

**300.000 ZONING**  
**Ord. Eff. 1-1-2002**  
**Effective: January 1, 2002**

***SECTION 1***

***300.100 TITLE, PURPOSE, CONSTRUCTION OF LANGUAGE***

**300.101 Title.**

A. The Township of Richland, Kalamazoo County, Michigan, Ordains: That this ordinance shall be known as the "Richland Township Zoning Ordinance".

**300.102 Purpose.**

B. This Ordinance has been established, pursuant to Act 110 of the Public Acts of 2006 of the State of Michigan, as it may from time to time be amended for the purpose of:

1. Protecting the health, safety and general welfare of the township and its residents; and
2. Protecting the character and stability of the Township through establishment of zoning districts which regulates the use and intensity of building through the creation of site development requirements; and
3. Establishing standards and conditions for non-conforming uses, special uses, and accessory uses; and
4. Providing for the means in which to administer and enforce the ordinance while promoting the Implementation of the Township Master Land Use Plan.

(Ord. No. 218, adopt. 7-11-2006)

**300.103 Definitions.**

C. For the purpose of this ordinance, certain terms and words are herewith defined as follows: Words used in the present tense include the future; words used in the singular number include the plural, and words in the plural number include the singular; the word "subordinate building" includes the word "structure"; the word "shall" is mandatory and not directory. Any words not herein defined shall be construed as defined in the Housing Code of Michigan, Act 167, Public Acts of 1917, and the Amendments thereto.

*Access Lot Beneficiary:* The owner/occupant of a waterfront lot and any other person with a right of access to a waterway and/or use of a waterway through a waterfront lot, in whole or in part, by fee ownership, easement, lease, license, gift, business invitation, or any other written form of conveyance, dedication, permission or access/use rights. Members of the same family as defined under this Ordinance shall be collectively considered as one access lot beneficiary.

*Access Management:* A technique to improve or preserve traffic operations along a major roadway, and minimize potential for accidents through the control of driveway locations and design; consideration of the relationship of traffic activity for properties adjacent to, and across from one another; and the promotion of alternatives to direct road access. Methods used include construction of frontage roads, service drives, shared driveways, and medians or islands to direct traffic flow and control ingress and/or egress.

*Accessory Building:* A subordinate building or portion of main building, the use of which is incidental to that of the main building. Such buildings do not include structures that are, or were originally, intended for other purposes, such as trailers or containers for transportation or/and storage purposes.

*Accessory Use:* A use of a building, lot or portion thereof, which is customarily incidental and subordinate to the principal use of the main building or lot.

*Adult Day Care and Foster Care Facilities:*

- A. *Adult Day Care Family Home:* A private home in which 1 but fewer than 7 adults are received for care and supervision for compensation for periods of less than 24 hours a day, except adults related to an adult member of the family by blood, marriage, or adoption.
- B. *Adult Day Care Group Home:* A private home in which more than 6 but not more than 12 adults are given care and supervision for periods of less than 24 hours a day, except adults related to an adult member of the family by blood, marriage, or adoption.
- C. *Adult Foster Care Family Home:* A private residence with the approved capacity to receive 6 or fewer adults to be provided with foster care for 5 or more days per week and for 2 or more consecutive weeks. Such use is considered a permitted use in any district that permits single family dwellings, subject to state licensing requirements. This use shall also include the definition for a State Licensed Residential Facility; defined as a structure constructed for residential purposes that is licensed by the state under the adult foster care licensing act and provides residential services for 6 or fewer individuals under 24-hour supervision or care.
- D. *Adult Foster Care Small Group Home:* An adult foster care facility with the approved capacity to receive between 7 and 12 adults to be provided with foster care. Such use shall be established as a special exception use, subject to those same conditions and meet State licensing requirements.
- E. *Limited Residential Care Facilities:* Includes adult day care or foster care, including adult foster care large group homes between 13 to 20 adults, subject to statutory restrictions and State licensing requirements. Those may include nursing homes, assisted living facilities and senior housing for up to 20 people. It is anticipated that these facilities would operate 24 hours per day.
- F. *Full Residential Care Facilities:* Includes nursing homes, assisted living facilities and other congregate care and/or senior housing facilities for more than 20 adults. Such use shall include access to medical staff on a full-time or part-time basis. This definition shall include unlicensed residential facilities and those licensed by the State of Michigan. It does not include facilities providing treatment, such as substance abuse, or rehabilitation, such as halfway houses, or other uses regulated by the Department of Corrections.

*Alternative Mounting Structure:* A building or structure, other than a telecommunication tower, that may support the attachment of antennas for commercial telecommunication services. Such structures may include utility transmission poles, light poles, steeples, water towers or similar structures or buildings.

*Animal:* An organism, other than a human or plant that is characterized into one of the following three categories: 1) Domestic: This category includes those animals that have adapted well to human interaction, primarily excluding those utilized for production of food products. These would include those animals residing within the dwelling as pets, such as dogs, house cats, and certain types of other small domesticated animals (such as birds and reptiles), but generally excluding those listed in either the livestock or exotic categories. Such animals are deemed not to be a threat to humans, are nonpoisonous or not carriers of disease, are not likely to bite without provocation (or appropriately caged), and are in good health. 2) Livestock: This category includes those other domesticated animals that are primarily utilized for the production of food or are in the large animal category. These would include, but are not limited to, those animals that are presently listed under the classification of animal units associated with livestock operations. This includes cattle, swine, horses, sheep, goats, turkeys, chickens and ducks. 3) Exotic: This category includes all other animals but can be further differentiated as either being native or non-native. In Michigan, native animals may include those found in the wild throughout the State or within some small areas. Some of these animals may be endangered or on a protected list (cannot be hunted), while others may be subject to game laws with duration of the hunting season limited by the State of Michigan Department of Natural Resources. Non-native would include those not found in Michigan. This category of animal may be regulated through a general ordinance of the Township (NOTE: The State of Michigan has specific

regulation for the importation of animals and may require an official interstate health certificate or a certificate of veterinary inspection issued by an accredited veterinarian from the state of origin).

*Apartment House:* See "Multiple Dwelling".

*Automobile Trailer:* A vehicle or structure adapted to or intended to be adapted to being attached to a motor vehicle for hauling on the highways, including self-propelled and non-self propelled vehicles or structures, and whether it has or has not wheels attached, or is or is not resting on a foundation.

*Banquet Facility or Event Center:* A commercial operation devoted to accommodations for the gathering of individuals or groups within an open setting, such as weddings, reunions, seminars or similar events.

*Basement:* That portion of a building that is below the first story, the ceiling of which is less than five feet above the surrounding ground elevation or where more than one-half of the height of the story is below the average ground line.

*Bed and Breakfast Inn:* A dwelling in which overnight lodging is provided to transient guests for compensation, including the provision that breakfast is included and served to only such overnight guests. A transient guest shall be one whose stay is no greater than one week (seven days) in duration during any 30-day period. The dwelling shall be the primary residence of the owner/operator of the Inn and no attached or detached accessory buildings shall be utilized for such operation unless specifically approved by the Planning Commission.

*Billboard:* (See Section 19.D)

*Boarding House:* A building, other than a hotel or motel, where lodging and/or meals for three or more, but less than ten persons are provided for compensation.

*Boundaries of Districts:* Where uncertainty exists with respect to the boundaries of the various districts herein described and shown on the maps accompanying and made a part of this ordinance, the following rules shall apply:

- A. The district boundaries are either streets or alleys unless otherwise described or shown, and where any designation on the maps accompanying and made a part of this ordinance indicating the various districts are not otherwise described and are approximately bounded by street or alley line, said street or alley line shall be construed to be the boundary of such district.
- B. Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be lot lines, and where the designations on the maps accompanying and made a part of this ordinance indicating the various districts are approximately bounded by lot lines, said lot lines shall be construed to be the boundary of such district unless said boundaries are otherwise indicated by the ordinance.
- C. For property not platted, the district boundary lines on the maps accompanying and made a part of this ordinance shall be determined by use of the scale contained on such maps.
- D. In all other instances, when the district boundary cannot be determined by the Zoning Administrator based upon these rules, the Zoning Board of Appeals shall determine the boundary of the district.

*Brewer, Micro-Brewer:* Licensed in the State of Michigan to manufacture and/or sell beer, subject to restrictions on the on-premise and off-premise sale of product from approved locations. (Note: Definitions related to brewery, micro-brewery and brewpub subject to Michigan Department of Licensing and Regulatory Affairs, Liquor Control Commission.)

*Building:* A structure erected on site, a mobile home or mobile structure, a pre-manufactured or pre-cut structure, above or below ground, designed primarily for the shelter, support or enclosure of persons, animals or property of any kind.

*Building Height:* The vertical distance measured from the established grade or average elevation of the building site to the highest point of the roof surface for a flat roof, to the deck line for a mansard roof and to the

average height between eaves and ridge for a gable, hip or gambrel roof. No topographic alterations shall be made to increase this average elevation for purposes of such height calculation.

*Child Day Care Facility:*

- A. *Child Care Center:* A facility, other than a private residence, receiving one or more preschool or school-aged children for care for periods of less than 24 hours a day, where the parents or guardians are not immediately available to the child. Child care Center or Day Care Center includes a facility that provides care for not less than 2 consecutive weeks regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, playground, or drop-in center. Such use shall be designated as a "child care center - limited" if it involves 20 minor children or less and a "child care center - full" if it involves more than 20 minor children.
- B. *Family Child Care Home:* A private home in which 1 but fewer than 7 minor children are received for care and supervision for compensation for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Family child care home includes a home in which care is given to an unrelated minor child for more than four weeks during a calendar year.
- C. *Group Child Care Home:* A private home in which more than 6 but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group child care home includes a home in which care is given to an unrelated minor child for more than four weeks during a calendar year.

*Child Foster Care Facility:*

- A. *Foster Family Home:* A private home in which 1 but not more than 4 minor children, who are not related to an adult member of the household by blood or marriage, or who are not placed in the household under the Michigan adoption code, are provided care for 24 hours a day, for 4 or more days a week, for 2 or more consecutive weeks, unattended by a parent, legal guardian, or legal custodian. Such use is considered a permitted use in any district that permits single family dwellings, subject to state licensing requirements.
- B. *Foster Family Group Home:* A private home in which more than 4 but not more than 7 minor children, who are not related to an adult member of the household by blood or marriage, or who are not placed in the household under the Michigan adoption code, are provided care for 24 hours per day, for more than 4 days per week, for 2 or more consecutive weeks, unattended by a parent, legal guardian, or legal custodian.

*Church, Outdoor:* A place where services are held in the open and the audience is not confined within a building or similar closed structure.

*Common Element:* An unoccupied area within a site condominium or planned unit development which is reserved for the enjoyment of all residents (general) or by some residents (limited) and maintained by those residents through associations.

*Comparison Plan:* A detailed plan based upon the site development regulations within the underlying zoning district in which the project is located. Such plan shall adhere to the requirements for development within the Township's Subdivision/Site Condominium Ordinance, Land Division Ordinance and/or Zoning Ordinance, as applicable. Such plan shall include a wetland delineation, where applicable, and accurately calculate and define where stormwater facilities are to be located. The Planning Commission shall use this comparison plan for purposes of calculating allowable residential density for either a Planned Unit Development [excluding a PUD in the "B-1" or "B-2" zoning districts - See Section 18.03(4)e.iv(a)] or an Open Space Preservation project, within those listed zoning districts.

*Condominium Unit:* That portion of a condominium project or site condominium subdivision which is designed and intended for separate ownership and use, as described in a master deed, regardless of intended use. The owner of a condominium also owns a share of the common elements. The term "condominium unit" shall be considered the equivalent to the term "dwelling unit". Condominium units shall be designed and recorded under provisions of Public Act 59 of 1978, being the Condominium Act as amended.

*Corridor Preservation:* A means of coordinating transportation planning with land use planning and development. Its goal is to prohibit, or at least reduce, development in areas which are likely to be required to meet transportation needs in the future. Some of the areas are lands next to existing roadways which may be used for highway expansion; areas which might be needed to construct entirely new routes for urban bypasses or to serve new neighborhoods or commercial developments; and land needed for bicycle, transit and pedestrian facilities.

*Development Area:* The area of the lot(s)/parcel(s) on which a development project is proposed, excluding that area devoted to existing wetlands or bodies of water.

*Driveway:* An access serving a single parcel from a public or private road. When a driveway extends more than 200 feet from the public or private road it accesses, it shall be deemed an "extended length driveway". (See Extended Length Driveway)

*Dwelling Unit:* A building or self-contained portion thereof (i.e., separated internally from the remainder of the building by a wall, a door equipped with a lock, or other barrier) providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

*Dwelling, Single Family:* A building containing not more than one dwelling unit (other than a Parent/Grandparent Accessory Apartment) designed for residential use, complying with the following standards:

- A. It complies with the minimum square footage requirements of this ordinance for the zone in which it is located.
- B. It has a core area at some place within the structure of at least 24 feet by 24 feet in size. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations for construction are different than those imposed by the Township Building Code, then and in that event such federal or state standards or regulations shall apply.
- C. It is firmly attached to a permanent foundation constructed on the site in accordance with the Township Building Code and shall have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required in the applicable building code for single family dwellings. In the event that the dwelling is a mobile home, as defined herein, such dwelling shall, in addition thereto, be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission.
- D. In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels removed. Additionally, no dwelling shall have any exposed towing mechanism, undercarriage or chassis.
- E. The dwelling is connected to a public sewer and water supply or to such private facilities approved by the local health department.
- F. The dwelling contains a storage capability area in a basement located under the dwelling, in an attic area, in closet areas or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to 10 percent of the square footage of the dwelling or 100 square feet, whichever shall be less. Furthermore, in the event that no garage or carport is built for any dwelling, an exterior storage building built of comparable materials to the

dwelling shall be constructed at least 10 feet by 10 feet in size; such exterior storage building can be used in determining whether the above requirements for storage are met.

- G. The dwelling is aesthetically compatible in design and appearance with other residences in the vicinity, with either a roof overhang of not less than six inches on all sides, or alternatively with window sills and roof drainage systems concentrating roof drainage at collection points along the sides of the dwelling; has not less than two exterior doors with the second one being in either the rear or side of the dwelling; and contains permanently attached steps connected to said exterior door areas or to porches connected to said door areas where a difference in elevation requires the same.

The compatibility of design and appearance shall be determined in the first instance by the Township Zoning Administrator upon review of the plans submitted for a particular dwelling subject to appeal by an aggrieved party to the Zoning Board of Appeals within a period of 15 days from the receipt of notice of said Zoning Administrator's decision. Any determination of compatibility shall be based upon the standards set forth in this definition of "dwelling" as well as the character, design and appearance of one or more residential dwellings located outside of mobile home parks within 2,000 feet of the subject dwelling where such area is developed with dwellings to the extent of not less than 20 percent of the lots situated within said area; or, where said area is not so developed, by character, design and appearance of one or more residential dwellings located outside of mobile home parks throughout the Township. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour or relief from the common or standard designed home.

- H. The dwelling contains no additions or rooms or other areas which are not constructed with similar quality workmanship as the original structure, including permanent attachment to the principal structure and construction of a foundation as required herein.
- I. The dwelling complies with all pertinent building and fire codes. In the case of a mobile home, all construction and all plumbing, electrical apparatus and insulation within and connected to said mobile home shall be of a type and quality conforming to the "Mobile Home Construction and Safety Standards" as promulgated by the United States Department of Housing and Urban Development, being 24 CFR 3280, and as from time to time such standards may be amended.
- J. The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in the ordinance of the Township pertaining to such parks.
- K. All construction required herein shall be commenced only after a building permit has been obtained in accordance with the applicable Township Building Code provisions and requirements.

*Dwelling, Two Family:* A building containing not more than two separate dwelling units designed for residential use and conforming in all other respects to the standards set forth for the definition of Dwelling, Single Family.

*Dwelling, Multiple Family:* A building containing three or more dwelling units designed for residential use and conforming in all other respects to the standards set forth for the definition of Dwelling, Single Family.

*Earth Sheltered Home:* A dwelling in which at least 50 percent of the exterior vertical wall area is covered by earth and designed and intended to provide permanent finished living areas affording climatic, noise or life safety protection, which structure meets applicable building codes.

*Essential Services:* The term "essential services" means the erection, construction, alteration or maintenance by public utilities or municipal departments or commissions, of underground or overhead, gas, electrical, steam or water transmission or distribution system, collection, communication, supply or disposal system, including towers, structures, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, electric substations, gas regulator stations, and other similar equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health or safety or general welfare of the people of Richland Township, Kalamazoo County, Michigan. This definition does not include towers or other buildings or

structures intended specifically to service commercial wireless telecommunications such as cellular, personal communication services, specialized or enhanced mobile radio, paging and similar services.

*Extended Length Driveway:* An access serving a single parcel from a public or private road and extending more than 200 feet from the public or private road it accesses.

*Family:*

- A. *Traditional:* An individual or group of two or more persons related by blood, marriage or adoption, together with foster children and domestic household employees of the principal occupants, with not more than one additional unrelated person, who are domiciled together as a single, domestic, non-profit housekeeping unit in a dwelling.
- B. *Functional:* A collective number of individuals domiciled together in one dwelling unit whose relationship is of a permanent and distinct domestic character, with a recognizable bond characteristic of a cohesive unit, and who are in fact cooking and living as a single non-profit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, or other organization, which is not a recognized religious order. This definition shall also not include any group of individuals whose domestic relationship is transitory, temporary or resort/seasonal in nature or character or whose association is essentially for convenience and economics, or for the limited duration of their education, training or similar determinate period of time.

*Grade, Established:* The pre-development grade of the property as measured at the established setback lines. Such grade may be used for establishing average elevation. (See Building, Height).

*Ground Floor Area:* That area of a residence, excluding any attached accessory building, that has more than one half (50%) of the area above the established grade.

*High Water Line:* The line between upland and bottomland that persists through successive changes in water levels, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil, and the vegetation. On an inland lake that has a level established by law, it means the high established level. Where water returns to its natural level as the result of the permanent removal or abandonment of a dam, it means the natural ordinary high-water mark.

*Hotel/Motel:* A "hotel" or "motel" is a building containing ten or more rooming units used only for the accommodation of transients, with the exception of one dwelling unit for housing of management staff.

*Joint Driveway:* An access serving two parcels from a public or private road.

*Kennel:* Any lot or premises used for the boarding of four or more dogs, including those of the owner of the property.

*Landscape:* Use of natural materials or plantings to improve or alter the ground. May include "hardscape" improvements provided there is no ground alteration within the setback areas for outdoor living space.

*Limited Oil Storage Tanks:* Limited capacity, including oil, gasoline, naphtha and allied products, storage tanks shall be herein defined as storage tanks having a combined capacity of 20,000 gallons or less.

*Lot:* A parcel of land occupied or intended for occupancy for a use permitted in this ordinance. A lot shall meet the site development regulations for the district in which it is located unless it was a "Lot of Record" prior to the adoption of this ordinance and/or was approved through a variance granted by the Zoning Board of Appeals. A "site condominium unit" shall be considered the equivalent of a lot for purposes of meeting the site development regulations of this ordinance.

*Lot, Corner:* A lot with frontage on two streets or roads.

*Lot Coverage:* The maximum area, calculated as a percentage, of the total lot area that can be covered by buildings and structures. This coverage shall not include any other impervious surfaces, such as paved parking or driveways, unless specifically indicated for that district or for that specific use.

*Lot Width:* The horizontal distance between the side lot lines, measured at the two points where the minimum required roadside front yard setback line intersects the side lot lines.

*Master Deed:* The condominium document recording the condominium project as approved by the township which is attached as exhibits and incorporated by reference in the approved bylaws for the project and the approved condominium subdivision for the project.

*Mixed Occupancy:* In cases of mixed occupancy where a building is occupied in part as a dwelling, the part so occupied shall be deemed for the purposes of this act and shall comply with the provisions thereof relative to dwellings.

*Mobile Home:* A mobile home is a structure designed for occupancy, for sleeping, eating and living therein, and so designed that it complies with the definition of "Dwelling, Single Family" or is located within an approved mobile home park.

*Non-Conforming Structure:* A building or structure lawfully existing on the effective date of this Ordinance, or amendments thereto, and which does not conform to the provisions of the Ordinance nor to the use regulations of the district which it is located.

*Non-Conforming Use:* A building or premises occupied by a use that does not conform to the regulations of the use district in which it is situated.

*Off-Street Parking Space:* A parking area not on any public street or right-of-way, having an all-weather surface, of at least ten feet in width and 20 feet in

length, exclusive of necessary driveways, aisles or maneuvering areas suitable for parking one motor vehicle adjacent or in close proximity to the use for which the parking is provided and having direct access to a public street.

*Parent/Grandparent Accessory Apartment (PGAA):* A portion of a single family dwelling ("principal dwelling") consisting of a separate dwelling unit occupied by a parent or grandparent of an occupant of the principal dwelling and/or a spouse or widow/widower of such parent or grandparent.

*Patio:* A solid surface outdoor living space built at ground level, or no more than 30" above the established grade, so that no safety railings are required.

*Planned Unit Development (PUD):* A PUD is a special exception use whereby the site meets the density requirements for the zoning district in which it is located, yet allows for flexibility in meeting either dimensional or use characteristics for that district.

*Residential Care Facility:* (See Adult or Child Care Facility.)

*Private Road:* An access serving three or more parcels from a public or another private road.

*Riparian Access Lot:* A type of waterfront lot providing for private or common (semi-private) access to a waterway for one or more access lot beneficiaries.

*Roadside Stand:* A permanent structure established for the sale of agricultural products and regulated as a special exception use. Tables or structures without permanent foundations used for the sale of products for less than 30 days shall not be deemed a roadside stand.

*Rooming House:* A "rooming house" under this ordinance shall be construed to mean any dwelling occupied in such a manner that certain rooms, in excess of those used by members of a traditional family, as defined in this ordinance, are leased or rented (for-profit) to persons outside of the family without accommodations for meals. In the case of single and two family dwellings the number of such rooms leased or rented to roomers shall not exceed two, unless such dwelling be made to comply in all respects with the provisions of this ordinance relating to Boarding Houses and located in a district permitting multiple family dwellings.

*School, Public:* A public institution providing for an accredited education and whose facilities are extended for use to the general public.

*School, Private:* A private institution providing parochial or cultural education and whose facilities are not available for use to the general public.

*Setback:* The required distance from the road right-of-way line or from the side lot line or rear lot line. The measurement shall be from the outermost permanent portion of the structure, including eavetroughs, porches, chimneys, protruding windows, overhangs and cantilevers and similar projections from the exterior wall of the structure, but excluding steps and planters.

*Sign:* (See Section 19.D)

*Site Condominium Project:* A plan or project consisting of not less than two single-family units or other development established in conformance with the Michigan Condominium Act (P.A. 59 of 1978, as amended).

*Solar Energy System:* Any part of a system that collects or stores solar energy for the purpose of transforming it into any other type of usable energy, including but not limited to the collection and transfer of heat created by solar energy to any other medium by any other means. The following categories of solar energy systems are as follows:

*Building Integrated Photovoltaics (BIPV's):* A Private or Commercial solar energy system that is integrated into the structure of a building, including materials such as solar roof tiles or shingles.

*Commercial:* A solar energy system where the principal design, purpose or use of such system is to provide energy to off-site uses or the wholesale or retail sale of generated electricity to any person or entity.

*Ground Mounted:* A Private or Commercial solar energy system that is not attached to or mounted on any roof or exterior wall of any principal or accessory building.

*Private:* A solar energy system used exclusively for private purposes and not used for any commercial resale of energy, except for the sale of any surplus energy back to the electric grid.

*Roof or Building Mounted:* A Private or Commercial solar energy system attached to or mounted on any roof or exterior wall of any principal or accessory building, excluding Building Integrated Photovoltaics (BIPV's).

*Stable:* The keeping of horses for board or for hire.

*Story:* Ten feet of side-wall construction as measured from the average natural grade or from the ceiling of any lower floor, which is above the natural grade, but excluding the eaves and roof of any building. A "story" as defined herein, as it applies to an "earth sheltered home", need not be at or above the average natural grade.

*Street:* A public thoroughfare or road right-of-way.

*Structure:* Anything constructed, assembled or erected the use of which requires location on the ground or attachment to something having location on or in the ground, and shall include tanks, towers, advertising devices, bins, tents, lunch wagons, trailers, dining cars, camp cars, antennas, TV "dishes" or other supports used for business or living purposes. The word "structure" shall not apply to wires and their supporting poles or frames of electrical or telephone utilities, or to service utilities entirely below the ground.

*Structural Alterations:* Any change in the supporting members of a building, such as bearing walls, columns, beams or girders, excepting such alterations as may be required for the safety of the building.

*Subdivision Control Ordinance:* An ordinance approved by the Township Board that establishes the process for layout, design and approval of plats within the Township. Where that ordinance does not specifically address standards, the Zoning Ordinance regulations shall be adhered to.

*Swimming Pool:* Any structure that contains water over 24 inches in depth and which is used, or intended to be used, for swimming or recreational bathing.

*(Commercial) Telecommunications Services:* Licensed commercial (wireless) telecommunications services including cellular, personal communications services, specialized or enhanced mobile radio, paging and similar services that are marketed to the general public.

*Tents:* Any structure primarily of canvas, paper, cardboard, building board, cloth, rubber or like type of materials which is being used or intended to be used for either temporary or permanent living quarters.

*Theater, Indoor:* Any building the use of which is for the express purpose of exhibiting motion pictures or presentation of entertainment for an audience contained within said building.

*Theater, Outdoor:* A place where the showing or exhibiting of motion pictures and other entertainment is conducted whereby the audience is located out of doors.

*Tower:* Any ground or roof mounted pole, spire, structure or combination thereof exceeding a height of 15 feet, including support lines, cables, wires, braces and masts intended primarily for the purpose of mounting an antenna, meteorological device, or similar device above grade.

*Veterinary Hospital:* Hospital operated for the care of animals under the supervision of a Doctor of Veterinary Medicine, which hospital may also include the boarding of dogs, cats and small animals.

*Waterfront Lot:* Any lot or parcel of land, whether or not improved, and whether or not platted, any portion of which:

- (1) Abuts the shoreline of any waterway; or
- (2) Abuts a promenade, walkway, or other property which itself abuts the shoreline of any waterway and which provides access and/or use rights to the waterway.

*Waterway:* A natural or man-made lake, river, stream, channel, pond equal or greater than two acres, or other natural or artificial watercourse.

*Wine Maker, Brandy Manufacturer, Manufacturer of Spirits and Distilleries:* Licensed in the State of Michigan to manufacture and/or sell wine or spirits, subject to restrictions on the on-premise and off-premise sale of product from approved locations. (Note: Definitions related to wine maker, small wine maker and manufacturer of brandy or spirits subject to Department of Licensing and Affairs, Liquor Control Commission.)

*Yard:* An open space area on the same lot as the principal building and further described as follows:

*Front Yard:* A yard extending the full width of the lot or parcel, the depth of which is the minimum horizontal distance between the front lot line and the line established by the principal building.

*Side Yard:* A yard extending between the principal building and the side lot line and between the front yard and the rear yard. For corner lots, a front side yard shall be established that extends from the front yard to the lot line.

*Rear Yard:* A yard extending the full width of the lot or parcel, the depth of which is the minimum horizontal distance from the rear lot line and the line established by the principal building.

*Waterfront:* Considered a front yard, establishing two front yards for the lot. All accessory buildings or structures to be located in these front yards shall be subject to special exception use approval by the Planning Commission.

(Ord. No. 178, adopt. 6-4-2002; Ord. No. 179, adopt. 7-2-2002; Ord. No. 185, adopt. 11-12-2002; Ord. No. 188, adopt. 2-12-2003; Ord. No. 192, adopt. 6-3-2003; Ord. No. 206, adopt. 2-1-2005; Ord. No. 216, adopt. 4-11-2006; Ord. No. 220, adopt. 1-2-2007; Ord. No. 233, adopt. 7-7-2008; Ord. No. 238, §§ I, II, 5-18-2010; Ord. No. 246, § I, 1-17-2012; Ord. No. 252, adopt. 11-20-2012; Ord. No. 263, § 2, 3-15-2016; Ord. No. 264, § 1, 8-16-2016; Ord. No. 266, adopt. 6-20-2017; Ord. No. 270, adopt. 9-18-2018; Ord. No. 276, § 1, adopt. 7-16-2019; Ord. No. 279, § 1, adopt. 1-21-2020)