

Chapter 2 ■ Definitions

For the purpose of this Ordinance, certain terms are herewith defined.

SECTION 2.1 GENERAL

Construction of Language. For the purposes of this Ordinance, certain terms or words used herein shall be interpreted as follows:

- a. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual.
- b. The present tense includes the future tense, and the singular number includes the plural, and the plural number includes the singular.
- c. The word "shall" is mandatory; the word "may" is permissive.
- d. The particular shall control the general.
- e. In case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.
- f. A "building" or "structure" includes any part thereof.

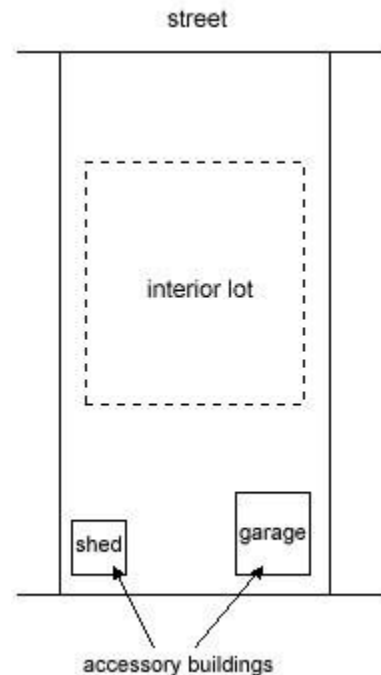
SECTION 2.2 SPECIFIC TERMS

For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONMENT: The cessation of a permitted activity in, or a permitted use of, a dwelling structure, or lot, other than that which would normally occur on a seasonal basis, and that has fallen into disrepair or is neglected in some way for a period of one year or longer.

ACCESSORY BUILDING or ACCESSORY STRUCTURE:

Any unattached subordinate building or structure, such as a private garage, which is incidental to that of the main building, located on the same lot with the main building, or any portion of the main building if that portion is occupied or devoted exclusively to an accessory use. This definition also includes outdoor wood-fired hydronic heaters.



ACCESSORY USE: Any use customarily incidental and subordinate to the main use of the premises but does not include residential occupation. These may include but are not limited to private garages, permanent storage sheds, playhouses, decks, porches and carports.

AGRICULTURAL BUILDING: A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products and that is clearly incidental to agricultural activity, excluding the business of retail trade.

AGRICULTURAL BULK STORAGE AND PROCESSING: A building, facility, area, open or enclosed, or any location for the refinement, treatment, or conversion of agricultural products where physical, chemical, or similar change of an agricultural product occurs. Examples of agricultural processing include but are not limited to fruit dehydrators, cold storage houses, hulling operations, and the sorting, cleaning, packing, and storing of agricultural products preparatory to sale and/or shipment in their natural form, including all uses customarily incidental thereto.

AGRICULTURE AND FORESTRY ACTIVITIES: The employment of land for the primary purpose of obtaining a profit in money by raising, harvesting, and selling crops, or feeding (including grazing), breeding, managing, selling, or producing livestock, poultry, furbearing animals or honeybees, or by dairying and the sale of dairy products, by any other horticultural, floricultural or viticultural use, by animal husbandry, or by any combination thereof. It also includes the current employment of land for the primary purpose of obtaining a profit by stabling or training equines, including, but not limited to, providing riding lessons, training clinics and schooling shows. The growing or harvesting of forest tree species or trees used for commercial or related purposes. Also included are facilities used in the research and testing of agricultural products and techniques. see FARM.

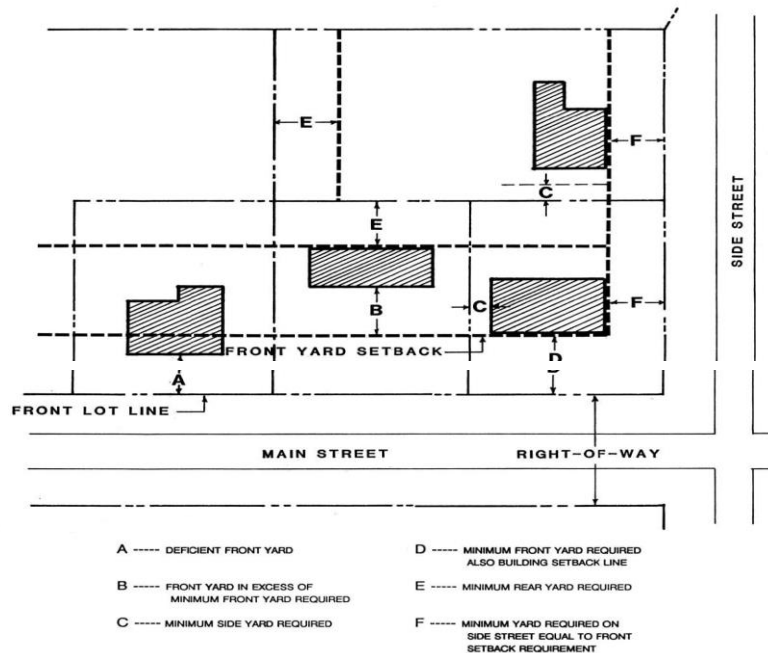
ANIMAL (LARGE): Cattle, horses, mules, sheep, goats, beasts of burden, or any other domesticated or wild animal weighing more than 20 pounds except pet animals such as dogs, cats or fowl.

ANIMAL (WILD OR EXOTIC): Animals which are wild by nature and not customarily domesticated. This definition does not include fish, birds, small rodents, or small, nonpoisonous reptiles commonly used for educational or experimental purposes, or as pets.

ASSEMBLY BUILDING: A building for the primary purpose of group gatherings of 50 people or more for any purpose

BUFFER: Open space, landscaped areas, fences, walls, berms or any combination thereof to physically separate or screen one use or property from another so as to visually shield or block noise, lights or other nuisances. A greenbelt is considered a buffer.

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



Building Line

BUILDING SETBACK LINE: The line which pertains to and defines those minimum (building) setback lines which are established parallel to the front road or right-of-way line and within which setback area no part of a building shall project or be located, except as otherwise provided for by this Ordinance. Such line when adjacent to a building is normally formed by the junction of the outer surface of the building or enclosure wall with the finish grade or surface of the adjoining ground.

BUSINESS SERVICES: Establishments primarily engaged in rendering services to business establishments for a fee or on a contract basis, such as advertising and mailing, building maintenance, employment services, management and consulting services, protective services, equipment rental and leasing, commercial research, development and testing, photo finishing, and personal supply services.

CHILDCARE ORGANIZATION: A facility for the care of children under 18 years of age, as licensed and regulated by the State under Act No. 116 of Public Acts of 1973 and the associated rules promulgated by the State Department of Social Services. Such organizations shall be further defined as follows:

- a. **CHILDCARE CENTER or DAY CARE CENTER** means a facility, other than a private residence, receiving one or more preschool or school age children for group care for periods of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility that provides care for not less than two consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a childcare center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center.

CHILDCARE CENTER or DAY CARE CENTER does not include a Sunday school conducted by a religious institution or 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. FOSTER FAMILY HOME is a private home in which one but not more than four minor children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.
- c. FOSTER FAMILY GROUP HOME means a private home in which more than four but less than seven children, who are not related to an adult member of the household by blood, marriage or adoption, are provided care for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.
- d. FAMILY DAY CARE HOME means a private home in which one but less than seven minor children are received for 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. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.
- e. GROUP DAY CARE HOME means a private home in which more than six but not more than 12 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. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.

COMMERCIAL SCHOOL: A school that prepares students for careers in business and commerce.

CONTRACTOR STORAGE YARD: An unenclosed portion of the lot or parcel used to store and maintain construction equipment and other materials customarily used in the trade carried on by a construction contractor. If permitted to be used in this manner, the entire lot or parcel would then be classified as a “contractor storage yard” and will be required to conform to all applicable Zoning District standards and other legislative regulations.

DISTRIBUTION CENTER: A use where goods are received and/or stored for delivery to the ultimate customer at remote locations.

DWELLING: Any building or portion thereof usable exclusively for residential purposes with one or more habitable rooms occupied or intended for occupancy with facilities for living, sleeping, cooking and/or eating. A dwelling is classified as one of the following:

- a. TWO-FAMILY DWELLING (Duplex): A building containing no more than two separate dwelling units designed for residential use.

- b. **MULTIPLE-FAMILY DWELLING:** A building containing three or more dwelling units designed for residential use.
- c. **GROUP DWELLINGS (Congregate Living):** A building or group of buildings, designed and used for residential habitation where joint and/or separate sleeping rooms share common living, kitchen, eating and bathroom facilities, housing persons unrelated by blood, relationship, or marriage

DWELLING UNIT: One (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically independent of any other group of rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities. But in no case shall a travel trailer, automobile chassis, or tent be considered a dwelling.

ECONOMY EFFICIENT DWELLING: Is a dwelling that is at least 240 square feet and less than 720 square feet. An economy efficient dwelling must be placed on a permanent approved foundation and must comply with the same building and sanitary codes including Building, Electrical, Mechanical & Plumbing as all other single-family dwellings in the township. The economy efficient dwelling must qualify for a certificate of occupancy. An economy efficient dwelling requires a special land use permit and may only be utilized in AG & R-A districts.

FAMILY: A person living alone, or two or more persons related by blood, marriage, relationship, or adoption, customarily living together as a single housekeeping unit in a dwelling unit as distinguished from a group occupying a hotel, club, religious or institutional building, boarding or lodging house, or fraternity or sorority house.

FARM, FARMING: The act or business of cultivating or using land and soils for the production of crops for the use of animals or humans, and includes, but is not limited to, purposes related to agriculture, farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry. (Michigan Right To Farm Act 93 of 1981).

FLOOR AREA: The area of all floors computed by measuring the dimensions of the outside walls, excluding attic and basement floors, porches, patios, breezeways, carports, and garages, or portions of rooms with less than seven feet of space between the floor and ceiling.

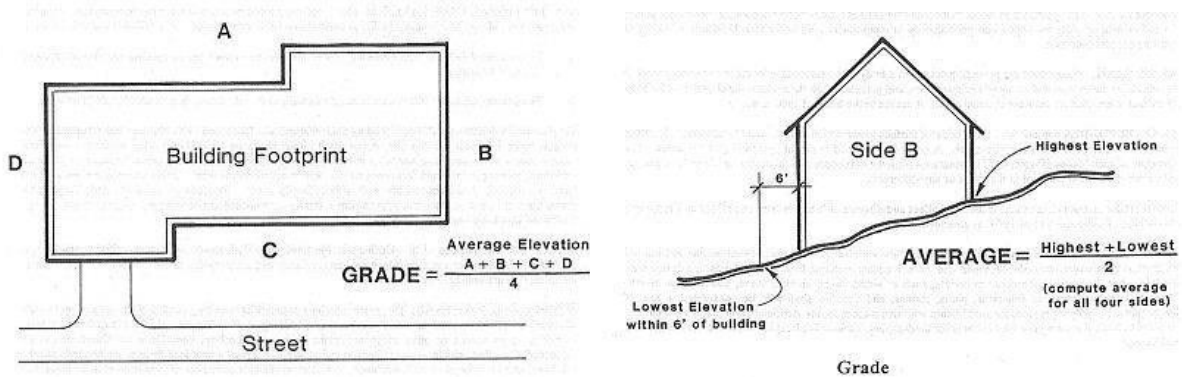
GAAMPS: GENERALLY ACCEPTED AGRICULTURAL MANAGEMENT PRACTICES. (See Michigan's Right to Farm Act 93 of 1981)

GARAGES: Includes the following:

- a. **ATTACHED.** An attached outbuilding customarily used for the storage of vehicles and is attached to a residential dwelling as either an integral part thereof, or, at a minimum, connected to the dwelling by a completely enclosed breezeway.

- b. PRIVATE GARAGE. A detached accessory building or portion of a main building used for the storage of vehicles without provision for repair or servicing such vehicles for profit.
- c. SERVICE GARAGE. Any building or structure designed or used for the hire, sale, storage, service, repair, or refinishing of motor vehicles or trailers, but not for the storage of dismantled vehicles or parts thereof for purposes of reuse or resale.

GRADE: For purposes of this Ordinance, the level of the ground adjacent to the exterior walls of a building or structure. In the case of lots with a sloping terrain, the grade shall be the average elevation of the ground adjacent to the walls.



HEAVY VEHICLE, EQUIPMENT REPAIR AND SALES: Is the business of maintaining and repairing heavy vehicles and equipment, such as tractors, cranes and bulldozers, used in construction, farming, rail transportation, and other industries.

HEIGHT OF BUILDING: The vertical distance, measured from the adjoining curb level, to the highest point of the roof of the top story in the case of a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge of a gable, hip, or gambrel roof. However, where buildings are set back from the road line, the height of the building may be measured from the average elevation of the finished lot grade at the front of the building.

HOME OCCUPATIONS (Brick & Mortar): An establishment primarily engaged in the on-site production of goods and/or services which have a limited impact on adjoining development by virtue of either low development densities or more stringent review and standards. Furthermore, the operator of the cottage industry conducts the business in such a manner as to encompass on-site face-to-face interaction with customers in an office or store beyond that normally associated with a single-family dwelling. Examples of home occupations include personal services, professional services, licensed therapeutic massage, hair and nail salons, tailors, seamstresses, alterations, barbers, the practice of law, medicine, engineering, accounting, architecture office services, small item repair and fabrication, mail order businesses, custom manufacturing, or light automotive and equipment repair, among others, provided the majority of the activities are carried on in the home or in another structure on the property, e.g., a garage or pole barn. There can be some external evidence of the operation of the home occupation beyond that normally

associated with a single-family dwelling so long as it has a limited impact on the adjoining parcels. The owner(s) of the parcel wherein the home occupation must also reside at the parcel unless the parcel is zoned commercial or industrial.

HOME OCCUPATIONS (Non-Brick & Mortar): An establishment primarily engaged in the onsite production of goods and/or services which have a limited impact on adjoining development by virtue of either low development densities or more stringent review and standards. Examples of home occupations include personal services, professional services, licensed therapeutic massage, hair and nail salons, tailors, seamstresses, alterations, barbers, the practice of law, medicine, engineering, accounting, architecture office services, small item repair and fabrication, mail order businesses, custom manufacturing, or light automotive and equipment repair, among others, provided the majority of the activities are carried on in the home or in another structure on the property, e.g., a garage or pole barn. There can be no external evidence of the operation of the Home Occupation beyond that normally associated with a single-family dwelling. The owner(s) of the parcel wherein the home occupation must also reside at the parcel unless the parcel is zoning commercial or industrial.

INDUSTRIAL PARK: A planned, coordinated development of a tract of land with two or more separate industrial buildings. Such development is planned, designed, constructed, and managed on an integrated and coordinated basis with special attention given to on-site vehicular circulation, parking, utility needs, building design, orientation, and open space.

INSTITUTION, HUMAN CARE; ADULT FOSTER CARE: A public or private facility for physical, as opposed to mental, care. A human care institution may include hospitals, convalescent, assisted care facilities, nursing homes and senior housing. It does not include homes for the mentally disadvantaged or substance abuse rehabilitation facilities. See Act 218, of 1979 as amended, for definitions of Adult Foster Care.

INTENSIVE LIVESTOCK OPERATIONS: Farms that raise, feed and breed large numbers of animals in a confined space, i.e. 1,000 or more cattle, or 2,500 or more pigs, or 125,000 or more chickens, or 700 or more Dairy Cows.

KENNELS, COMMERCIAL: A place where more than five (5) dogs or five (5) cats are boarded, groomed, bred, sold or offered for compensation.

LAND USE: A use of land which may result in an earth change, including, but not limited to, subdivision, residential, commercial, industrial, recreational, or other development, private and public highway, road construction, drainage construction, agricultural practices and mining.

LICENSED MARIHUANA DISPENSARY: a/k/a "Marihuana Establishment" is a local government-regulated marihuana retail outlet with a physical location, inside a retail storefront or office building, in which a person can purchase marihuana and marihuana-related items for medical or recreational use.

LOT: A lot is the parcel of land upon which the principal building, including any accessories are placed together with the yards of open space, the legal description of which is on file at the Register of Deeds. A lot is not limited to a recorded subdivision plat.

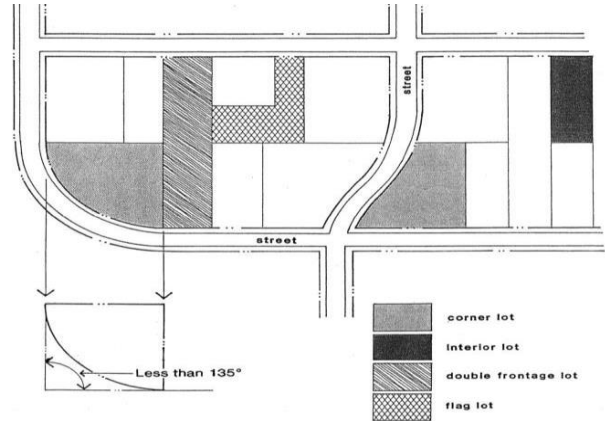
LOT AREA: The total horizontal area included within lot lines. Where the front lot line is the centerline of a road or lies in part or in whole in the road area, the lot area shall not include that part of the lot in use or to be used as the road.

LOT, CORNER: Any lot having at least two contiguous sides abutting upon a road.

LOT COVERAGE: The part or percent of the lot occupied by buildings, including accessory buildings.

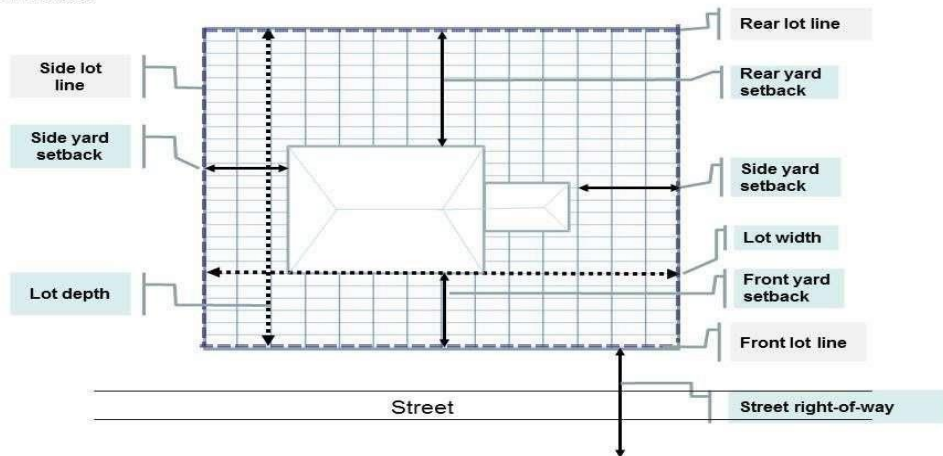
LOT DEPTH: The mean horizontal distance from the front road line to the rear lot line.

LOT, INTERIOR: Any lot other than a corner lot. See graphic for Corner Lot.



Interior & Corner Lots

Lot Lines



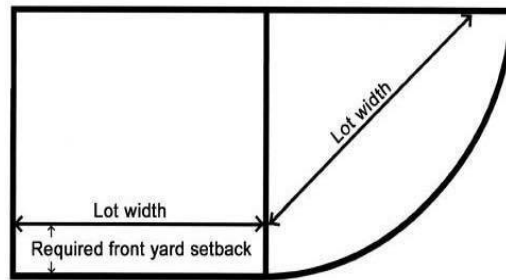
LOT LINES: Any line bounding a lot, including the following:

- a. **FRONT LOT LINE.** The line separating the lot from the right-of-way of the road; in the case of a corner line, the address of record is the front lot line.
- b. **REAR LOT LINE.** The line opposite to and most distant from the front line; in irregularly shaped lots, it shall be the straight line entirely within the lot, ten feet long, parallel to and most distant from the front lot line.
- c. **SIDE LOT LINE.** Any line other than front or rear lot lines.

LOT, THROUGH: Is any interior lot having frontage on two (2) more or less parallel roads as distinguished from a corner lot. In the case of a row of double frontage lots, all sides of said lots adjacent to roads shall be considered frontage, and front yards shall be provided as required. See graphic for Corner Lot.

LOT OF RECORD: A parcel of land, the dimensions of which are shown on a document or map on file with the County Register of Deeds or in common use by Township officials, and which actually exists as so shown, or any part of such parcel held in separate recorded ownership at the time of adoption of this ordinance.

LOT WIDTH: The lot width shall be considered the average of the width between side lot lines.



Lot Width

LOT, ZONING: A single tract of land that, at the time of filing for a building permit, is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control.

MANUFACTURING: The manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing and custom manufacturing. The manufacturing or compounding process of raw materials. These activities or processes would necessitate the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. These activities may involve outdoor operations as part of their manufacturing process.

MINI STORAGE: A place to rent a unit or space to store belongings, or to park a vehicle.

MOBILE HOME, MANUFACTURED HOME: A structure, transportable in one or more sections, that is built on a chassis and designed for use as a dwelling with or without a permanent foundation, constructed according to the standards promulgated by the U. S. Department of Housing and Urban Development, and which includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. A mobile home does not include a recreational vehicle.

MOBILE HOME PARK, MANUFACTURED HOME DEVELOPMENT: An area of land upon which three (3) or more occupied trailer coaches or mobile homes are harbored either free of charge or for revenue purposes, and shall include any building structure, vehicle, or

enclosure used or intended for use as part of the equipment of such mobile coach park, subject to A.N.S.I. code and Michigan Manufactured Housing Commission rules, Public Act 96 of 1987, as amended.

NONCONFORMING: Any building lot, sign or portion thereof lawfully existing at the time this Ordinance became effective and that does not comply with this Ordinance's regulations.

NUISANCE: An offensive, annoying, unpleasant, or obnoxious thing, or practice, a cause or source of annoyance, especially a continual or repeated invasion of a use or activity that invades the property line of another so as to cause harm or discomfort to the owner or resident of that property.

OUTDOOR COMMERCIAL SALES AND USE: A use supporting a commercial activity that provides goods or services that are stored or displayed outside of an enclosed structure.

OUTDOOR USE: A use, the majority of which is carried outside of a structure of any kind. These may include outdoor displays of merchandise, outdoor eating areas, outdoor storage and outdoor recreation under certain circumstances.

PHOTOVOLTAIC SOLAR FARM FACILITY: A large scale grid-connected photovoltaic power system designed for the supply of merchant power.

PRINCIPAL BUILDING: A building in which is conducted the principal use allowed of the lot in the district in which it is situated.

PRINCIPAL USE: The primary and predominate use of the premises including customary accessory uses.

PROCESSING: Any operation changing the nature of material or materials such as the chemical composition, physical qualities, or size or shape. Does not include operations described as fabrication, or assembly.

RECREATION, INDOOR: A recreational land use conducted entirely within a building, including arcade, arena, art gallery and studio, art center, assembly hall, athletics and health clubs, auditorium, bowling alley, club or lounge, community center, conference center, exhibit hall, gymnasium, library, movie theater, museum, performance theater, pool or billiard hall, skating rink, swimming pool, and tennis court.

RECREATION, OUTDOOR: Recreational uses conducted almost wholly outdoors, including golf driving ranges (not associated with a golf course), miniature golf, firing ranges, water parks, amusement parks, paint ball, mud bogs, and similar uses.

RECREATIONAL VEHICLE: A vehicle primarily designed and used as temporary living quarters for recreational, camping, or travel purposes, including a vehicle having its own motor power or a vehicle mounted on or drawn by another vehicle.

RECREATIONAL VEHICLE (RV) PARK/CAMPGROUND: A parcel of land reserved for the location of recreational vehicles, including building sites set aside for group camping and similar recreational vehicles.

RIGHT-OF-WAY: A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation, and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, waterline, sanitary storm sewer, or other similar uses.

RIGHT-OF-WAY LINE: The boundary of a dedicated road, highway, or strip of land used or reserved for the placement or location of utilities and facilities. See graphic for Lot Lines.

ROAD FRONTAGE: The length of the lot line that borders a public or private road at the right-of-way line.

ROAD, PRIVATE: A way open to vehicular ingress and egress established as a separate tract for the benefit of certain, adjacent properties. This definition shall not apply to driveways.

ROAD, PUBLIC: All public property reserved or dedicated for road traffic.

ROADSIDE STANDS: A booth or stall from which produce and farm products are sold to the general public.

SAND AND GRAVEL PITS, EARTH EXTRACTION: An open-pit mine where sand and gravel are extracted from the Earth's surface, typically used for construction purposes like concrete mixing and road building. Earth extraction refers to the broader process of removing any type of material from the ground, including sand, gravel, soil, or rock for various uses like construction or industrial applications.

SETBACK: The minimum required horizontal distance measured from the front, side or rear lot line, whichever is applicable, of a lot of record for purposes of determining the minimum amount of open space surrounding the main structure on that lot. See graphic for Lot Lines.

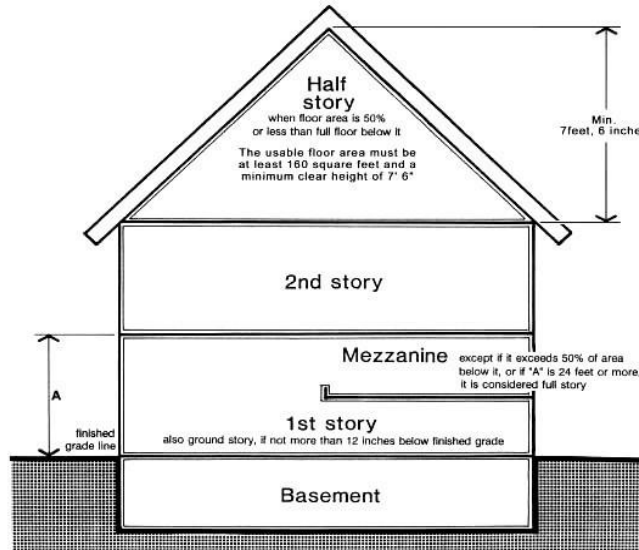
STABLE, PUBLIC: An establishment used for the breeding, rearing and housing of more than two (2) horses, ponies, and similar animals, and including riding academies and stables to which the public is admitted for a fee to ride and/or board horses.

STABLE, PRIVATE: Any building or structure and adjacent lands used for or designed for the boarding, breeding, or care of not more than two (2) horses, ponies and similar animals, other than horses used for farming or other agricultural purposes. A private riding stable may include areas and facilities for training, riding, or driving of horses and for offering of lessons to teach the riding and driving of horses for a fee to a limited number of persons having a direct interest in said horses.

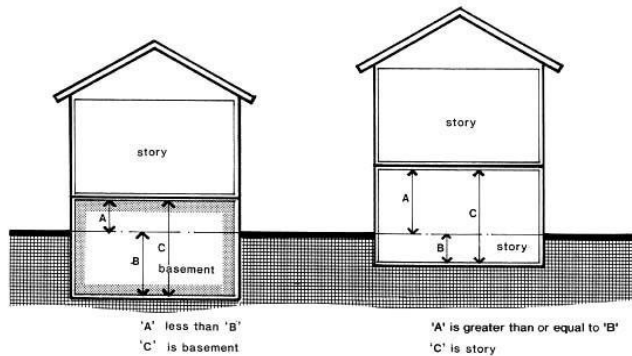
STATE LICENSED RESIDENTIAL FACILITY: A private home licensed by the State Department of Social Services for care of sick, elderly or handicapped residents. A family home is defined as having 1 to 6 residents; a group home has 7 to 20.

STORY: That portion of a building included between the surface of any floor above the average elevation or ground at the foundation wall and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.

STORY, HALF: Is an uppermost story lying under a sloping roof having an area of at least two hundred (200) square feet with a clear height of seven feet six inches (7' 6"). For the purposes of this Ordinance, the usable floor area is only that area having at least four (4') feet clear height between floor and ceiling. \



Basic Structural Terms



Basement and Story

ROAD, PRIVATE: A road that is not public as defined by this Ordinance.

ROAD, PUBLIC: Any public right-of-way, conforming to Midland County standards, that provides vehicular access to adjacent properties.

SIGN, “DIGITAL SIGN”: A permanent sign that electronically displays text, images, or graphics that can be changed remotely or automatically using digital technology, typically utilizing LED displays.

SIGN, “GROUND SIGN”: Also called a monument sign. A permanent low-to-the-ground sign that is typically placed near a road or entrance to a property.

SIGN, “POLE SIGN”: Is a permanent freestanding sign that’s mounted on a pole or other support so that the bottom of the sign is not touching the ground.

SIGN, “ROOF SIGN”: A permanent sign that is mounted or painted on the roof of a building or that extends above the highest point of the roof.

STRUCTURE CHANGES OR ALTERATIONS: Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders, or any substantial change in the roof.

SUBDIVISION OR SUBDIVIDE: The division of single lot or parcel of land, or part thereof, into two or more lots, tracts, or parcels of land for the purpose, whether immediate or future, of transfer of ownership for residential, commercial, or industrial purposes; or the division of a single lot, tract, or parcel of land, or a part thereof, into two or more lots, tracts, or parcels by means of buildings, building groups, roads, alleys, parking areas, or leaseholds, for the purpose, whether immediate or future, of building development for residential, commercial or industrial purposes, provided, however, that divisions of land for agricultural purposes only, not involving any new road or easement of access, shall not be included.

TEMPORARY BUILDING AND STRUCTURES: A use in a temporary building or structure, established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period granted in the special use permit, unless regulated by the State of Michigan.

TEMPORARY DWELLING: Includes, but is not limited to travel trailer, pop-up campers, modified trailers and tents, but does not include mobile homes as defined in the Michigan Mobile Home Commission Act (Manufactured Housing Commission).

TEMPORARY INDOOR AND OUTDOOR USES: A use carried out in an open area or uncovered or temporary structure, which is disbanded when the designated time period, activity or use for which the temporary structure was erected, has ceased.

TOWNSHIP CODE AUTHORITY: Organization that performs building, electrical, mechanical and plumbing inspections for various municipalities in Midland County including Lee Township.

USE, CHANGE OF: Any use which substantially differs from the previous use of a building or land, or which imposes other special provisions of law governing building construction, equipment, egress or ingress.

USE, LAWFUL: The legal use of any structure or land that conforms with all of the regulations of this code or any amendment that exists at the time of the enactment of this code or any amendment thereto. All other uses are considered nonconforming uses that may be deemed legal or illegal.

USED, OCCUPIED: These words are intended to include INTENDED, DESIGNED or ARRANGED to be used or occupied.

USE, TEMPORARY: A use in a temporary building or structure on a parcel, established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period granted in the administrative permit. An outdoor temporary use has fewer than 250 people in attendance at one time and may require a special use permit if determined by the Zoning Administrator or designee.

UTILITY GRID WIND AND/OR SOLAR ENERGY SYSTEMS: A Utility Grid wind and/or solar energy system is designed and built to provide electricity to the electric utility grid.

UTILITY OR PUBLIC SERVICE BUILDINGS: Any person, firm, corporation, municipal department or board, duly authorized under state or municipal regulation to furnish, and furnishing: transportation, water, gas, electricity, telephone, steam, telegraph, or sewage disposal and other services to the public.

VEHICLE, MOTOR: A self-propelled device used for transportation of people or goods over land surfaces, and licensed as a motor vehicle.

VEHICLE REPAIR: General repair, rebuilding, or reconditioning of engines, motor vehicles or trailers; collision service, including body frame or fender straightening or repair; overall painting or paint shop; vehicle steam cleaning and oil change. Vehicle repair also includes an establishment that provides for the removal and temporary storage (7 days) of vehicles but does not include disposal, permanent disassembly, salvage or accessory storage of inoperable vehicles.

VEHICLE SALES: An area used for the display, sales, service and rental of new and used motor vehicles, boats, trailers, farm equipment, construction equipment or mobile homes all in such a condition that they can be driven off the lot. A USED CAR LOT shall not be used for the storage of wrecked automobiles, the dismantling of automobiles, or the storage of automobile parts.

VEHICLE WASH: A structure containing facilities for washing automobiles using a chain conveyer or other method of moving the cars along, or machinery that moves around a stationary vehicle, and automatic or semiautomatic application of cleaner, brushes, rinse water and heat for drying, including power washers.

VETERINARY HOSPITAL/CLINIC: A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. Use as a kennel shall be limited to short-time boarding and shall be only incidental to such hospital use.

WAREHOUSE: A building primarily used for the storage of goods and materials.

WAREHOUSING/DISTRIBUTION: The storing of different types of equipment and merchandise to be shipped or sold for resale.

WHOLESALE SALES: Establishments or places of business primarily engaged in selling merchandise to retailers, to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

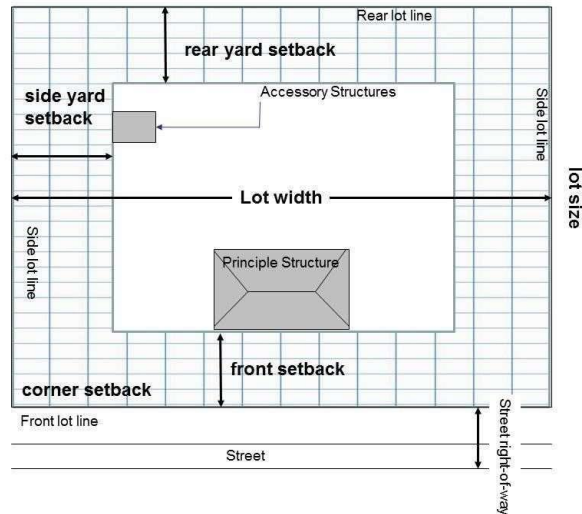
WIRELESS COMMUNICATION FACILITIES: All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals including but not limited to radio, video and television transmission towers and antennae, telephone devices and exchanges, microwave relay towers, telephone transmission equipment building and commercial mobile radio and telephone service facilities.

- a. **ANTENNA(E):** Equipment used for the transmission or reception of wireless communication signals.
- b. **AMATEUR RADIO ANTENNA:** An antenna and associated support structure that is owned and operated by a federally licensed amateur radio station operator for personal use. Also referred to as “ham radio antenna.”
- c. **BACKHAUL NETWORK:** The lines, facilities, and equipment that connect a provider’s towers or antennae to switching offices, long-distance providers or public-switched telephone networks.
- d. **CELLULAR TOWER.** A wireless communication facility designed to support one or more antennae for cellular telephone and data communication purposes.
- e. **COLLOCATION:** The location of two (2) or more wireless telecommunication facilities on a common structure, tower or building.
- f. **GROUND EQUIPMENT:** Equipment used in the operation of the facility, other than antennae or towers, and the structure or enclosure within which the equipment is stored, maintained, and serviced.
- g. **RADIO OR TELEVISION TRANSMISSION TOWER:** A wireless communication facility designed to support one or more antennae for broadcasting of digital or analog television or radio signals as a mass medium for advertising, entertainment or news.
- h. **SATELLITE DISH ANTENNA:** An antenna structure designed to receive from or transmit to orbiting satellites.
- i. **TOWER:** A structure, and any support thereto, that is intended to hold apparatus which transmits or receives radio, television, pager, telephone, or similar communications, including self-supporting lattice towers, guyed towers, light poles, wood poles or monopole towers. The term includes radio and television transmission towers and antenna arrays, microwave towers, common-carrier towers, cellular telephone and wireless Internet towers, alternative tower structures, and similar communication antennae support structures.
- j. **WIRELESS COMMUNICATION SERVICES PROVIDER:** Entity that is properly licensed by the Federal Communications Commission (FCC) and other appropriate

governmental authorities to provide services through wireless communications facilities.

YARDS: Yard is the open ground space on a premises unoccupied by buildings and includes the following:

- a. Front yard is defined as the yard extending across the full width of a premises between the nearest line of the main building or accessory structure and the front line or highway right-of-way, as the case may be.
- b. Side yard is defined as the yard extending the full depth (extending from the lot line or highway right-of-way line to the rear line of the premises) of a premises between the nearest line of the main building or accessory structure and adjacent lot line.
- c. Back yard is defined as all open, unoccupied spaces on the same premises with the building, between the building and rear lot line.
- d. Required yard is a yard, as defined, that occupies the area of a required setback.



ZERO LOT LINE: The location of a building in such a manner that one or more of the building's sides is directly on a lot line.

SECTION 2.3 TERMS NOT DEFINED IN THE ZONING ORDINANCE

Terms not specifically defined in the zoning ordinance shall be defined utilizing the Merriam-Webster Collegiate Dictionary. Emphasis shall be placed on the definition contained with the eleventh edition of said dictionary if irreconcilable discrepancies are found to exist between later editions and the eleventh edition with regards to the definition of a particular term.