR REPAIR):** A building or premises used primarily to provide general maintenance on automobiles such as oil change and lubrication; servicing and repair of spark plugs, batteries, pumps, belts, hoses, air filters, windshield wipers and distributors; mufflers and exhaust replacement, brakes and shock absorbers; radiator cleaning and flushing; sale and installation of automobile accessories such as tires, radios and air conditioners; wheel alignment, balancing and undercoating, excluding tire recapping or grooving or any major mechanical repairs, collision work or painting. An automobile maintenance/service establishment may also sell gasoline, but is distinct from an automobile service station.

14. **AUTOMOBILE MAJOR REPAIR OR BODY SHOP:** A building or enclosed structure where the following services may be carried out: general repair and refinishing, engine rebuilding, rebuilding or reconditioning of motor vehicles, collision service, such as body, frame, or fender straightening and repair, overall painting and undercoating of automobiles, major overhauling of engines requiring the removal of engine cylinder head or crankcase pan; repairs to radiators requiring the removal thereof; or complete recapping or retreading of tires.

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- 15. **AUTOMOBILE WASH:** Any building or premises or portion thereof either as a principal or accessory use containing facilities for washing motor vehicles using production line methods with a conveyor, blower, steam cleaning device or other mechanical washing devices; and may also include coin and attendant operated drive-through, automatic self-serve, track mounted units and similar high volume washing establishments, including hand washing operations and detailing shops.
- 16. **BAR, LOUNGE OR NIGHTCLUB:** An establishment licensed by the State of Michigan to sell at retail and serve alcoholic beverages on the premises. Such establishment is operated primarily for the dispensing of alcoholic beverages, although the sale of prepared food and snacks may also be permitted.
- 17. **BASEMENT:** That portion of a building which is wholly or partly below the average grade of the ground level adjoining the building is a basement when the height from the grade up to the first floor tier of floor beams or joists is less than the height from the grade level down to the floor, provided, however, that if the height from the grade level to the floor beams or joists is five (5) feet or more, such basement shall be considered a story. A basement shall not be counted as a story and a basement shall not be used in computing the minimum required floor area (also see Story).



Basement and Story

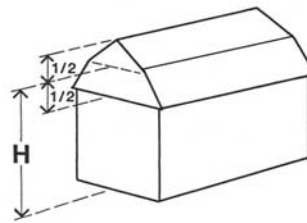
- 18. **BED-AND-BREAKFAST INN:** A single family dwelling which is owner occupied in which overnight accommodations are provided or offered for transient guests for compensation, often including provisions for a meal only for overnight guests.

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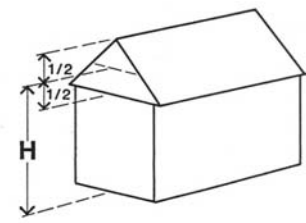
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- 19. **BERM:** A man-made formed earth mound of definite height and width used for obscuring or aesthetic purposes.
- 20. **BLOCK:** A block shall include the property having frontage on the side of a street and lying between the two (2) nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way. In case of a cul-de-sac street, a block shall include the property on one side of the street lying between the one intersecting street and the extension of the center line of the cul-de-sac street through the property facing the turnaround at the closed end of the street.
- 21. **BOARD:** The Township Board of Trustees of the Charter Township of Plymouth.

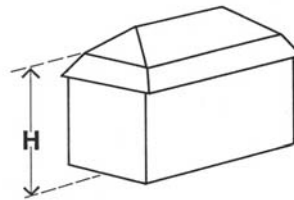
22. **BUILDING:** A structure having a roof supported by columns or walls for shelter, support or enclosure of persons, animals, chattels or personal property. When any portion thereof is completely separated from every other part thereof by masonry or fire wall from the ground up, and without openings, each portion of such structure shall be deemed a separate building.



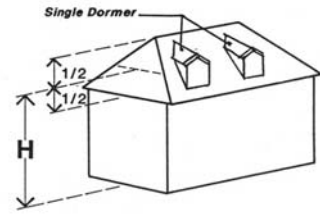
GAMBREL



GABLE

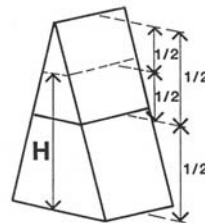


MANSARD

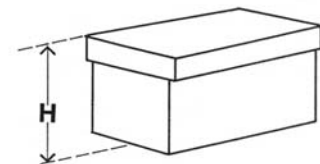


HIP

23. **BUILDING ALTERATIONS:** Any change to the supporting members of a building such as bearing walls, columns or girders, any alteration or relocation of a building and any change in use.



A-FRAME



FLAT

24. **BUILDING HEIGHT:** The height of a building is the vertical distance measured from the established grade to the highest point of the roof surface of a flat roof, to the deck line for a mansard roof, to the mean height level between the eaves and ridge for hip, gabled and gambrel roofs.

Building Height

25. **BUILDING LINE:** A line formed by the face of the principal building, and for the purposes of this Ordinance a building line is the same as the front setback line.

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- 26. **BUILDING, MAIN OR PRINCIPAL:** A building in which is conducted the main or principal use of the lot upon which the building is situated.
- 27. **BUILDING OFFICIAL, CHIEF:** The designated head of the Department of Building and Code Enforcement Township, or his or her authorized representative.
- 28. **BUILDING PERMIT:** The written authority issued by the Chief Building Official permitting the construction, removal, moving, alteration or use of a building in conformity with the State Construction Code.
- 29. **CARETAKER’S RESIDENCE:** An independent residential dwelling unit designed for and occupied by no more than one family, where at least one person is employed to look after goods, buildings, or property on the parcel on which the living quarters are located.
- 30. **CARPORIT:** A partially open shelter for housing of vehicles. Such structure shall comply with all yard requirements applicable to private garages.
- 31. **CEMETERY:** Land used, dedicated or intended for the burial of human remains, including columbariums and mausoleums.
- 32. **CHILD CARE FACILITIES:** A location and organization designed for the temporary care of children under eighteen (18) years of age, as licensed and regulated by the State of Michigan under the Child Care Organizations Act, Public Act 116 of 1973, as amended, and the Adult Foster Care Facility Licensing Act, Public Act 218 of 1979, as amended. Such organizations shall be further defined as follows:
 - (a) **CHILD CARE CENTER or DAY CARE CENTER:** A non-residential facility designed to provide temporary day care for one or more preschool or school age children for periods of less than twenty-four (24) hours per day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less that two (2) consecutive weeks, regardless of the number of hours of care per day. This facility is also described as a nursery school, parent cooperative preschool, or drop-in center, but does not include a facility operated by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.
 - (b) **FAMILY FOSTER CARE HOME:** A private residence, as licensed by the State of Michigan, in which one (1) but not more than four (4) minor children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for twenty-four (24) hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian.

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- (c) **GROUP FOSTER CARE OR FAMILY GROUP HOME:** A private residence licensed by the State of Michigan to care for more than four (4) but less than seven (7) children not related to an adult member of the household by blood, marriage, or adoption and unattended by a parent or legal guardian, for periods of two (2) or more consecutive weeks, twenty-four (24) hours per day and four (4) or more days per week.
 - (d) **FAMILY CHILD DAY CARE HOME:** A private residence licensed by the State of Michigan to provide temporary day care for up to six (6) minor children for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. Licensee must live in the residence.
 - (e) **GROUP CHILD DAY CARE HOME:** A private residence licensed by the State of Michigan to provide temporary day care for up to twelve (12) children for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. Licensee must live in the residence.
33. **CHURCHES, TEMPLES AND SIMILAR PLACES OF WORSHIP:** A building for the sole purpose of holding religious services. A site used for the regular assembly of persons, for the conducting of religious services, and for accessory uses therewith. Such accessory uses may include rectories, living quarters for church ministry and other members of the religious order who carry out their duties primarily on the site, religious education classes, day care, outdoor recreation facilities (unlighted), religious office space youth centers and others. Rescue missions, tent revivals and other temporary assemblies are not included in this definition.
34. **CHURCH, LARGE SCALE:** A religious institution with a seating capacity of one thousand five hundred (1,500) people or more in its sanctuary or main area of assembly. A large scale church may also be characterized by any one (1) or more of the following features:
- (a) Region-serving accessory facilities, such as high schools, colleges and seminaries;
 - (b) Parking for five hundred (500) passenger vehicles or more;
 - (c) One (1) or more buildings with 100,000 square feet or more of gross floor area; or
 - (d) Other features, such as: large size of assemblies and resultant traffic surges, large off-street parking lots, retreat and conference centers or a major institutional character.
35. **CLEAR CUTTING:** The clearance of all or a substantial portion of the trees and other woody vegetation from a site.

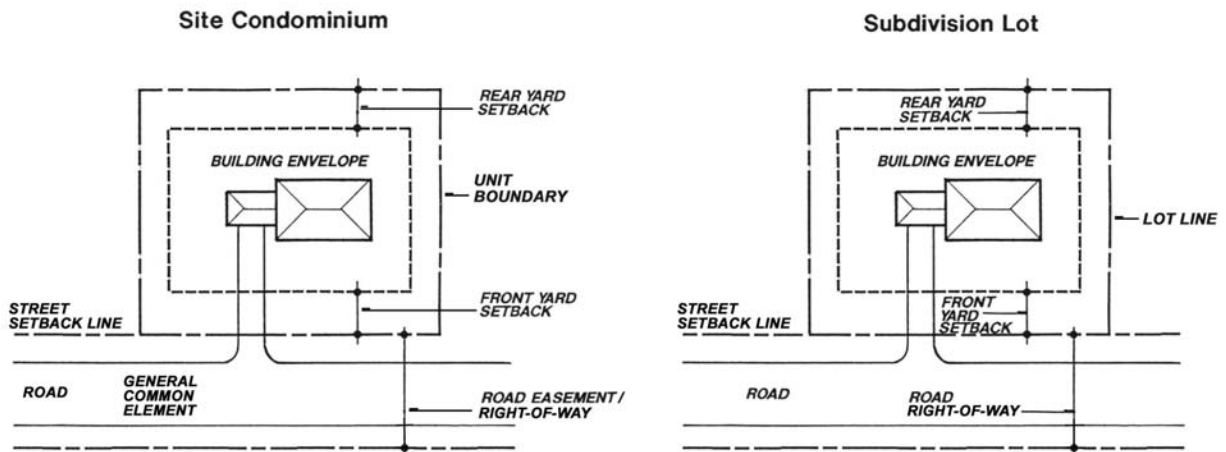
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- 36. **CLINIC:** A public or proprietary medical or dental institution or laboratory providing diagnostic, therapeutic or preventive treatment of ambulatory patients on an out-patient basis.
- 37. **COMMERCIAL VEHICLE:** Any vehicle bearing, or required to bear, commercial license plates such as a truck tractor, a semi-trailer, flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box-type enclosures; vehicles of a type that are commonly used for the delivery, hauling or construction oriented contractors; tow trucks; vehicle repair service trucks; snow plowing trucks and any other vehicle with a commercial license plate having a gross vehicle weight in excess of 10,000 pounds or a total length in excess of 22 feet.
- 38. **COMMISSION or PLANNING COMMISSION:** The Planning Commission of the Charter Township of Plymouth.
- 39. **COMMUNITY CENTER:** A building and/or grounds created to provide common recreation, meeting or other space for residents of the neighborhood or community.
- 40. **COMPREHENSIVE DEVELOPMENT PLAN:** A plan including graphics and written proposals indicating the general development standards and general location of streets, parks, schools, 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, also called a Master Plan. Such plan or amendment is adopted by the Planning Commission and/or Board.
- 41. **CONDOMINIUM TERMINOLOGY:**
 - (a) **COMMON ELEMENT, GENERAL:** The common elements other than the limited common elements intended for the common use of all co-owners.
 - (b) **COMMON ELEMENT, LIMITED:** A portion of the common elements reserved in the master deed for the exclusive use of less than all of the co-owners.
 - (c) **CONDOMINIUM:** A condominium is a system of separate ownership of individual units and/or multiple-unit projects according to Public Act 59 of 1978, as amended.
 - (d) **CONDOMINIUM ACT:** State of Michigan Public Act 59 of 1978, as amended.
 - (e) **CONDOMINIUM MASTER DEED:** The condominium document recording the condominium project including attached exhibits and incorporating by reference the approved by-laws for the project and the approved condominium subdivision plan for the project.

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Site Condominium Unit vs. Subdivision Lot

- (f) **CONDOMINIUM SUBDIVISION PLAN:** Drawings and information which show the size, location, area, and boundaries of each condominium unit, building locations, the nature, location, and approximate size of common elements, and other information required by Section 66 of Public Act 59 of 1978, as amended.
 - (g) **CONDOMINIUM UNIT:** The portion of the condominium project designed and intended for separate ownership as described in the Master Deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use.
 - (h) **CONDOMINIUM LOT:** That portion of a site condominium project designed and intended to function similar to a platted subdivision lot for purposes of determining minimum yard setback requirements and other requirements set forth in this ordinance.
 - (i) **SITE CONDOMINIUM PROJECT:** A condominium project designed to function in a similar manner, or as an alternative, to a platted subdivision. A residential site condominium project shall be considered as equivalent to a platted subdivision for purposes of regulation in this Ordinance.
42. **CONVALESCENT OR NURSING HOME:** A nursing care facility, but excluding a hospital or a facility created by Act No. 152 of the Public Acts of 1985, as amended, being Sections 36.1 to 36.12 of the Michigan Compiled Laws, which provides organized nursing care and medical treatment to seven or more unrelated individuals suffering or recovering from illness, injury or infirmity.

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- 43. **COURT:** A court is an open unoccupied space other than a yard, and bounded on at least two sides by a building. A COURT extending to the front lot line or front yard, or to a rear lot line or rear yard, is an OUTER COURT. Any other court is an INNER COURT.
- 44. **CUL-DE-SAC:** A dead-end public or private street which terminates in a circular or semicircular section of street which allows for vehicle turnaround.
- 45. **CURB CUT:** An opening from the public street to a private driveway or public drive serving an individual site or group of sites.
- 46. **DEALERSHIP:** A building or premises used primarily for the sale or rental of new and used automobiles, trucks, boats, recreational vehicles and other motor vehicles, and which may include accessory repair facilities and outside storage and display areas.
- 47. **DEVELOPMENT:** The construction of a new building or other structure on a zoning lot, the relocation of an existing building on another zoning lot, or the use of open land for a new use.
- 48. **DISTRICT:** Any section of the unincorporated parts of the Charter Township of Plymouth for which the regulations governing the use of buildings and premises or the height and area of buildings are uniform.
- 49. **DOMESTIC EMPLOYEES:** Shall mean only those persons hired by the householder for the purpose of performing domestic services and maintenance of the household.
- 50. **DRIVE-IN BUSINESS/RESTAURANT:** A business or restaurant establishment so developed to serve patrons while within the motor vehicle rather than within a building or structure. A drive-in restaurant is distinct from a drive-through restaurant in that the majority of drive-in patrons consume food and beverages while in the vehicle and parked on the premises.
- 51. **DRIVE-THROUGH BUSINESS/RESTAURANT:** A business or restaurant establishment so developed to serve patrons from a drive-through window. A drive-through restaurant may or may not also have indoor seating and is distinct from a drive-in business.
- 52. **DRIVEWAY:** A private hard surfaced area that provides access to a house, garage, or other building from a street.

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- 53. **DWELLING:** A dwelling is any house or building or portion thereof which is occupied wholly as the home, residence or sleeping place of one or more human beings, either permanently or transiently. In case of mixed occupancy where a building is occupied in part as a dwelling, with a commercial or other use, the part so occupied as a dwelling shall be deemed a dwelling for the purpose of this Ordinance and shall comply with the provisions thereof relative to dwellings. Garage space, whether in an attached or detached garage, shall not be deemed a part of livable floor area. Automobile trailers or similar portable dwellings, tourist cabins or tents, shall not be considered dwellings under this definition.
- 54. **DWELLING, ONE FAMILY:** A dwelling occupied by one (1) family and so designed and arranged as to provide cooking and kitchen accommodations and sanitary facilities for one (1) family only.
- 55. **DWELLING, ONE FAMILY CLUSTER:** A group of two (2) or more detached one family dwellings located on a common parcel of land held in one ownership and having any yard or court in common, or in condominium ownership pursuant to the Condominium Act, Public Act 59 of 1978, as amended.
- 56. **DWELLING, MULTIPLE FAMILY:** A building used or intended to be used as a dwelling by three (3) or more families, living independently and so designed and arranged as to provide cooking and kitchen accommodations and sanitary facilities for three (3) or more families.
- 57. **DWELLING, STACKED FLATS:** A building occupied by three (3) or more families, where dwellings are divided by party walls in the horizontal plane and floor-ceiling assemblies in the vertical plane in an appropriate manner for multiple-family uses. Each dwelling unit is capable of individual use and maintenance without trespassing upon adjoining properties, and utilities and service facilities are independent for each property.
- 58. **DWELLING, TOWNHOUSE:** A building or structure occupied by three (3) or more families, where each dwelling unit is divided from the one adjacent to it by a party wall extending the full height of the building. Each dwelling unit is capable of individual use and maintenance without trespassing upon adjoining properties, and utilities and service facilities are independent for each property.
- 59. **DWELLING, TWO FAMILY or DUPLEX:** A dwelling occupied by not more than two (2) families, and so designed and arranged as to provide cooking and kitchen accommodations and sanitary facilities for two (2) families.
- 60. **DWELLING, UNIT:** Dwelling unit shall mean one (1) or more main rooms designed for or used by one (1) family for living and sleeping purposes and having a kitchen or kitchenette, plus a separate bathroom.

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- 61. **DWELLING UNIT, MANUFACTURED:** Is any residential building, transportable in one (1) or more sections, which is built on a chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. Manufactured home does not include a recreational vehicle.
- 62. **DWELLING UNIT, MODULAR:** Is a dwelling unit which is partially constructed off the premises upon which it is intended to be located, and is delivered to the premises in sections for assembly and finishing.
- 63. **DWELLING UNIT, SITE BUILT:** Is a dwelling unit that is substantially built, constructed, assembled, and finished on the premises which is intended to serve as its final location. Site built dwelling units shall include dwelling units constructed of pre-cut materials, and panelized wall, roof and floor sections when such sections require substantial assembly and finishing on the premises which-are intended to serve as its final location.
- 64. **EASEMENT:** A grant of one (1) or more of the property rights by a property owner to and/or for use by the public, or another person or entity.
- 65. **ELDERLY HOUSING:** An institution other than a hospital or hotel, which provides housing or room and board to non-transient persons primarily sixty (60) years of age or older. Housing for the elderly may include:
 - (a) **ELDERLY HOUSING – INDEPENDENT:** Is a multiple-family housing form with full facilities for self-sufficiency in each individual dwelling unit.
 - (b) **ELDERLY HOUSING – DEPENDENT:** Is a multiple-family housing form with central dining facilities provided as a basic service to each dwelling unit. Each dwelling unit may not contain cooking facilities, but must contain sanitary facilities.
 - (c) **CONGREGATE CARE:** A dependent elderly housing facility with cooking facilities within the unit, but the a central dining service option. Limited medical care is available.
 - (d) **ASSISTED LIVING:** A dependent elderly housing facility without cooking facilities and only central dining service. Limited medical care is available.
 - (e) **SENIOR APARTMENTS:** Multiple-family dwelling units for independent living.
- 66. **ERECTED:** Erected shall mean built, constructed, altered, reconstructed, moved upon, or any physical operations on the premises which are required for the construction. Excavation, fill, drainage and the like shall be considered a part of erection.

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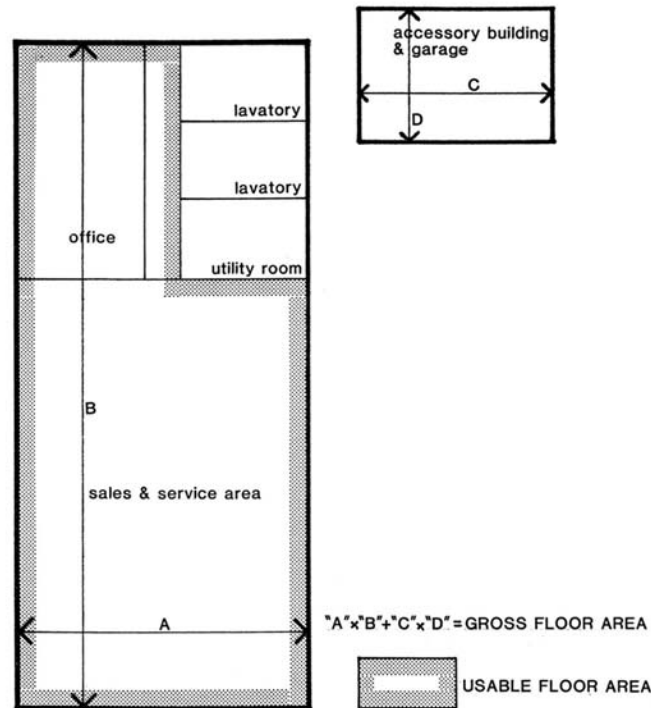
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- 67. **ESSENTIAL SERVICES:** The phrase "essential services" means the erection, construction, alteration or maintenance of public utilities or municipal departments or commissions, of underground or overhead gas, electrical, communications, steam or water transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers and other similar equipment and accessories in connection therewith (but not including buildings) reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions for the public health, safety or general welfare.
- 68. **EXCAVATION:** Excavation shall mean any breaking of ground, except common household gardening and ground care.
- 69. **FAMILY:**
 - (a) An individual or group of two (2) or more persons related by blood, marriage or adoption, such as a man and wife or a father or a mother and their children, the parents of either or both, together with foster children or servants of the principal occupants, with not more than two (2) additional unrelated persons, who are domiciled together as a single, domestic, housekeeping unit in a dwelling unit; or
 - (b) A functional equivalent of the domestic family which is collective number of individuals domiciled together in one (1) dwelling unit whose relationship is of a continuous, non-transient, domestic character and who are cooking and living as a single, nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or terms of other similar determinable periods.
- 70. **FENCE, DECORATIVE:** A structure intended primarily for ornamental purposes. A decorative fence shall be any fence which, by definition, is not to be considered a protective or security fence or a privacy fence.
- 71. **FENCE, DOG RUNS AND OUTDOOR SERVICE AREAS:** A structure intended to contain an animal permitted within a single family area or to screen an outdoor service area.
- 72. **FENCE, PRIVACY SCREEN:** A structure intended to form a visual screen or wind-break for a patio or outdoor living area located in the rear yard only.
- 73. **FENCE, PROTECTIVE OR SECURITY:** Protective or security fencing shall be considered a structure enclosing a piece of land or separating contiguous lands either in whole or part serving the purpose of preventing intrusion onto or across a lot of record or any parcel or tract of unplatted land from without or straying from within.
- 74. **FILL:** To deposit or dump any matter on to or into the ground, except common household gardening and ground care.

Article 36: Definitions

Amendments:

75. FLOOR AREA:



Floor Area

- (a) **FLOOR AREA, GROSS:** The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. The “floor area” of a building, which is what this normally is referred to as, includes the basement floor area if its ceiling is over five (5) feet above the average established grade. Any space devoted to off-street parking or loading shall not be included in floor area. Areas of basements, utility rooms, breezeways, unfinished attics, porches (enclosed or unenclosed) or attached garages are not included.
- (b) **FLOOR AREA, USABLE:** That portion of the floor area, measured from the interior face of the exterior walls, used for or intended to be used for services to the public or to customers, patrons, clients or patients, including areas occupied by fixtures or equipment used for the display or sale of goods or merchandise, but not including areas used or intended to be used for the storage of merchandise, utility or mechanical equipment rooms or sanitary facilities. In the case of a half story, the usable floor area shall be considered to be only that portion having a clear height above it of four (4) feet or more. Where the usable floor area of a building is unknown, eighty (80) percent of the gross floor area shall be used for calculating required parking.

Article 36: Definitions

Amendments:

- 76. **GARAGE, COMMUNITY:** A community garage is a structure, or a series of structures, for the storage of motor vehicles, having no public sales or repair shop or services in connection therewith, and separated into compartments or sections with separate vehicular entrances, for the use of two or more owners or occupants of property in the vicinity.
- 77. **GARAGE, PRIVATE:** A private garage is a structure for the storage principally of non-commercial vehicles, having no public sales or shop services in connection therewith.
- 78. **GASOLINE SERVICE STATION WITH OR WITHOUT THE SALE OF CONVENIENCE GOODS: (as amended 5/24/09)**
An establishment that includes buildings and premises for the primary purpose of retail gasoline sales. An automobile convenience/gasoline service station may also include an area devoted to sales of automotive items and convenience goods primarily sold to patrons purchasing gasoline. A service station is not an automobile repair or body shop. The retail sale of foods, drinks and other convenience goods may be included in addition to the sale of fuel, however, the sale of packaged alcoholic beverages is prohibited.
- 79. **GRADE:** A ground elevation establishment for the purpose of regulating the number of stories and the height of buildings. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade-is level. If the ground is not entirely level the grade shall be determined by computing the average elevation of the ground for each foot of the building and taking the average of the several averages.
- 80. **GREENBELT:** For the purpose of complying with the requirements of this Ordinance a greenbelt shall consist of planting of deciduous and/or evergreen trees and shrubs spaced to comply with the density requirements of Article 26 related to opacity.
- 81. **HAZARDOUS USES:** All uses which involve the storage, sale, manufacture or processing of materials which are dangerous, risky and combustible and are likely to burn with moderate rapidity and with a considerable volume of smoke, but from which neither poisonous fumes nor explosions are to be anticipated in the event of fire. A hobby shall not be considered a home occupation.
- 82. **HOBBY:** An accessory use carried on by the occupant of the premises in a shop, studio or other workroom, purely for personal enjoyment, amusement or recreation; provided that the articles produced or constructed in said shop, studio, or workroom are not sold either on or off the premises, and provided such use will not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke or fumes.
- 83. **HOME OCCUPATION:** Any business, occupation, or activity undertaken for compensation within a dwelling unit that is incidental and secondary to the use of the structure as a dwelling unit. A hobby shall not be considered a home occupation.

Article 36: Definitions

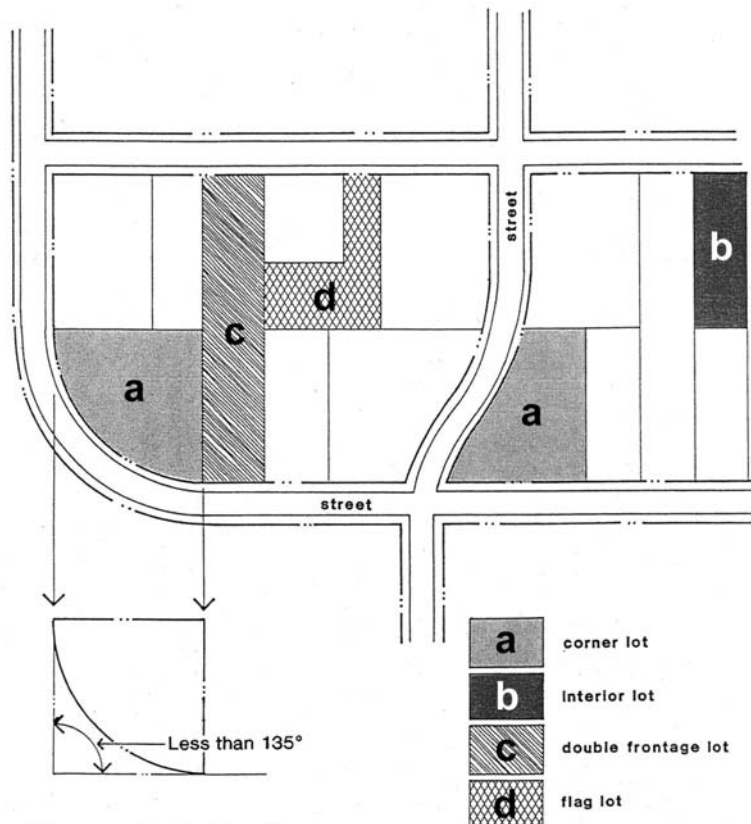
Amendments:

84. **HOME OFFICE:** An accessory use within a dwelling unit that is incidental and secondary to the use of the structure as dwelling unit, in which work for compensation is undertaken, including, but not limited to: receiving or initiating correspondence, such as telephone calls, mail, facsimiles, or electronic-mail; preparing or maintaining business records; word or data processing; and telephone, mail order, and off-premise sales.
 85. **HOSPITAL:** A building, structure or institution, licensed by the Health Department of the State of Michigan, in which sick or injured persons are given medical or surgical treatment.
 86. **HOTEL:** A business that provides temporary abiding overnight accommodations for transient individuals with or without meals in rooms occupied for hire, not to exceed thirty (30) days continuous occupancy, and which provides customary maid service, furnishing and laundering of linen, telephone and secretarial or desk service, use and upkeep of furniture, concierge services, and a dining room and general kitchen.
 87. **IMPERVIOUS SURFACE:** A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.
 88. **INDUSTRIAL PARK:** An area under common ownership subdivided for cohesive industrial development, usually having shared facilities, such as storm water retention and drainage, and covenants restricting appearance, signage and uses.
 89. **INSTITUTIONAL USES, LARGE SCALE:** Public, parochial and private schools including nursery schools, churches, libraries, community buildings, hospitals, convalescent Homes, municipal facilities or mortuaries, which have either one or both of the following characteristics:
 - (a) Five hundred (500) or more parking spaces are required based on the parking requirements in the Zoning Ordinance.
 - (b) The seating capacity of the main area of assembly is one thousand five hundred (1,500) or more.
 90. **KENNEL:** Any lot or premises on which four (4) or more dogs, cats or other small and medium domesticated pets (excluding horses and other large domesticated animals), fur bearing animals or animals for medical experimentation are trained, kept, permanently or temporarily boarded, or used for breeding purposes.
 91. **LANDSCAPING:** Improvements to a site, usually consisting of trees and other vegetation, but also including other structural elements such as earth forms, decorative walls, seating, lighting fountains, ground cover, natural areas, wetlands, bodies of water and other enhancements intended to improve the appearance and environmental quality of a site.
 92. **LIVESTOCK:** Animals, such as cattle, sheep, ostrich and bison, kept for commercial purposes.
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Article 36: Definitions

Amendments:

- 93. **LOADING SPACE:** Loading space shall mean an off-street space on the same lot with a building, or group of buildings, for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials.
- 94. **LOT (OR ZONING LOT OR PARCEL):** A piece of land under one ownership described and control, occupied or to be occupied by a building, structure, or use, or by other activity permitted thereon and including the open spaces required under this Ordinance.
 - (a) **CORNER LOT:** A lot of which at least-two adjacent sides abut for their full length upon a street at an interior angle of less than 135 degrees.
 - (b) **DOUBLE FRONTAGE LOT:** Any interior lot having frontage on two streets as distinguished from a corner lot. In the case of a row of double frontage lots, all sides of said lots adjacent to streets shall be considered frontage, and front yards shall be provided as required.
 - (c) **INTERIOR LOT:** Any lot other than a corner lot.



Corner, Interior & Double Frontage Lots

Article 36: Definitions

Amendments:

- 95. **LOT AREA:** For the purpose of this Ordinance in determining minimum lot area requirements the lot area shall be the total horizontal area within the lot lines exclusive of all right-of-way, private road easement, and the area located within the street setback.
- 96. **LOT COVERAGE:** That part or percentage of the lot occupied by buildings or structures, including accessory building or structures.
- 97. **LOT DEPTH:** Is the horizontal distance between the front and rear lot lines as measured along the median between the side lot lines.
 - (a) **FRONT LOT LINE:** In the case of a lot abutting upon one street, the front lot line is the line separating such lot from such street. In the case of any other lot one such line shall be elected to be the front lot line for the purpose of this Ordinance, provided it is so designated in the building plans filed for approval with the Department of Building and Code Enforcement.
 - (b) **REAR LOT LINE:** The rear lot line is that boundary which is opposite and most distant from the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be that assumed line parallel to the front line, not less than ten (10) feet long, lying most distant from the front lot line and wholly within the lot.
 - (c) **SIDE LOT LINE:** A side lot line is any lot boundary line not a front lot line or a rear-lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior lot line.
- 98. **LOT OF RECORD:** A parcel of land, the dimensions of which are shown on a document or maps on file with the Wayne County Register of Deeds, and which actually exists as so shown, or any part of such parcel held in a recorded ownership separate from that of the remainder thereof, whether platted or described by metes and bounds.
- 99. **LOT WIDTH:** Is the horizontal distance between the side lot lines, measured at the two points where the required minimum front yard setback line (set forth in the Schedule of Regulations) intersects the side lot lines. Said front lot line shall in every instance abut a public or private street by being contiguous with the public street right-of-way line or the private street easement line.
- 100. **MAIN BUILDING:** A building in which is conducted the principal use of the lot upon which it is situated.
- 101. **MAIN USE:** The principal purpose for which the premises, land or building(s) may be occupied, or are arranged, designed or intended.

Article 36: Definitions

Amendments:

- 102. **MAJOR THOROUGHFARE:** An arterial street which is intended to serve as a large volume traffic-way for both the immediate area and the region beyond, and may be designated as a major thoroughfare, parkway, freeway, express- way or equivalent term to identify those streets comprising the basic structure of the street plan. Any street with a width, existing or proposed, of one hundred twenty (120) feet shall be considered a major thoroughfare.

- 103. **MANUFACTURED HOME:** (See Manufactured Dwelling Unit)

- 104. **MANUFACTURED HOUSING PARK (MOBILE HOME PARK):** A parcel or tract of land under the control of a person or entity upon which manufactured homes are located on a continual non-recreational basis and which is offered to the public for that purpose regardless of whether a change is made, therefore, together with any building, structure enclosure, street, equipment or facility used or intended for use incidental to the occupancy of a manufactured home and which is not intended for use as a temporary recreational vehicle park.

- 105. **MANUFACTURED HOUSING PARK LOT (MOBILE HOME LOT):** An area within a manufactured housing park which is designated for the exclusive use of a specific manufactured home.

- 106. **MASSAGE:** The manipulation of body muscle or tissue, by rubbing, stroking, kneading, tapping or vibrating, through the use of a physical, mechanical or other device, of the body of another for a fee.
 - (a) **MASSAGE THERAPIST:** An individual specifically trained and licensed or certified in therapeutic massage by the American Massage and Therapy Association, International Myomassethics Federation or successor organizations.

 - (b) **THERAPEUTIC MASSAGE:** A method by which a person utilizes his or her hands, feet or an instrument for treating the superficial parts of a customer’s body for medical, hygienic, relaxation or therapeutic purposes by rubbing, stroking, kneading, tapping, pounding or vibrating.

- 107. **MECHANICAL AMUSEMENT DEVICE:** Shall mean any electronic or mechanical machine, device or contrivance which is operated by the insertion of a coin, slug, token, plate, disc or the payment of a fee and is operated by the public generally for amusement only, and does not dispense any form of payoff, prize or reward. A mechanical amusement device which only provides a free-game upon accumulation of a required score shall be deemed to be for amusement purposes and not prohibited herein.

- 108. **MEZZANINE:** An intermediate level or levels between the floor and ceiling of any story with an aggregate floor area of not more than one-half (½) of the floor area of the story in which the level or levels are located.

Article 36: Definitions

Amendments:

- 109. **MINI- OR SELF-STORAGE WAREHOUSE:** A building or group of buildings in a that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the storage of customer’s goods or wares.
- 110. **MOTEL:** A a business comprised of a group of dwelling units without a dining room or kitchen facilities, so arranged as to furnish overnight accommodations for transient guests, not to exceed thirty (30) days continuous occupancy.
- 111. **NATURAL GAS OR OIL FACILITY OR EQUIPMENT:** Any building, structure, machinery, and/or equipment used for or in connection with the production, processing or transmitting of natural gas, oil or allied products or substances, which includes but is not limited to any pipeline, storage wells, sweetening plants or similar treatment facilities, bulk storage plants, hydrogen sulfide removal facilities, dehydration facilities, compressor stations, pigging stations, metering facilities or any other facility distinguished from mere pipes, fittings and valves, oil and gas mud pits or brine disposal pits, devices, and auxiliary components, including pollution control equipment, flares, stacks, etc. Processing or related oil and gas facility may also be referred to as any type of on-site or off-site “separating facilities” or “sweetening facilities” intended or designed to remove hydrogen sulfide.
- 112. **NONCONFORMITIES:** A lot, structure, or use of land, structure or combination of both that lawfully existed prior to the effective date of adoption or amendment of this Ordinance, and which would be prohibited, regulated or restricted under the terms and provisions of this Ordinance.
 - (a) **CLASS A NONCONFORMING DESIGNATION:** A nonconforming structure or use of land that has been designated by the Planning Commission to be allowed to be perpetuated and improved in accordance with the provisions of this Ordinance and any conditions of approval of the designation.
 - (b) **CLASS B NONCONFORMING STATUS:** Nonconforming structures or uses, other than those designated as Class A, are classified as Class B and are allowed to continue within the restricted provisions of this Ordinance.
 - (c) **NONCONFORMING LOT OF RECORD:** A platted or unplatted parcel of land lawfully existing at the effective date of adoption or amendment of this Ordinance that does not conform to Ordinance provisions for the district in which it is located.
 - (d) **NONCONFORMING SIGN:** See SIGNS.
 - (e) **NONCONFORMING STRUCTURE:** A structure or portion thereof lawfully existing at the effective date of this Ordinance or amendments thereto that does not conform to Ordinance provisions for the district in which it is located, but is otherwise in compliance with all other applicable federal, state, county and Township laws, ordinances, regulations and codes.

Article 36: Definitions

Amendments:

- (f) **NONCONFORMING USE:** A use that lawfully occupied a parcel or contiguous parcels of land or structure and land in combination at the effective date of this Ordinance or amendments thereto that does not conform to the use regulations of the district in which it is located, or does not have special approval where provisions of this Ordinance require such approval, but is otherwise in compliance with all other applicable federal, state, county and Township laws, ordinances, regulations and codes.

- 113. **OCCUPANCY LOAD:** The number of individuals normally occupying the building or part thereof, or for which the existing facilities have been designed.

- 114. **OCCUPIED:** Used in any manner at the time in question.

- 115. **OFF-STREET PARKING LOT:** A facility providing vehicular parking spaces along with adequate drives and aisles for maneuvering so as to provide access for entrance and exit for the parking of more than two (2) vehicles.

- 116. **OIL AND/OR GAS WELL:** An exploratory or production well subject to or authorized under the authority of the Michigan Department of Environmental Quality – Supervisor of Wells as provided by law, or other federal or state regulatory agency as provided by law.

- 117. **OIL OR PETROLEUM REFINERY:** A facility that takes in crude oil and transforms it into gasoline and/or other petroleum related products.

- 118. **OPEN AIR BUSINESS USES:** “Open air business uses” include, but are not limited to, the following:
 - (a) The retail sale of trees, shrubbery, plants, flowers, seeds, topsoil, humus, fertilizers, trellises, lawn furniture, playground equipment and other home garden supplies and equipment;
 - (b) The retail sale of fruit and vegetables;
 - (c) Tennis courts, archery courts, shuffleboard courts, horseshoe courts, miniature golf, golf driving ranges, children’s amusement parks and/or similar recreation uses;
 - (d) Bicycle, utility truck or trailer, motor vehicle, boat or home equipment sale, rental or repair services; and
 - (e) The outdoor display and sale of garages, swimming pools, playscapes, motor homes, mobile homes, snowmobiles, farm implements and similar products.

Article 36: Definitions

Amendments:

- 119. **OPEN SPACE, COMMON:** Shall mean open space or recreational use set aside for the use of the owners of lots participating in a unit development of residential lots. Such space may include private recreational facilities such as golf courses or swimming pools, historic building sites, parks, parkway areas, ornamental parks, extensive areas with tree cover, low land along streams or areas of rough terrain which have natural features worthy of scenic preservation.
- 120. **OUTDOOR STORAGE:** The storage of any goods, materials or waste, including goods and materials offered for sale in an unenclosed or partially enclosed space. The storage of new or used vehicles in inventory shall be included as outdoor storage, however, the parking of fleet vehicles when not in use that associated with an otherwise permitted use shall not be included as outside storage.
- 121. **PARCEL:** A contiguous area or acreage of land which can be described as provided for in Public Acts 288 of 1967, as amended.
- 122. **PARKING SPACE:** Is an area of definite length and width, said area shall be exclusive of drives, aisles, or entrances giving access thereto and shall be fully accessible for the parking of the permitted vehicles.
- 123. **PLANNED UNIT DEVELOPMENT:** A form of land development and comprehensively planned as an entity via a site plan which permits flexibility in building, siting, usable open spaces, and the preservation of significant natural features, which may contain a mixture of housing units and nonresidential uses, if allowed by the specific provisions of the ordinance.
- 124. **PLANTING STRIP:** A planting strip for the purpose of this Ordinance shall consist of a combination of "natural" plant materials such as ground cover, deciduous and/or evergreen shrubs, deciduous and/or evergreen trees, and/or deciduous small ornamental trees.
- 125. **PLANT NURSERY:** A space, building or structure, or combination thereof, for the storage of live trees, shrubs or plants offered for retail sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of this Ordinance does not include any space, building or structure used for the sale of fruits, vegetables, or christmas trees otherwise regulated by this ordinance.
- 126. **PORCH, ENCLOSED:** A covered entrance to a building or structure which is totally enclosed, which projects out from the main wall of such building or structure and which has a separate roof or an integral roof with the principal building or structure to which it is attached.

Article 36: Definitions

Amendments:

- 127. **PORCH, OPEN:** A covered entrance to a building or structure which is unenclosed, except for columns supporting the porch roof, which projects out from the main wall of such building or structure and which has a separate roof or an integral roof with the principal building or structure to which it is attached.
- 128. **PREMISES:** Any lot or parcel of land, or building or site as otherwise used in this Ordinance; a unit of contiguous real property under common ownership.
- 129. **PRINCIPAL USE:** The principal purpose for which the premises, land or building(s) may be occupied, or are arranged, designed or intended.
- 130. **PUBLIC UTILITY:** A person, firm, corporation, municipal department or board duly authorized to furnish, and furnishing to the public, under federal, state or municipal regulations, electricity, gas, steam, communication, telegraph, transportation or water.
- 131. **PUBLIC USE:** A use operated by a public body, said use having the purpose of serving the public health, safety, or general welfare and including uses such as public schools, parks, playgrounds, hospitals and administrative and service facilities.
- 132. **RAILROAD CLASSIFICATION YARD:** A railroad yard area used solely for classifying railroad freight cars into train loads, to be delivered to distant railroad centers for disbursement, or the receiving of train loads for disbursements to local centers.
- 133. **RECREATION VEHICLE:** A vehicle primarily designed and used as temporary living quarters or for recreational, camping or travel purposes, including a vehicle having its own motor power or a vehicle mounted on or drawn by another vehicle. Recreational Vehicles shall include the following:
 - (a) **TRAVEL TRAILER:** A portable vehicle on a chassis, which is designed to be used as a temporary dwelling during travel, recreational, and vacation uses, and which may be identified as a “travel trailer” by the manufacturer. Travel trailers generally contain sanitary, water, and electrical facilities.
 - (b) **PICKUP CAMPER:** A structure designed to be mounted on a pickup or truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling during the process of travel, recreational, and vacation uses.
 - (c) **MOTOR HOME:** A recreational vehicle intended for temporary human habitation, sleeping, and/or eating, mounted upon a chassis with wheels and capable of being moved from place to place under its own power. Motor homes generally contain sanitary, water, and electrical facilities.
 - (d) **FOLDING TENT TRAILER or POP-UP TRAILER:** A folding structure, mounted on wheels and designed for travel and vacation use.

Article 36: Definitions

Amendments:

- (e) **BOATS AND BOAT TRAILERS:** “Boats” and “boat trailers” shall include boats, floats, personal watercraft, rafts, canoes, plus the normal equipment to transport them on the highway.
 - (f) **OTHER RECREATIONAL EQUIPMENT:** Other recreational equipment includes snowmobiles, all terrain or special terrain vehicles, utility trailers, plus normal equipment to transport them on the highway.
134. **RECYCLING CENTER:** A facility at which used material is separated and processed prior to shipment to others who will use the materials to manufacture new products. This use is distinct from a junkyard or a salvage yard.
135. **RECYCLING COLLECTION STATION:** A facility for the collection and temporary storage of recoverable resources, prior to shipment to a recycling center for processing.
136. **RESTAURANT, CARRY-OUT:** Any establishment whose principal business is the sale of foods, frozen desserts or beverages to the customer in a ready-to-consume state, and whose design or method of operation includes both of the following characteristics:
- (a) Foods, frozen desserts or beverages are usually served in edible containers, or in paper, plastic or other disposable containers.
 - (b) The consumption of foods, frozen desserts or beverages within the restaurant building, within a motor vehicle parked upon the premises or at other facilities in the premises outside the restaurant building is posted as being prohibited, and such prohibition is strictly enforced by the restaurateur.
137. **RESTAURANT, DRIVE-IN or DRIVE-THROUGH:** (See Drive-In and Drive-Through Business/Restaurant).
138. **RESTAURANT, FAST-FOOD:** Any establishment whose principal business is the sale of foods, frozen desserts or beverages to the customer in a ready-to-consume state for consumption either within the restaurant building or for carry-out with consumption off the premises, and whose design or principal method of operation includes both the following characteristics:
- (a) Foods, frozen desserts or beverages are usually served in edible containers, or in paper, plastic or other disposable containers.
 - (b) The consumption of foods, frozen desserts or beverages within a motor vehicle parked upon the premises or at other facilities on the premises outside the restaurant building is posted as being prohibited, and such prohibition is strictly enforced by the restaurateur.

Article 36: Definitions

Amendments:

- 139. **RESTAURANT, STANDARD OR “SIT-DOWN”:** Any establishment whose principal business is the sale of food, frozen desserts or beverages to the customer in a ready-to-consume state, and whose design or principal method of operation includes one or both of the following characteristics:
 - (a) Customers, normally provided with an individual menu, are served their foods, frozen desserts or beverages by a restaurant employee at the same table or counter at which such items are consumed usually while being seated; or
 - (b) A cafeteria-type operation where foods, frozen desserts or beverages generally are consumed within the restaurant building.

- 140. **RETAINING WALL:** A permanent solid barrier of brick, stone, or other material intended to support the ground along the line of a change of elevation or to enclose an area.

- 141. **ROADSIDE STAND, PERMANENT:** A structure operated for the purpose of selling only fresh produce, which shall be of temporary construction and shall not be more than one (1) story in height and shall be capable of being completely enclosed when not in use.

- 142. **ROADSIDE STAND, TEMPORARY:** A structure operated for the purpose of selling only fresh produce, which shall be of temporary construction and shall be removed and stored from view during the period when the stand is not in use.

- 143. **SALVAGE YARDS or JUNK YARDS:** An open area where waste, used, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled or stored, including, but not limited to scrap iron, and other metals, paper, rags, rubber tires and bottles, and including automobile wrecking yards-and any area of more than two hundred (200) square feet for storage keeping or abandonment of junk, but does not include uses established entirely in an enclosed building.

- 144. **SATELLITE DISH ANTENNA:** A device incorporating a reflective surface that is solid, open mesh, or bar configured, and is in the shape of a shallow dish, parabola, cone or horn used to transmit and/or receive television, radio, or other electromagnetic communication signals between terrestrially and/or extraterrestrially based sources. This definition includes, but is not limited to, what are commonly referred to as satellite earth stations, television reception only satellite antennas (TVRO), and satellite microwave antennas.

- 145. **SCHOOL:**
 - (a) **CHARTER SCHOOL (PUBLIC SCHOOL ACADEMY):** A charter school or public school academy is a public school and a school district, and is subject to the leadership and general supervision of the Michigan State Board of Education. A public school academy is authorized by the executive action of an authorizing body with jurisdiction.

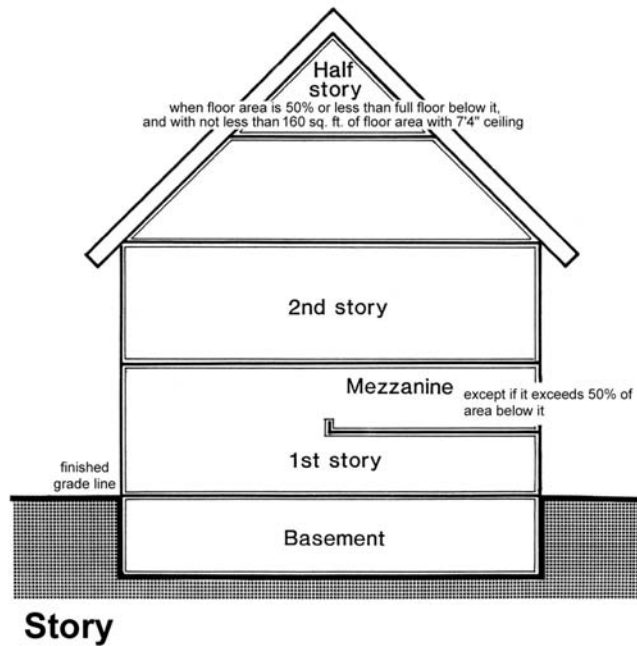
Article 36: Definitions

Amendments:

- (b) **PRIVATE SCHOOL:** Any school other than a public school giving instruction to children below the age of sixteen (16) years and not under the exclusive supervision and control of the officials having charge of the public schools of the state. Nonpublic schools include private, denominational, and parochial schools.
 - (c) **PUBLIC SCHOOL:** An elementary or secondary educational entity or agency that has as its primary mission the teaching and learning of academic and vocational-technical skills and knowledge, and is operated by a school district, local act school district, special act school district, intermediate school district, public school academy corporation, public state university, or department or state board with jurisdiction.
146. **SETBACK, STREET:** Is the distance as measured from the centerline of the road to establish the front, rear and/or side lot line and lot area for the purpose of establishing yard and/or other requirements of this Ordinance.
 147. **SETBACK, YARD:** Is the distance required to obtain minimum front, side or rear yard open space as required by this Ordinance.
 148. **SHOPPING CENTER:** A grouping of individual retail businesses and service uses not owned or operated in common, but located on a single site with common parking facilities.
 149. **SOIL REMOVAL:** The removal of any kind of soil or earth matter, including topsoil, sand, gravel, clay, or rock to a depth greater than twelve (12) inches.
 150. **SOUND LEVEL:** Sound level, indicated in decibels, is defined as the sound pressure level above the reference level of 0.0002 microbar which would be read on any sound level meter set to the "c" or "Flat" weighting network meeting the latest standards of the American Standards Association.
 151. **SPECIAL LAND USE:** Shall mean a use of land for which special land use approval and permit is required. (See Section 2.7)
 152. **STABLE, PRIVATE:** A stable for the keeping, breeding, boarding or training of horses, donkeys, mules, ponies, llamas or similar large domesticated animals which are owned by the residents of the principal use for private use.
 153. **STABLE, RIDING:** A stable other than a private stable for the keeping, breeding, boarding, selling, training or renting of horses, ponies, or similar large domesticated animals, with a capacity of more than two (2) animals.

Article 36: Definitions

Amendments:



- 154. **STORY:** That portion of a building included between the surface of any floor and the surface of the floor next above, or if there should be no floor above, then the space between such floor and the ceiling next above. A basement may be considered a story if its ceiling is over five (5) feet above the average established grade.

- 155. **STORY-HALF:** A half story is an uppermost story lying between the uppermost floor and the roof, the useable floor area of which does not exceed fifty (50%) percent of the floor area of the story immediately below it and which contains not less than one hundred sixty (160) square feet of livable floor area with a clear ceiling height of not less than seven feet four inches (7'4").

- 156. **STREET:**
 - (a) **PUBLIC STREET:** A thoroughfare or way, other than an alley, dedicated to the use of the public and/or open to public travel.
 - (b) **PRIVATE STREET:** A street not dedicated to the use of the public and/or open to public travel, or any street approved as a private road by the Township or designated as private street upon a recorded plat.

- 157. **STRUCTURE:** Structure shall mean any construction, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground.

Article 36: Definitions

Amendments:

- 158. **TEMPORARY BUILDING OR USE:** A temporary building or use shall mean a building or use permitted to exist during periods of construction of the principal building or use, or for special events.
- 159. **TOWNSHIP:** Means the Charter Township of Plymouth, Wayne County, Michigan.
- 160. **TOWNSHIP ENGINEER:** The person(s) or entity designated by the Township Board of Trustees to provide professional engineering services for the Charter Township of Plymouth.
- 161. **TOWNSHIP PLANNER:** The person(s) or entity designated by the Township Board of Trustees to provide professional community planning services for the Charter Township of Plymouth.
- 162. **TRUCK TERMINAL:** A structure to which goods, materials, equipment or other products are delivered for immediate distribution to other parts of the Township or region; amalgamation for delivery in larger units to intrastate, interstate or international destinations or distribution or amalgamation involving transfer to other modes of transportation.
- 163. **ULTIMATE RIGHT-OF-WAY LINE:** The street line as established in the Thoroughfare Plan of the Township and as established by the Inter-County Highway Plan and right-of-way requirements for southeastern Michigan Wayne County segment, Plymouth portion.
- 164. **UTILITY ROOM:** A utility room, or space, is a room, or space, located other than in the basement, specifically designed and constructed primarily to house any home utilities such as the heating unit and laundry facilities.
- 165. **USE:** The purpose for which land or buildings thereon are designed, arranged, or intended to be occupied or used, or for which they are occupied or maintained.
 - (a) **CHANGE OF USE:** A discontinuance of an existing use and the substitution of a use of a similar or different kind or class, or, the expansion of a use.
- 166. **USE, SPECIAL LAND:** A use that may be permitted within a zoning district but only in specific locations, under specific conditions and when developed in accordance with sound planning and site plan principles.
- 167. **VARIANCE:** A permitted modification of the literal provisions of the Zoning Ordinance granted when strict enforcement of the Zoning Ordinance would cause practical difficulties or undue hardship owing to circumstances unique to the individual property on which the variance is granted.

Article 36: Definitions

Amendments:

- 168. **VETERINARY CLINIC OR HOSPITAL:** An office of a duly licensed veterinary professional for diagnosis, treatment, surgery and other veterinary care of domestic animals, horses, livestock and other animals.
- 169. **WALL:** A structure of definite height and location to serve as an obscuring screen in carrying out the requirements of the Ordinance.
- 170. **WAREHOUSE:** A building or part of a building used or intended to be used primarily for the storage of goods or chattels that are to be sold retail or wholesale from other premises or sold wholesale from the same premises; for the storage of goods or chattels to be shipped on mail order; for the storage of equipment or materials to be used or installed at other premises by the owner or operator of the warehouse; or for similar storage purposes.
- 171. **WETLAND:** Lands transitional between terrestrial and aquatic systems where the water table is usually at or near the land surface or the land is saturated with or covered by water. Some wetland areas are more commonly referred to as bogs, swamps, or marshlands. Wetlands shall also have one (1) or more of the following attributes:
 - (a) At least periodically, the land supports predominantly hydrophytes.
 - (b) The substrate is predominantly un-drained hydric soil.
 - (c) The substrate is saturated with water, or covered by shallow water at some time during the growing season of each year.
- 172. **WETLAND, REGULATED:** Certain wetlands as regulated by the Michigan Department of Environmental Quality (MDEQ) under the provisions of Public Act 203 of 1979, as amended, that have any of the following characteristics:
 - (a) Contiguous to an inland lake, pond, river or stream;
 - (b) Not contiguous to an inland lake, pond, river or stream, and more than five (5) acres in size;
 - (c) Other wetlands where the MDEQ determines, with notification to the property owner, that protection is essential to preserve natural resources of the state from pollution, impairment or destruction.
- 173. **WHOLESALE SALES:** The sales of goods generally in large quantities and primarily to customers engaged in the business of reselling the goods.

Article 36: Definitions

Amendments:

174. **WIRELESS COMMUNICATION:** Use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. Structures used in wireless communication may include, but are not limited to, radio and television towers, telephone devices and exchanges, microwave relay towers, telephone transmission equipment buildings and commercial mobile radio service facilities. Not included within this definition are citizen band radio facilities, short-wave facilities, ham and amateur radio facilities, television reception antennas, satellite dishes and governmental facilities that are subject to state and federal law or regulations that preempt municipal regulatory authority. Wireless communication shall not be included under the definition of “essential services”.

- (a) **ABANDONED OR UNUSED:** An antenna, equipment, facility or system that has not been used for a period of ninety (90) consecutive days, or ninety (90) days after new technology is available which permits the operation of the system without the necessity of a wireless communication structure. Removal of antennas or other equipment from the structure or cessation of reception or transmission of radio signals shall be considered non-use.
- (b) **ATTACHED WIRELESS COMMUNICATION ANTENNA:** A wireless communication device that is attached to an existing structure, such as a building, steeple, utility pole, water tank, etc., for support, that does not materially alter or materially change the appearance of the existing structure, that is used to receive and transmit federally or state licensed communications services via licensed segments of the radio frequency spectrum. The antenna shall be small in scale and unobtrusive to the area in which it is located, such as a single rod or a small box.
- (c) **CO-LOCATION:** The use or attachment of two or more wireless communication antennas or antenna arrays to one support structure, the approval of which is intended to reduce the number of overall structures required to support wireless communication antennas within the Township.
- (d) **COVERAGE AREA MAP:** A map that identifies the location, height, ownership and capacity details of all existing and known proposed wireless communication antennas and facilities within Plymouth Township and all areas within one-half mile of Plymouth Township’s boundaries. Capacity details shall include the number of antennas and/or antenna arrays the support structure can accommodate along with details related to any existing co-locations, and any modifications that would be needed to the proposed equipment or service area to allow the provider to co-locate on an existing support structure.

Article 36: Definitions

Amendments:

- (e) **FEATURE TOWER:** A structure, designed to accommodate wireless communication antennas and equipment, which has the appearance of a bell tower, clock tower, tree, architectural element of a building, landmark feature, or other structure which disguises its primary function as part of a wireless communication system and that is compatible with the existing character of the proposed site and general area, as approved by the Planning Commission. Monopoles, lattice, or guy wired towers shall not be considered feature towers.

- (f) **WIRELESS COMMUNICATION EQUIPMENT:** All wires, bracing, utility boxes and accessory buildings etc., that are used in conjunction with wireless communication antennas and facilities.

- (g) **WIRELESS COMMUNICATION FACILITY:** A type of wireless communication system that is visually apparent and may be accessory, freestanding, or otherwise, that is used to enable wireless communication to function. This shall include feature towers and monopoles along with any antennas and required equipment. A lattice tower, guy-wired tower, or wooden pole shall not be considered as a wireless communication facility. An attached wireless communication antenna, as defined herein, is not a facility.

- (h) **WIRELESS COMMUNICATION MASTER PLAN:** A map of the Township that shows one provider’s existing and planned cell sites within the Township boundaries, any existing and/or planned cell sites that would serve the Township but are not located within the Township, and identification of the geographical area each cell site would serve at the provider’s full development. The anticipated activation date of each proposed cell site should be noted. The Master Plan also includes a written description of the type of consumer services and products that will be offered and of each type of technology along with its’ radio frequencies that the provider anticipates using over the next five years.

- (i) **WIRELESS COMMUNICATION SUPPORT STRUCTURE:** Any structure erected or modified to support one or more wireless communication antennas, either as a primary or as an ancillary function.

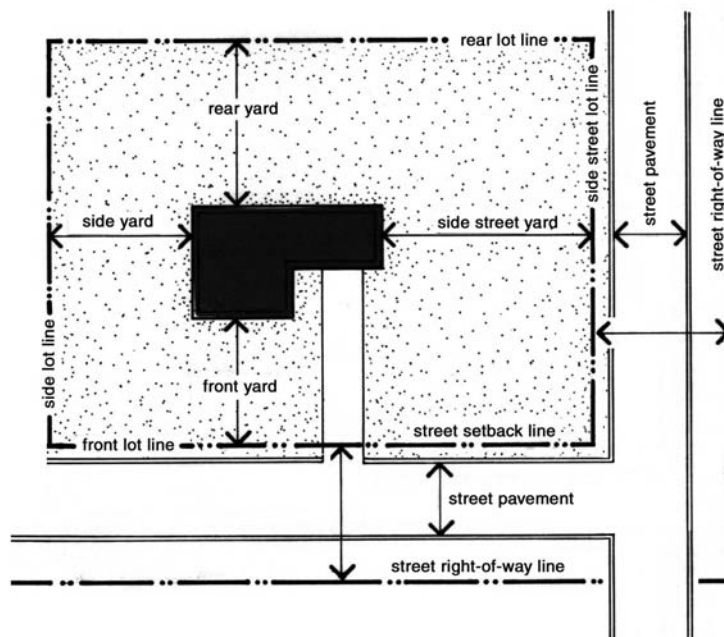
- (j) **WIRELESS COMMUNICATION SYSTEM:** Wireless communication antennas and their support structures, facilities, and equipment that are used to enable wireless communication to function.

- 175. **YARD:** An open space at grade line between a building and the adjoining lot lines, unoccupied and unobstructed from the ground upward, except for certain architectural features specified in this Ordinance equal to the minimum horizontal distance between a lot line or street setback line and the nearest line of the main building.

Article 36: Definitions

Amendments:

- (a) **YARD, FRONT:** A yard extending across the full width of the lot between the front lot line and the nearest line of a building.
- (b) **YARD, REAR:** A yard extending across the full width of the lot between the rear lot line and the nearest line of a building.
- (c) **YARD, SIDE:** A yard extending from the front yard to the rear yard between the side lot line and the nearest line of a building.
- (d) **YARD, SIDE STREET:** A yard extending from the side street lot line and the nearest line of a building.



Yard Terms

176. **ZONING COMPLIANCE PERMIT:** The written authority issued by the Chief Building Official, or their designee, permitting the construction, removal, or alternation of a building, structure, or fence in conformity with this Zoning Ordinance.

END OF ARTICLE 36.

THE FOLLOWING INFORMATION DOCUMENTS HISTORY OF REVISIONS TO THIS ARTICLE SINCE ITS ADOPTION ON JUNE 7, 2004.

Charter Township of Plymouth Zoning Ordinance No. 99
Article 36: Definitions
Amendments:

ALL AMENDMENTS TO
ARTICLE XXXVI (36)

Charter Township of Plymouth Zoning Ordinance No. 99

Article 36: Definitions

Amendments:

ALL AMENDMENTS TO ARTICLE XXXVI (36)

The following language was amended on 5/24/09

78. **GASOLINE SERVICE STATION WITH OR WITHOUT THE SALE OF CONVENIENCE GOODS:** An establishment that includes buildings and premises for the primary purpose of retail gasoline sales. An automobile convenience/gasoline service station may also include an area devoted to sales of automotive items and convenience goods primarily sold to patrons purchasing gasoline. A service station is not an automobile repair or body shop. The retail sale of foods, drinks and other convenience goods may be included in addition to the sale of fuel.