

## **ARTICLE 2 DEFINITIONS**

### **2.1 RULES APPLYING TO TEXT**

The following listed rules of construction apply to the text of this ordinance:

- A. The particular will control the general.
- B. The headings which title an article, section, or subsections are for convenience only and are not to be considered in any construction or interpretation of this ordinance or as enlarging or restricting the terms and provisions of this ordinance in any respect.
- C. The words “shall” and “will” are always mandatory and not discretionary. The word “may” is permissive.
- D. Unless the context clearly indicates to the contrary:
  - 1. Words used in the present tense will include the future tense.
  - 2. Words used in the singular number will include the plural number.
  - 3. Words used in the plural number will include the singular number.
- E. A “building” or “structure” includes any part thereof.
- F. The word “person” includes a firm, association, partnership, joint venture, corporation, trust, or equivalent entity or a combination of any of them, and a natural person.
- G. The words “used” or “occupied,” as applied to any land or building, will be construed to include the words “intended,” “arranged,” or “designed to be used,” or “occupied.”
- H. Any word or term not defined herein will be considered defined by its common or standard definition.
- I. The following listed terms and words are defined for their use in this ordinance. These definitions will apply in the interpretation and enforcement of this ordinance unless otherwise specifically stated.

### **2.2 ACCESSORY USE OR STRUCTURE**

A use, building, or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal uses, building, or structure.

**2.02(a) ADULT ENTERTAINMENT**

Any establishment characterized by an emphasis on depicting or describing sexual or sexually related material, activities, or entertainment. Adult entertainment facilities may also be characterized as having material for viewing, sale, or rent, such as books, films, or slides; or live entertainment such as striptease or floor shows engaging showgirls or other similar descriptions or professions. Adult entertainment facilities are commonly known as adult book or video stores, adult motion picture theaters, adult novelty stores, striptease joints, topless bars, etc., where there is in any of the forms described above, or depictions of sexual activities involving less than completely covered human genitals, groin, buttocks, breasts, or crotch. A business is considered adult entertainment if 35 percent or more of its stock, shelf space, materials, services, or floor area is for the sale or display of, or is characterized by an emphasis on, the above-described matters.

**2.02(b) ADULT FOSTER CARE** (added September 4, 2020):

- A. Adult Foster Care Facility – a home or facility that provides foster care to adults. Subject to section 26a(1) of PA 218 of 1979 as amended, adult foster facility includes facilities and foster care family homes for adults who are aged, mentally ill, developmentally disabled, or physically disabled who require supervision on an ongoing basis but who do not require continuous nursing home care.
- B. Adult Foster Care Family Home - a private residence with the approved capacity to receive at least 3 but not more than 6 adults to be provided with foster care. The adult foster care family home licensee must be a member of the household and an occupant of the residence.
- C. Adult Foster Care Large Group Home - an adult foster care facility with the approved capacity to receive at least 3 but not more than 12 adults to provide with foster care.
- D. Adult Foster Care Small Group Home - an adult foster care facility with the approved capacity to receive at least 3 but not more than 12 adults to be provide with foster care.
- E. Adult Foster Care Private Residence - with the capacity to receive at least 1 but not more than 4 adults who all receive benefits from a community mental health services program if the local community mental health services program monitors the services being delivered in the residential setting.

**2.02(c) AGRICULTURAL LABOR CAMP** (added February 6, 2009)

A tract of land and all tents, vehicles, buildings, or other structures pertaining thereto, part of which is established, occupied, or used as living quarters for 5 or more migratory laborers engaged in agricultural activities, including related food processing.

**2.02(d) AMBIENT SOUND LEVEL** (added April 30, 2010)

The amount of background noise at a given location prior to the installation of exterior machinery. The Ambient Sound Level may include, but not be limited to, traffic, machinery, lawnmowers, human activity, and the interaction of wind with the landscape. The Ambient Sound Level is measured on the dB(A) weighted scale as defined by the American National Standards Institute (ANSI)



**2.02(e) ANEMOMETER** (added April 30, 2010)

A temporary wind speed indicator constructed for the purpose of analyzing the potential for utilizing a wind energy turbine at a given site. This includes the tower, base plate, anchors, cables and hardware, wind direction vanes, booms to hold equipment, data logger, instrument wiring, and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a give location.

**2.02(f) ANSI (American National Standards Institute)** (added April 30, 2010)

**2.02(g) ANIMAL** (amended June 28, 2019)

- A. Large: A large animal is a domesticated animal including but, not limited to a horse, cow, goat, sheep, pig, llamas, emu or other similar animals.
- B. Fowl: animals including but, not limited to chicken, turkey, duck, goose other similar animals.

**2.02(h) AUTOMOBILE REPAIR, MAJOR**

Major automobile repair includes general repair, rebuilding, or reconditioning of engines or vehicles; collision service (including body repair and frame straightening); painting or upholstery; or vehicle steam cleaning and undercoating.

**2.02(i) AUTOMOBILE REPAIR, MINOR**

Minor repairs, incidental replacement of parts, or motor service to passenger automobiles and trucks not exceeding 2 tons capacity; provided, however, there is excluded any repair or work included in the definition of “Automobile Repair, Major.”

**2.3 BASEMENT**

The basement is that part of a building, or part of a room, located wholly or partially below grade, but not including any part thereof not so located.

**2.03(a) BED AND BREAKFAST**

A residential building, other than a hotel or motel, also known as a boarding house or lodging house, where lodging is provided by a resident family in its home for compensation, mainly for transients.

**2.03(b) BILLBOARDS AND SIGNS**

- A. Billboard: Any structure, including the wall of any building, on which lettered, figured, or pictorial matter is displayed for advertising a business, service, or entertainment which is not conducted on the land upon which the structure is located or products not primarily sold, manufactured, processed, or fabricated on such land.
- B. Business sign: Any structure, including the wall of any building, on which lettered, figured, or pictorial matter is displayed for advertising a business, service, or entertainment conducted on the land where the structure is located, or products primarily sold, manufactured, processed, or fabricated on such land.
- C. Real estate sign: Any temporary structure used only to advertise with pertinent information the sale, rental, or leasing of the premises upon which it is located.

- D. Identifying sign: Any structure on the same premises it identifies which serves only:
  - 1. To tell the name or use of any public or semipublic building or recreation space, club, lodge, church, or institution;
  - 2. To tell the name or address of an apartment house, hotel, or motels; or
  - 3. To inform the public as to the use of a parking lot.
- E. Name Plate: A structure affixed flat against the wall of a building which serves solely to designate the name or the name and profession or business occupation of a person or persons occupying the building.

**2.03(c) BOAT DOCKAGE**

A boat dockage includes any means to secure a water craft in or above the water, whether it is a pier, dock, mooring, shore station, slip, hoist, tether, or other means, despite the distance from the water’s edge.

**2.03(d) BUILDING**

A building is a structure which is constructed or erected having a roof supported by columns, walls, or other supports, which is used for housing or storing of persons, animals, or personal property or carrying on business activities or other similar uses.

**2.03(e) BUILDING HEIGHT**

The vertical distance measured from preexisting grade to the highest point of the roof surface. On a slope, the grade will be measured from the lowest point of the structure. The highest point of mansard roofs or flat roofs is the deck. For gable, hip, and gambrel roofs, the highest point is the mean height between the eaves and ridge.

**2.4 CHILD CARE CENTER** *(Revised September 4, 2020)*

A. CHILD CARE CENTER

A facility, other than a private residence, receiving 1 or more children under 13 years of age for care periods of less than 24 hours a day, where parents or guardians are not immediately available to the child. Child 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.

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 household 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 4 weeks during a calendar year.

C. GROUP CHILD CARE HOME

A private home, in which more than six (6) but not more than twelve (12) minor children are given care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related by blood, marriage or adoption to a member of the family occupying the dwelling. A group day care home shall include a dwelling in which care is given

to more than six (6) unrelated minor children for more than four (4) weeks during a calendar year.

**D. FOSTER FAMILY GROUP HOME**

A private home in which more than 4 but fewer than 7 minor children, who are not related to an adult member of the household by blood or marriage, who are not placed in the household under the Michigan adoption code, chapter X of the probate code of 1939, Public Act 288 of 1939, MCL 710.21 to 710.70, or who are not hosted in the private home as provided in the Safe Families for Children Act, 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.

**E. 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, who are not placed in the household under the Michigan adoption code, chapter X of the probate code of 1939, Public Act 288 of 1939, MCL 710.21 to 710.70, or who are not hosted in the private home as provided in the Safe Families for Children Act, are given care and supervision 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.

**2.04(a) CLUSTERING**

Grouping of dwelling units on those portions of a site best suited for development, leaving other areas open and free from development. Individual lots are smaller than otherwise would be allowed.

**2.04(b) COMMERCIAL SOLAR ENERGY FACILITY (CSEF) (added June 28, 2019)**

An energy facility, area of land, or a structural rooftop principally used to convert solar energy to electricity, which includes, but not limited to, the use of one or more solar energy systems.

**2.04(c) COMMUNICATIONS TOWERS and SMALL WIRELESS COMMUNICATION**

(Revised September 4, 2020)

Communications towers are structures dedicated for mounting transmitting equipment and antennas that are necessary for providing a full range of wireless communications or mobile services to a community. Towers typically serve radio and television, fire and police, 911 operations, emergency rescue, and hospitals. *Self-supporting* and *guyed* are the two basic types of towers.

Small wireless tower is the operation of wireless communication devices or systems used to connect two fixed locations (e.g., building to building or tower to building) with a radio or other wireless link. Towers or antennas typically serve internet or similar for residences and businesses.

**2.04(d) CORNER LOT**

A corner lot is (1) at the intersection of two or more streets where the corner interior angle formed by the intersection of the streets is 135 degrees or less, or (2) a lot abutting upon a curved street or streets if tangents to the curve, at the two points where the lot lines meet the curve, forms an interior angle of 135 degrees or less.

**2.5 DWELLING**

A dwelling is any building or structure which is occupied in whole or in part as a home, residence, or sleeping place, either permanently or temporarily, by one or more families. A dwelling includes tents, recreational vehicles, and campers, not in approved campgrounds, but does not include motels, hotels, tourist rooms, or cabins.

- A. Dwelling, single-family: A building containing not more than one dwelling unit designed for residential use.
- B. Dwelling, two-family: A building containing not more than two separate dwelling units designed for residential use.
- C. Dwelling, multiple-family: A building containing three or more dwelling units designed for residential use.

**2.05(a) DWELLING UNIT**

One room or suite of two or more rooms designed for use or occupancy by one family for living and sleeping purpose with kitchen facilities.

**2.6 ESSENTIAL SERVICE**

The erection, construction, alteration, or maintenance by governmental units, boards, or commissions of overhead or underground gas, electrical, steam or water distribution, transmission, collection, communication, or supply systems. Essential services include mains, drains, sewers, pipes, conduits, wires, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, poles, electrical substations, gas regulator stations, utility pump and metering stations, and other similar equipment and accessories which are reasonably necessary for the furnishing of adequate service by such municipal departments or commission or for the public health, safety, or general welfare.

**2.06(a) EXPANSION OF LEGAL PRE-EXISTING NON-CONFORMING USES**

Expansion of a use shall include but not be limited to:

- A. An increase in the cubic volume of any structure containing the use,
- B. An increase in the lot area covered by the use or any ancillary activity especially any increase in the area devoted to outdoor storage,
- C. An addition of equipment or machinery for any purpose or activity not previously existing and/or approved for the site,
- D. Any additional non-conforming use, except a use which is so minor in nature and/or so similar in nature to the existing use, as to have no effect upon surrounding properties. (added February 6, 2009)

**2.7 FAMILY**

- A. An individual or group of two or more persons related by blood, marriage or adoption, together with foster children and servants of the principal occupants, with not more than one additional unrelated person, who are domiciled together as a single domestic housekeeping unit in a dwelling, or

- B. A collective number of individuals domiciled together in one dwelling whose relationship is of a permanent and distinct domestic character, with a demonstrable and recognizable bond characteristic of a cohesive unit, and who are in fact cooking and living as a single nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, combine, federation, group, coterie, or other organization, which is not a recognized religious order, and shall also not include any group of individuals whose domestic relationship is transitory, temporary, or resort/seasonal in nature or character.

**2.07(a) FARM MARKET** (Added June 28, 2019)

A farm market is a place or an area where transactions between a farm market operator and customers take place. This includes roadside stands. It does not necessarily mean a physical structure such as a building and is considered part of a farm operation. At least 50 percent of the products marketed and offered for sale at a farm market [measured as an average over a five-year timeframe] must be produced on and by the affiliated farm. Farm products may be processed more extensively into a form that adds value and makes them more marketable for direct customer sales in accordance with Michigan laws, and then sold at the affiliated farm market, as long as allowed by local, state and federal regulations. The farm market may operate year-around or seasonally, and may include activities to attract customers and facilitate retail trade business transactions when allowed by applicable local, state, and federal regulations.

Farm markets must be located on property where zoning allows for agriculture and its related activities.

**2.07(b) FLOOR AREA**

The gross floor area of all floors of a building or an addition to an existing building. For all office buildings and for any other building, except dwelling units where the principal use includes the basement, the basement floor area is included except that part thereof which contains heating and cooling equipment and other basic utilities.

**2.07(c) FLOOR AREA, USABLE**

Usable floor area of a building does not include the floor area of garages, porches, basement, or utility area.

**2.8 GARAGES**

Garages are accessory buildings used primarily for the storage of motor vehicles.

**2.9 HOME OCCUPATION**

A profession or occupation traditionally or customarily carried on in the home as a use clearly incidental and secondary to the use of the home as a dwelling place. Home occupations may include any profession, vocation, or trade which conforms to the requirements in Sections 3.17 and 13.06.J of this ordinance. *[amended August 9, 2006]*

**2.10 IMPROVEMENTS**

Improvements are those features and actions associated with a project. Improvements include roadways, lighting, utilities, sidewalks, screening, and drainage necessary to protect natural resources, or the health, safety, and welfare of residents of future users or inhabitants of the



proposed project or project area.

**2.10(a) IEC** (added April 30, 2010)

International Electrotechnical Commission. The IEC is a global organization that prepares and publishes international standards for all electrical, electronic and related technologies.

**2.10(b) ISO** International Organization for Standards (added April 30, 2010)

**2.10(c) IMPROVED AREA** (added June 28, 2019)

Area containing solar panels, electrical inverters, storage buildings and access roads.

**2.10(d) INLAND LAKE**

An inland lake is any lake lying wholly or partly within the township with a surface area greater than 20 acres.

**2.10(e) INTENSIVE LIVESTOCK FEEDLOT**

Intensive livestock feedlots include operations and facilities for the husbandry, raising, and keeping of cattle, sheep, pigs, hogs, chickens, turkeys, and other animals and fowl, for fattening and/or egg production in feed lots. Intensive livestock feedlots are “cage” operations, or similar high-density operations, otherwise than for the noncommercial consumption of the occupants or owners of the land so used.

**2.11 JUNK**

Waste, discarded or salvaged materials, including wrecked vehicles, used building materials, structural steel materials and equipment, and other worn, deteriorated, or obsolete manufactured goods.

**2.11(a) JUNKYARD**

Places where junk, waste, or discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled including wrecked vehicles, used building materials, structural steel materials and equipment, and other worn, deteriorated, or obsolete manufactured goods.

**2.12 KENNEL**

Any land, building, or structure where five or more cats and/or dogs is boarded, housed, or bred.

**2.13 LIVESTOCK**

Farm animals such as cattle, horses, pigs, sheep, or other customary stock.

**2.13(a) LOT**

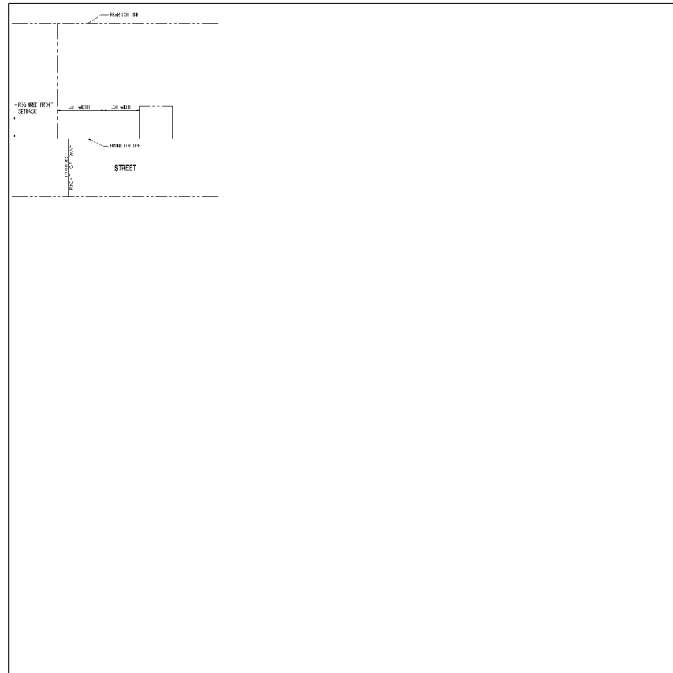
A lot is a piece or parcel of land. A lot may be occupied or intended to be occupied by a principal building or a group of such buildings and accessory structures, or utilized for a principal use and accessory uses, as required by this ordinance. Except in the R-1 and R-2 zoning districts, a lot must be exclusive of any adjoining street right-of-way and in all districts separated from other parcels by a legal description. For a site condominium subdivision, the term “lot” includes the portion of the condominium project designed and intended for separate ownership and use as described in the master deed such as the condominium unit. The word “lot” includes “plot” or “parcel.” (Amended 03-08-04)

## 2.13(b) LOT AREA

For lots in the R-3, R-4, C and I zoning districts, lot area cannot include any part of a public right-of-way or easement for aboveground improvements such as roads or streets. For lots in the R-1 and R-2 zoning districts, lot area may include areas devoted to public road right-of-way's or easements. (Amended 03-08-04)

## 2.13(c) LOT WIDTH

The horizontal distance between the side lot lines uninterrupted by other lots or rights-of-way, measured between the two points where the required front setback line intersects the side lot lines. In the R-1 and R-2 zoning districts on corner lots, the minimum lot width may include a road right-of-way on one street side. When a lot has more than one horizontal distance between side lot lines, only the greatest distance can be used to meet the lot width requirement. Under no circumstances will the minimum lot width be determined based on more than one horizontal distance. The minimum lot width will be established for each zoning district according to the schedule of district regulations. Lot width will be measured at the front setback line. (Amended 03-08-04)



## 2.14 MIGRANT HOUSING

Any sleeping, eating or cooking quarters for migratory labor, regardless of the number of migratory laborers occupying the same. (added February 6, 2009)

### 2.14(a) MIGRATORY LABORER

A person working, or available for work, who moves seasonally one or more times from one place to another from within or out of the state for the purpose of such employment or availability. (added February 6, 2009)

### 2.14(b) MOBILE HOME COMMISSION ACT

Michigan Act 96 of 1987, as amended.

### 2.14(c) MOBILE HOME LOT AND MOBILE HOME

A mobile home lot is a measured parcel of land within a mobile home park which is delineated by lot lines on a final development plan. A mobile home lot is intended for the placement of a

mobile home for the exclusive use of the occupants of such mobile home.

That portion of a mobile home park reserved for the placement of a mobile home, appurtenant structures, or additions. A mobile home means a manufactured home meeting the requirements of the US Department of Housing and Urban Development (HUD).

**2.14(d) MOBILE HOME PARK**

A mobile home park is a parcel or tract of land under the control of a person upon which three or more mobile homes are located on a continual, non-recreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home.

**2.14(e) MOTEL**

A building or group of buildings containing sleeping or dwelling units designed for, or occupied by, automobile travelers. The motel building(s) may be detached or in connected rows, which may or may not be accessible from the outside by a garage or parking space. Motels include any building or building groups designated as motor lodges, transient cabins, or other facility intended to identify them as providing lodging, with or without meals, for compensation on a transient basis.

**2.14(f) MOTOR HOME, CAMPER, FIFTH WHEEL, TRAVEL TRAILER**

A transportable unit intended for occasional or short-term occupancy as a dwelling unit during travel, recreational, or vacation use.

**2.14(g) MOTOR VEHICLE**

A motor vehicle is any vehicle which is self-propelled.

**2.15 N – reserved**

**2.16 ORDINARY HIGH WATER MARK**

The line between upland and bottom land which 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 a lake which has a level established by law, it means the high established level.

**2.17 PARCEL**

See lot

**2.17(a) PARKING LOT**

A parking lot is an off-street open area, the principal use of which is for the parking of automobiles, whether for compensation or not, or as an accommodation to clients, customers, visitors, or employees. A parking lot includes that area occupied by access drives within the actual parking area.

**2.17(b) PARKING SPACE**

See Article 14 Parking and Loading Spaces.

**2.17(c) PERMITS**

- A. Building permit - The written authority issued by the Building Inspector in conformity with the provisions of the Construction Code Ordinance.
- B. Zoning Permit - The written authority issued by the Zoning Administrator approving a proposed use, site plan or other activity determined to comply with this ordinance. The Zoning Permit may consist of the Zoning Administrator’s signature of approval on a building permit application that authorizes the Building Inspector to proceed with the building permit review.  
(Amended 3-8-04)

**2.17(d) PLANNING COMMISSION**

The Clyde Township Planning Commission.(Revised 6-20-00)

**2.17(e) PORCH AND DECK**

Porches and decks are considered a part of the building or structure and may not be located within the required setback.

**2.17(f) PRINCIPAL BUILDING**

The principal building is a structure which contains the principal use.

**2.17(g) PRINCIPAL USE**

The principal use is the primary or predominant use of a lot. Only one principal use is allowed per residential parcel. The principal use may or may not be housed in a structure. A typical residential use such as a house will include a structure while a commercial use such as open air sales might not be enclosed by a structure.

**2.17(h) PUBLIC AND INSTITUTIONAL USES**

Uses that serve the public and are generally exempt from paying property taxes such as churches, schools, and government buildings.

**2.17(i) PUBLIC UTILITY**

Public utilities include the erection, construction, alteration, or maintenance by regulated public utilities of overhead or underground gas, electrical, steam or water distribution, transmission, collection, communication, or supply systems. Public utilities include pipes, conduits, wires, cables, signals, towers, poles, electrical substations, gas regulator stations, utility and metering stations, and other similar equipment and accessories reasonably necessary for the furnishing of adequate service by such public utility for the public health, safety, or general welfare.

**2.18 Q - reserved**

**2.19 REQUIRED SETBACK**

The minimum distance from the property line or right-of-way to the point of the parcel where a building or structure may be located as required by the provisions of the district in which the parcel is located.

**2.19(a) REQUIRED SETBACK AREA**

The area between the property line or right-of-way to the point of the parcel where a building or structure may be located as required by the provisions of the district in which the parcel is located.

**2.19(b) ROTOR** (added April 30, 2010)

An element of a wind energy system that acts as a multi-bladed airfoil assembly which attracts, through rotation, kinetic energy directly from the wind.

**2.19(c) RIPARIAN PROPERTY**

Riparian property is a parcel of land which includes therein a part of or is bounded by a natural watercourse in which property is in actual contact with such watercourses.

**2.19(d) ROAD FRONTAGE**

Road frontage is that part of the lot or parcel that adjoins the right-of-way or easement for which access requirements are met.

**2.19(e) ROAD, PRIVATE**

A private road is a privately owned and maintained right-of-way easement which affords traffic circulation and principal means of access to abutting property. Can also mean a private street.

**2.19(f) ROADSIDE STAND** (amended June 28, 2019)

A structure that is less than one hundred twenty (120) square feet in area, used for the display and sale of agricultural products, with no space for customers within the structure itself.

**2.19(g) ROOF LINE**

The roof line is the top ridge of the main roof of a building.

**2.20 SCADA TOWER** (added April 30, 2010)

A freestanding tower containing instruments such as anemometers that is designed to provide present moment wind data for use by a Supervisory Control and Data (SCADA) system.

**2.20(a) SETBACK LINE**

A line measured from and being horizontal to the front, rear, and side lot lines that establish the minimum distance that a building or structure is allowed to be located from the lot line. The setback line also is called the “required setback line.” Steps may be located between the required setback line and the lot line. Porches and decks are considered part of the building or structure.

**2.20(b) SHADOW FLICKER** (added April 30, 2010)

Alternating changes in light intensity caused by the moving blade of a wind energy system casting shadows on the ground and stationary objects, such as a window of a dwelling.

**2.20(c) SHORELINE** (added April 30, 2010)

That area along the waterfront where land and water meet, established at the ordinary high water mark along watercourses and on water bodies.

**2.20(d) SHOPPING CENTERS**

A development in a commercial zoning district under single ownership where more than one allowed use is intended.

**2.20(e) SURVIVAL WIND SPEED** (added April 30, 2010)

The maximum wind speed, as designated by the Wind Energy Conversion System manufacturer, at which a WECS, in unattended operation (not necessarily producing power) is designed to survive without damage to structural equipment or the loss of the ability to function normally.

**2.20(f) STREET, PUBLIC**

A publicly owned and maintained right-of-way which affords traffic circulation and principal means of access to abutting property including any avenue, place, way, drive, lane, boulevard, highway, road, or other thoroughfare, except an alley.

**2.20(g) STRUCTURAL ALTERATIONS**

Structural alterations include any change in the supporting members of a building or structure such as bearing walls, columns, beams, or girders; any substantial change in the roof; or an addition to or diminution of a structure or building.

**2.20(h) STRUCTURE**

Anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground.

**2.21 TEMPORARY STRUCTURE**

A structure constructed or erected, the use of which will be limited to a specific time. Upon expiration of the specified time, the temporary structure must be removed. A temporary structure may be required to have a permanent location on the ground or attachment to something having a permanent location on the ground to obtain a permit for occupancy.

**2.21(a) TOWER HEIGHT** (added April 30, 2010)

For a Horizontal Wind Turbine Rotors is the distance between the ground and the highest point of the Wind Energy Conversion System, as measured from the ground, plus the length by which the rotor blade on a horizontally mounted WECS exceeds the structure which supports the rotor and blades and for a Vertical Axis Wind Turbine as the distance between the ground and the highest point of the WECS.

**2.21(b) TOWNSHIP**

The township is Clyde Township, Allegan County, Michigan.

**2.21(c) TOWNSHIP BOARD**

The Clyde Township Board.

**2.22 U – reserved**

**2.23 V - reserved**

## **2.24 WATER CRAFT**

Any boat, sailboat, hydrofoil, hovercrafts, jet skis, jet boat, or similar vessels.

### **2.24(a) WATERCOURSE** (added April 30, 2010)

Any waterway including a river, stream, channel, creek, ditch, canal, conduit, culvert, drain, gully, ravine, or wash, in which water flows in a definite direction or course, either continuously or intermittently, and which has a definite channel, bed and banks, and shall include any area on adjacent tracts subject to inundation by reason of overflow of floodwater.

### **2.24(b) WATERFRONT**

That portion of a lot or parcel which abuts or intersects with the ordinary high water mark of a lake whether such lot or parcel is owned by one or more persons, corporation, agency, a government unit or is commonly owned by several persons or combination of persons.

### **2.24(c) WATERFRONT LOT** (added April 30, 2010)

Any lot, building site or parcel which abuts any body of water, including, but not limited to a lake, an inland lake, stream, river, or creek.

### **2.24(d) WETLAND, REGULATED** (added April 30, 2010)

A wetland area that satisfies the size and location requirements to qualify as a wetland, according to the definition in Section 324.30301 of the Natural Resources and Environmental Protection Act, Public Act 451 of 1994, as amended.

### **2.24(e) WIND ENERGY SYSTEM (WES)** (added April 30, 2010)

A structure which converts wind energy into electricity through the use of a wind turbine generator and includes the turbine, blades, and/or tower as well as related electrical equipment and supporting wires. This does not include wiring to connect the wind energy system to the electrical grid. A Wind Energy System consists of a combination of:

1. A surface area, either variable or fixed, for utilizing the wind for electrical power generation; and
2. A shaft, gearing, belt, or coupling utilized to convert the rotation of the surface area into a from suitable for driving a generator, alternator, or other electricity producing device; and
3. The generator, alternator, or other device to convert the mechanical energy of the surface area into electrical energy; and
4. The tower, pylon, or other structure upon which any, all, or some combination of the above are mounted.

### **2.24(f) WIND ENERGY SYSTEM, FARM** (added April 30, 2010)

An “interconnected wind energy system”, consisting of two or more wind energy production structures with an energy production capacity in excess of 250 kilowatts.

### **2.24(g) WIND ENERGY SYSTEM, INTERCONNECTED** (added April 30, 2010)

A WES which is electrically connected to the local electrical power utility and able to feedback power into the local electrical power utility grid.

**2.24(h) WIND ENERGY SYSTEM, ON-SITE USE** (added April 30, 2010)

A wind energy system intended to primarily serve the needs of the property owner. This type of WES does not exceed a generating capacity of 30 kilowatts.

**2.24(i) WIND ENERGY SYSTEM, ON-SITE USE SMALL STRUCTURE MOUNTED**

(added April 30, 2010)

A wind energy system intended to primarily serve the needs of the property owner attached to a structure's roof, walls, or other elevated surface. This type of WES does not exceed a generating capacity of 10 kilowatts.

**2.24(j) WIND ENERGY SYSTEM, UTILITY GRID** (added April 30, 2010)

A structure designed and built to provide electricity to the electric utility grid.

**2.24(k) WIND SITE ASSESSMENT** (added April 30, 2010)

An assessment to determine the wind speeds at a specific site and the feasibility of using that site for construction of a wind energy system.

**2.25 X - reserved**

**2.26 YARD**

The yard is the open space surrounding the principal structure of a parcel unobstructed by any building or structure or portion thereof from the general ground level of the lot upward; provided, however, that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be allowed in any yard subject to height limitations and requirements limiting obstruction or visibility. For irregular shaped lots, the zoning administrator will determine which part of the yard is front, side and rear.

**2.26(a) YARD, FRONT**

A yard extending across the full width of the lot, the depth of which is the distance between the street right-of-way line and the main wall of the building or structure. For waterfront lots, the yard fronting on the street and the yard facing the water will both be considered front yards. For corner lots, both sides facing the street will be considered front yards.

**2.26(b) YARD, REAR**

A yard, unoccupied except for accessory buildings, extending across the full width of the lot, the depth of which is the distance between the rear lot line and the rear wall of the main building.

**2.26(c) YARD, SIDE**

The side yard is a yard between a main building and the side lot line, extending from the front yard to the rear yard.

**2.27 ZONING ACT**

Michigan Act 110 of 2006, as it may from time to time be amended. *[amended 8-9-06]*

**2.27(a) ZONING ADMINISTRATOR**

The Clyde Township Zoning Administrator.