

## **ARTICLE 02 - DEFINITIONS**

The following definitions of word use shall apply:

- (1) Words used in the present tense shall include the future.
- (2) Words used in the singular number shall include the plural number and the plural the singular.
- (3) The word "shall" is mandatory and not discretionary.
- (4) The word "may" is permissive.
- (5) The word "lot" shall include the words "piece", "parcel" and "plot".
- (6) The phrase "used for" shall include the phrases "maintained for" and "occupied for".
- (7) The phrase "designed for" shall include the phrases "arranged for" and "intended for".
- (8) All "measured distances" shall be to nearest foot. If a fraction is one-half foot (1/2') or less, the next full number below shall be taken.
- (9) The word "building" includes the word "structure".
- (10) The words "dwelling", "family dwelling", "2 family dwelling", "multiple dwelling", "building", "house", "premises", or "lot" as used in this Ordinance shall be construed as if followed by the words "or any part thereof".

Any words not defined in this Ordinance shall be construed as defined in the Housing Law of Michigan, Act 167, Public Acts of 1917, as amended.

**ABANDONED SIGN:** A sign which no longer identifies or advertises a bona fide business, owner, leaser, person, service, product or activity, or for which no legal owner can be found.

**ACCESSORY BUILDING:** An accessory building is a subordinate building situated upon the same lot as the main building the use of which is incidental to the main building.

**ACCESSORY USE:** An accessory use is a use subordinate and customarily incidental to the main use on a lot.

**ADULT ORIENTED BUSINESS SHALL INCLUDE AND IS DEFINED AS FOLLOWS:**

- (1) **ADULT BOOKSTORE:** An establishment having as a substantial or significant portion of its stock and trace, books, magazines, video tapes, films, recordings, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to “specified sexual activities” or “specific anatomical areas” or any other “sexually explicit matter” as hereinafter defined or an establishment with a segment or section devoted to the sale or display of such material.
- (2) **ADULT MOTION PICTURE THEATER:** An enclosed building used for presenting material distinguished or characterize by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical area” or any other “sexually explicit matter” as hereinafter defined, for observation by patrons therein.
- (3) **ADULT MINI-MOTION PICTURE THEATER:** An enclosed building with a capacity of less that fifty(50) persons used for presenting material distinguished or characterized by an emphasis on matters depicting, describing or relating to “specified sexual activities” or “specified anatomical area” or any other “sexually explicit matter” as hereinafter defined, for observation by patrons therein.
- (4) **CABERAT:** A business establishment which features topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators or similar entertainers.
- (5) **BATHING ESTABLISHMENTS:** Any place of business which, in exchange for a fee, provides as its principle function, bathing facilities, sauna baths, steam rooms or Turkish baths.
- (6) **NUDE AND/OR TOPLESS SERVICES:** An establishment which features or offers as a portion of its business the services of models, masseurs, masseuses, employees, etc., who are nude, semi-nude, or topless when performing their services.
- (7) **ADULT NOVELTY BUSINESS:** An establishment having as a portion of its business, the sale of devices for the stimulation of the human genitals or devices designed for sexual stimulation.
- (8) **ADULT PERSONAL SERVICE BUSINESS:** An establishment having as a principal activity a person of one sex, while nude or partially nude, providing personal services for any person on an individual basis in a closed room. It includes, but is note limited to, the following activities and services: Massage parlors, exotic rubs, modeling studios, body painting studios, wrestling studios, individual theatrical performance. It does not include activities performed by persons pursuant to and in accordance with, licenses issued to such persons by the State of Michigan.

- (9) **ESCORT SERVICES:** An establishment which provided the services of escorting persons for a payment of a fee.

**AIRCRAFT LANDING AREA:** Any premises which are used or made available for the landing or takeoff of aircraft, including premises which are classified as a restricted landing area as contemplated by the rules and regulations promulgated by the Michigan Department of Transportation Division of Aeronautics, and including any appurtenant areas which are used or suitable for use for buildings or facilities incidental to aircraft services.

**ALLEY:** A narrow thoroughfare upon which the rear of premises generally abut or upon which service entrances of buildings abut, and which is not generally used as a thoroughfare by both pedestrians and vehicles, or which is not used for general traffic circulation, or which is not in excess of 30 feet in width at its intersection with a street.

**ALTERATION:** As used in this Article, the term "alteration" (or "alter," "altered" etc.) means any change in a sign, including, without limitation, any change in a sign's dimensions, shape, area, height, number or orientation of sign faces, structural support, location on the property, materials or lighting. A change solely in the wording of the copy of a sign shall not constitute an "alteration" for purposes of this Article, unless the result of the change would cause the sign to be reclassified to a type of sign subject to different or more restrictive regulation (e.g., a change from an on-premise to an off-premise sign).

**APARTMENTS:** A suite of rooms or a room in a multiple-family building arranged and intended for a place or residence of a single-family or group of individuals living together as a single house keeping unit.

**ARCHITECTURAL FEATURE:** Any construction attendant to, but not an integral part of the sign, which may consist of landscape, building, or structural forms that enhance the site in general; also, graphic stripes and other architectural painting techniques applied to a structure that serves a functional purpose, or when the stripes or other painting techniques are applied to a building provided such treatment does not include lettering, logos or pictures.

**BANNER SIGN:** A sign made of lightweight fabric or similar material with no enclosing framework that is mounted to a building or other structure at one or more edges

**BASEMENT:** That portion of a building which is partly or wholly below grade but is so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story.

**BED AND BREAKFAST:** A bed and breakfast facility is a dwelling licensed to serve over night guests in a residence for a fee. Such a facility shall be owner occupied with the owner operating the facility as proprietor.

**BUILDING:** Any structure, either temporary or permanent, having a room supported by columns or walls, and intended for the shelter or enclosure of persons, animals, chattels or property of any kind.

**BUILDING HEIGHT:** The vertical distance measured from the established grade to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip and gambrel roofs. Where a building height is located on sloping terrain, the height may be measured from the average ground level of the grade at the building wall. The maximum height allowed does not apply to incidental appurtenances such as mechanical equipment, stacks, water towers, chimneys, flag poles and farm silos.

**BUILDING, EXISTING:** An "existing" building is any building actually constructed or the construction of which is started previous to the effective date of this Ordinance; provided that the construction of any such building continues uninterruptedly and is completed within 6 months from such date.

**BUILDING LINE:** A line formed by the face of the building. A minimum building line is the same as the front setback line.

**BUILDING WALL:** Any vertical surface of a building or structure (other than a pitched roof) that is integral to and could reasonably be constructed as part of the architecture of the building when a sign(s) are not being contemplated. Examples of building walls include but are not limited to: awnings, canopies, marquees, the vertical portion of gable roofs, parapets, mechanical penthouses, etc.

**CHANGEABLE COPY SIGN:** A portion of a sign with letters, characters, or graphics that are not permanently affixed to the structure, framing, or background allowing the letters, characters or graphics to be modified from time to time manually or by electronic or mechanical devices, such as a bulletin board or electronic message board. Changeable copy signs may not be used to display commercial messages relating to products or services that are not offered on the property.

**CLUB:** A non profit organization of persons for the promulgation of sports, arts, sciences, literature, politics or the like.

**COMMERCIAL MESSAGE:** Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, locates or calls attention to a business, profession, product, service, or other commercial activity.

**COMMUNITY SERVICE GROUP SIGN:** A sign which displays the name or logo of an agency, organization or group whose primary purpose is to promote or provide community or public service, including, but not limited to, the Rotary Club, Jaycee's, Lion's Club or Ambuc's.

**COMMUNITY SPECIAL EVENT SIGN:** A sign, either portable or non-portable, displayed only for a limited time, to call attention to special events of interest to the general public which are sponsored by governmental agencies, schools or other groups

which are non-profit and whose purpose is charitable, philanthropic, religious or benevolent.

**COMPREHENSIVE PLAN:** The Comprehensive Plan for the Village of Pellston as may be amended or updated, including graphic and written proposals indicating the general location for streets, parks, schools, public buildings and other physical development features.

**CONSTRUCTION SIGN:** A sign which identifies the owners, lenders, contractors, architects, and engineers of a project under construction, as well as the project itself and is under six square feet in area.

**CONVALESCENT OR NURSING HOME:** A structure with sleeping rooms where persons are housed and furnished with meals, nursing and medical care.

**COPY:** The wording on a sign surface in either permanent or removable letter form.

**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.

**DIRECTIONAL SIGN:** A sign which gives directions, instructions, or facility information for the movement of vehicles or pedestrians on the lot on which the sign is located, such as parking or exit and entrance signs, but not including a commercial message.

**DISTRICT:** Any section of the Village of Pellston within which the zoning regulations are uniform.

**DRIVE-IN:** A business establishment so developed that its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle rather than within a building or structure.

**DWELLING:** A building or portion thereof designed or used exclusively for residential occupancy, but not including house trailers, mobile homes, hotels, motels, boarding and lodging houses, tourist courts or tourist homes.

**DWELLING, MULTIPLE:** A building designed for or occupied exclusively by three or more families.

**DWELLING, SINGLE-FAMILY:** A building designed for or occupied exclusively by one family.

**DWELLING, TWO-FAMILY:** A building designed for or occupied exclusively by two families.

**ERECTED:** Built, constructed, altered, reconstructed, moved upon, or any "physical" operations on the premises which are required for construction, excavation, fill, drainage, and the like, shall be considered a part of erection.

**ESSENTIAL SERVICES:** The erection, construction, alteration or maintenance by public utilities or municipal departments of underground, surface, or overhead; gas, electrical, steam, fuel or water transmission or distribution system, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants, and similar equipment in connection herewith, but not including buildings, which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general health, safety or welfare.

**EXCAVATION:** Any breaking of ground, except common household gardening, ground care, and soil tilling related to agricultural production or tree plantations.

**FAMILY:** One of two persons or parents, with their direct lineal descendants and adopted children (and including the domestic employees thereof) together with not more than two persons not so related, living together as a single housekeeping unit., Every additional group of two or less persons in a dwelling unit shall be considered as a separate family.

**FARM:** A "farm" includes structures, facilities and lands for carrying on of agricultural activity or the raising of livestock or small animals as a source of income.

**FLAG:** Any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision, corporate or commercial entity, or institution. A corporate or commercial, or institutional flag may only display the name, trademark, or logo of the business or institution on the parcel and such flag may not be used for other business or advertising purposes.

**FLOOR AREA, USABLE:** For the purpose of computing parking requirements, usable floor area is that area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons clients or customers. Floor area used or intended to be for the storage or processing of merchandise, hallways, and utilities or sanitary facilities shall be excluded for the computation of usable floor area.

**FLOOR AREA, GROSS:** The total floor area of a building measured by adding the outside dimensions of the building at each floor level intended for occupancy or storage.

**FREESTANDING SIGN:** A sign not attached to a building or wall, which is supported by 1 or more poles or braces or which rests on the ground or on a foundation resting on the ground.

**GARAGE, PRIVATE:** Accessory building space designed or used solely for the storage of motor-driven vehicles, owned and used by the occupants of the building to which it is accessory.

**GARAGE/YARD/RUMMAGE SALE:** Occasional sales (garage sales and patio sales only) at retail, not to exceed two (2) in number on the same premises in any one (1) calendar year, by a person who does not hold out as engaging in, or does not habitually engage in, the business of selling such property at retail; provided that 1) the sale shall

be confined to the garage and or yard of the premises; 2) no new merchandise acquired solely for the purpose of resale on the premises shall be sold at such occasional sale; 3) the duration of each such sale shall not exceed three (3) consecutive calendar days; 4) a permit shall be secured at least seventy-two (72) hours prior to and shall be prominently posted on such premises during such sale; 5) the permit fee amount shall be as established by the Village Council; 6) only two (2) signs shall be permitted, not to exceed two (2) square feet in area, upon the premises where and when the sale is taking place and a nearby location. In addition, all signage relating to the sale must be removed at the end of the sale. All other signs relating to the sale, either on or off the premises, shall be violations of this ordinance.

**GASOLINE SERVICE STATION:** A place primarily operated and designed for the dispensing, sale or offering for sale of motor fuels directly to users of motor vehicles, together with the sale of minor accessories.

**GOVERNMENTAL SIGN:** A sign erected or required to be erected by Village of Pellston, Emmet County, or the state or federal government.

**GRADE:** 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 ground is not level, the grade shall be determined by averaging the elevation of the ground for each face of the building.

**GREENBELT, SCREENING:** A strip of land of definite width and location reserved for the planting of shrubs and/or trees to serve as an obscuring screen or buffer strip in carrying out the requirements of the Zoning Ordinance.

**GREENBELT, SHORELINE:** When bordering bodies of water, an undisturbed area of land paralleling the water's edge to a depth of the required zoning setback distance if not otherwise stipulated, which is retained in a natural condition and is essentially void of any structural improvements. Beaches and/or vegetated areas shall be defined as shoreline greenbelts.

**GROUND SIGN:** A freestanding sign the bottom of which is no more than 24 inches above the finished grade.

**HOME OCCUPATION:** Where permitted in a district, an accessory use of a residential premises by the occupant which may be carried on for gain, provided that the use does not take on the character of a business or industrial use in terms of signs, open storage, parking bays, visible display, traffic, noise, vibration, smoke, dust, odor, and/or other similar nuisances; and further, the activity does not conflict with, or operate out of character with, any surrounding or adjacent uses. The term "home occupation" does not include garage sale activity.

**HOTEL:** See definition "Motel or Motor Inn".

**IDEOLOGICAL OR POLITICAL SIGN:** Any temporary sign displaying or advocating an idea, opinion or position on any social, cultural, religious or political issue and containing no commercial message.

**INFLATABLE SIGN:** Any inflatable shape or figure designed or used to attract attention to a business event or location. Inflatable promotional devices shall be considered to be temporary signs under the terms of this Article and, where applicable, subject to the regulations thereof.

**INSTRUCTIONAL SIGN:** A sign that has a purpose secondary to the use on the lot and that is intended to instruct employees, customers, or users as to matters of public safety or necessity such as specific parking requirements, the location or regulations pertaining to specific activities on the site or in the building, and including a sign erected by a public authority, utility, public service organization, or private industry that is intended to control traffic; direct, identify or inform the public; or provide needed public service as determined by the rules and regulations of governmental agencies or through public policy.

**JUNK/SALVAGE YARD:** An open area where waste, used or second hand materials are bought and sold, exchanged, stored, baled, packed, disassembled or handled including, but not limited to scrap and other metals, paper, rags, rubber tires, and bottles. A "junk/salvage" yard includes automobile wrecking yards and includes any area of more than two hundred (200) square feet for storage, keeping or abandonment of junk, but does not include uses established entirely within enclosed buildings.

**KENNEL, COMMERCIAL:** A dwelling unit or a nonresidential building, structure, parcel of land or portion thereof in which three (3) or more dogs, cats or other household domestic animals are maintained, boarded, bred, cared for or kept for the purpose of sale, or temporary boarding but not including veterinary care or treatment.

**LOADING SPACE:** An off-street space for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials.

**LOT, CORNER:** A lot which has an interior angle of less than one hundred thirty-five degrees (135) at the intersection of two (2) street lines. A lot abutting on a curved street shall be considered a "corner lot" if the tangents to the curve at the points of intersection of the side lot lines intersect as an interior angle of less than one hundred thirty-five degrees (135).

**LOT COVERAGE:** That portion of the lot occupied by main and accessory building.

**LOT DEPTH:** The horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.

**LOT LINES:**

- (1) Front lot line: is that line which creates the abutting street right of way line (in the case of a corner lot the front line shall be that line which the front of the house faces).
- (2) Rear lot line: that line which is opposite the front line.
- (3) Side lot line: any lot line other than the front or rear lot line.



**LOT, INTERIOR:** A lot other than a corner lot.

**LOT OF RECORD:** A lot which is part of a subdivision, the map of which has been recorded in the office of the Register of Deeds of Emmet County; or a parcel of land, the deed of which was recorded in the office of the Register of Deeds of Emmet County.

**LOT WIDTH:** Lot width is the distance from one side lot line to the other side lot line measured at the minimum building setback permitted in this Ordinance.

**LOT, ZONING:** A contiguous tract of land which 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 simple ownership or control. A zoning lot may not coincide with a lot of record, but may include one or more lots of record.

**MAIN BUILDING:** A building containing the principal use of the lot upon which it is situated.

**MASTER PLAN:** See Comprehensive Plan.

**MEMORIAL SIGN:** A non-illuminated sign, tablet, or plaque memorializing a person, event, structure or site.

**MOBILE HOME:** Any structure designed and pre-manufactured as a complete and transportable housing unit to be used as a place of residence for one family. Mobile homes are structures legally transportable over a highway, but the term shall not include licensed travel trailers. The term "mobile homes" shall include double wide mobile homes, but shall exclude modular homes or pre-manufactured homes which are installed with a permanent foundation and which do not come with a steel frame attached.

**MOBILE HOME-Permanent:** Mobile Homes shall be considered permanent dwellings when the unit is mounted on a continuous masonry foundation or on a foundation of solid masonry pilings as specified elsewhere in this ordinance. Further, the permanent mobile home shall meet the minimum floor area requirements for one-family dwellings, be securely anchored to the ground, and be taxable as real estate on the local assessment roll

**MOBILE HOME-Temporary:** Any unit other than a travel trailer or permanent mobile home having no foundation; but which may be equipped with wheels or other devices for transporting from place to place.

**MOBILE HOME PARK:** A parcel or tract of land under the control of a person upon which three (3) or more mobile homes are located on a continual non recreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, structure, enclosure, sheet, equipment or facility used or intended for use incident to the occupancy of a mobile home and which is not intended for use as a temporary trailer park.

**MOTEL, MOTOR INN OR HOTEL:** A building or part of a building with a common entrance or entrances in which the dwelling units or rooming units are used primarily for transient occupancy. A hotel or motor inn may contain a restaurant, cocktail lounge and conference center facilities.

**NON-COMMERCIAL SIGN:** A sign, either portable or non-portable, without any commercial message. For example, a sign identifying a candidate for public office is a non-commercial sign.

**NON-CONFORMING USE:** A building, structure or use of land lawfully existing at the time of enactment of this Ordinance, and which does not conform to the regulations of the District or Zone which it is situated.

**NUISANCE:** The word "nuisance" shall be held to embrace public nuisance as known at common law or in equity jurisprudence; and whatever is dangerous to human life or detrimental to health; and any dwelling or building which is over-crowded with occupants or is not provided with adequate ingress or egress to or from the same, or is not sufficiently supported, ventilated, sewered, drained, cleaned or lighted in reference to its intended or actual use; and whatever renders the air or human food or drink unwholesome, are also severally.

**NURSERY, PLANT MATERIALS:** 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 does not include space used for the sale of fruits, vegetables, gifts, lawn furniture and gardening or farm equipment.

**OFF-PREMISE SIGN:** A sign which relates to or advertises an establishment, product, merchandise, good, service or entertainment which is not located, sold, offered, produced, manufactured or furnished at the property on which the sign is located (including, but not limited to, billboards).

**ON-PREMISE SIGN:** A sign which pertains solely to the use of the property on which it is located such as to an establishment, product, merchandise, good, service or entertainment which is located, sold, offered, produced, manufactured or furnished at the property on which the sign is located.

**PARCEL:** a distinct, continuous portion or tract of land assigned the same tax identification number.

**PARKING LOT, OFF STREET:** An area of definite length and width exclusive of drives, aisles or entrances giving access thereto and fully accessible for the storage or parking of permitted vehicles.

**PARKING AISLES:** That portion of the parking lot consisting of lanes which provide access to parking spaces. Aisles shall not be less than 24 feet in width.

**PARKING SPACE:** A parking space is an accessible area either garage or surfaced area, not less than 10 feet in width and 20 feet in length, exclusive of area required for ingress or egress, which can be used at all times for parking a motor vehicle.

**PERSON:** An individual, partnership, association, trust or corporation or any other legal entity or combination thereof.

**PLANNED UNIT DEVELOPMENT (PUD):** A residential or commercial development guided by a master design plan in which one or more of the zoning or subdivision regulations, shall be permitted to be waived or varied to allow flexibility and creativity in site and building design and location, in accordance with guidelines shown herein.

**PLANNING COMMISSION:** The official constituted planning body of the Village of Pellston, created per Act 285 of 1931, the Municipal Planning Act.

**POLE SIGN:** A freestanding sign, the bottom of which is more than 24 inches above the finished grade, and which is supported by a structure, poles, or braces which are less than 50 percent of the width of the sign.

**PORTABLE SIGN:** A sign that is not permanent or affixed to a building or structure and by its nature may be or is intended to be moved from one location to another, whether rented or owned, such as "A" frame signs or signs attached to or painted on vehicles parked and visible from the public right-of-way, unless the vehicle is used for vehicular purposes in the normal day-to-day operations of the business.

**PRINCIPAL USE:** The primary or chief purpose for which the lot is used.

**PROJECTING SIGN:** A sign that is attached to a building wall and extending perpendicular to (or approximately perpendicular to) the building wall and twelve (12) inches or more beyond the face of the wall.

**PUBLIC UTILITY:** A public utility is any person, firm, corporation, municipal department or board duly authorized to furnish or furnishing under regulation, to the public, electricity, gas, steam, communication, transportation, drainage or water.

**REAL ESTATE SIGN:** A non-illuminated temporary sign pertaining to the sale, rent or lease of the property on which it is located.

**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.

**RECREATION CAMPS, LODGES & RESORTS:** A recreational facility normally operated for gain, which provides overnight lodging and one or more of the following activities: golf, skiing, dude ranching, so called, recreational farming, snowmobiling, pack trips, boating and related.

**RESIDENTIAL SUBDIVISION IDENTIFICATION SIGN:** A permanent sign identifying a recognized platted subdivision, site condominium project, multi-family development, or other residential development, which subdivision, project or development has been approved by the Village as provided by this ordinance.

**RESIDENTIAL SUBDIVISION LAYOUT SIGN:** A temporary sign used to graphically display the lots of a recognized platted subdivision, site condominium project, multi-family development, or other residential development, which subdivision, project or development has been approved by the Village as provided by this ordinance. Typically used for the promotion of the development and sale of those lots.

**ROADSIDE STAND:** An accessory and temporary farm structure operated for the purpose of selling local agricultural products raised or produced by the proprietor and his employees on the same premises.

**ROOF LINE:** For purposes of this ordinance, "roof line" means the top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys or minor projections.

**ROOF SIGN:** A sign, or any portion thereof, erected, constructed, or projecting upon or over the roof or parapet wall of any building whether the principal support for the sign is on the roof, wall or any other structural element of the building.

**ROOM:** For the purpose of determining lot area requirements and density. A room is a living room, dining room or bedroom equal to at least eighty (80) square feet in area. A room shall not include the area in kitchen, sanitary facilities, utility provisions, corridors, hallways and storage.

**SETBACK:** The distance required to obtain front, side or rear yard open space provisions of this Ordinance.

**SHOPPING CENTER:** A group, cluster or complex of retail stores within a single architectural plan, and occupying a site under single ownership, management or control. At least three (3) retail stores and services, so arranged or planned, shall qualify as a shopping center for zoning purposes.

**SIGN:** A device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of any business, establishment, person, entity, product, service or activity, or to communicate information of any kind to the public.

**SIGN, ACCESSORY:** A sign which is accessory to the principal use of the premises and located on the same lot as the principal use.

**SIGN PLATE:** A building sign not exceeding two (2) square feet indicating the street number, the name of the person, business, profession or activity occupying the lot, building, or part thereof; or other information pertaining to the use on the lot.

**STATE LICENSED RESIDENTIAL FACILITY:** A structure constructed for residential purposes licensed after March 31, 1977, by the state pursuant to Act No. 287 of the Public Acts of 1972, as amended, which provides resident services for 6 or less persons under 24-hour supervision or care for person in need of that supervision or care. An adult foster care facility for care and treatment of persons released from or assigned to adult correctional institutions does not constitute a state licensed residential facility. A state licensed residential facility, providing supervision or care, or both, to six (6) persons or fewer shall be considered a residential use of property and permitted use is all residential zones.

**STORY:** That part of a building, except a mezzanine and/or basement, between the surface of one floor and the surface of the next floor, or if there is no floor above, than the ceiling next above. A story shall not be counted as a story when more than fifty (50) percent, by cubic content, is below the grade level of the adjoining ground.

**STORY, HALF:** 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 useable floor area is only that area having at least four feet (4') clear height between floor and ceiling.

**STREET:** A public dedicated right-of-way, affording the principal means of access to abutting property (excludes alleys).

**STRUCTURE:** Anything constructed or erected, the use of which requires location on the ground or attachment something having location on the ground.

**TEMPORARY SIGN:** A sign that is designed to be used only temporarily and is not intended to be permanently attached to a building, structure or permanently installed in the ground. These include, but are not limited to, political signs, special event signs, and for sale or leasing signs. Mobile and portable signs are temporary signs. Temporary signs may be displayed as window signs.

**TEMPORARY USE OF BUILDING:** A use or building permitted to exist during periods of construction of the main building or use, or for special events.

**TRAVEL TRAILER AND CAMPER:** A trailer coach, motor home, tent camper, de-mountable camper or unit designed as a vacation unit for short-term seasonal occupancy, which measures eight (8) feet or less in width and designed to be operated on highways.

**USE, REASONABLE:** A proposed use is "reasonable" when it would be harmonious, compatible, appropriate, would not impinge unreasonably on the value or use of nearby properties, and would not impair sound communal development as and where proposed to be established. An existing use is "reasonable" when it is harmonious, compatible, and appropriate as and where established, does not impinge unreasonably on the value or use of nearby properties, and does not impair sound communal development. Uses which are not "reasonable" are "unreasonable." No use shall be

deemed "reasonable" if its establishment or actual conduct is unlawful under the statutory or common law of this state.

USEABLE FLOOR AREA: See Floor area, Useable.

WALL/BUILDING SIGN: A sign painted or attached directly to and parallel to the exterior wall of a building. A wall sign shall extend no greater than 12 inches from the exterior face of a wall to which it is attached, shall not project beyond the wall to which it is attached, and shall not extend above the roof line of the building to which it is attached.

WINDOW SIGN: A sign that is applied or attached to a window or door, or a sign located near a window within a building for the purpose of being visible to and read from the outside of the building except for signs that are not legible from a distance of more than three feet beyond the building in which such sign is located.

YARD: A yard is an open space, unoccupied and unobstructed from the ground upwards, except as otherwise provided herein, and on the same lot with a building. The measurement of a yard shall be the minimum horizontal distance between the lot lines and the building or structure.

- (1) Required Yard: That portion of any lot on which the erection of a main building is prohibited.
- (2) Front Yard: A yard on the same lot with a building between the front line of the building and the front lot line and extending from one side lot line to the other side lot line.
- (3) Rear Yard: A yard on the same lot with a building between the rear line of the building and the rear lot line and extending from one side lot line to the other side lot line.
- (4) Side Yard: A yard on the same lot with a building between the side lot line and the nearest side line of the building and extending from the rear yard to the front yard.
- (5) Corner lots and through lots: A lot with frontage on two or more streets (corner lots and through lots) shall have a building setback from each street not less than the required front yard. In case of a corner lot, a rear yard is required, but such yard may be any yard not facing a public street. In cases of through lots, one yard shall be designated on the plans as the rear yard and one as a front yard for purposes of locating accessory buildings. A single lot shall not be required to have more than two front yards.