

## ARTICLE 16 DEFINITIONS

Section 5.16.01        Rules of Construction and Organization  
Section 5.16.02        Definitions

### Sec. 5.16.01. - Rules of Construction and Organization.

- A. The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Chapter, except where the context clearly indicates a different meaning.
- B. Rules of Construction: The following rules of construction apply to this Chapter:
1. The language of this Chapter shall be read literally. Regulations are no more or less stringent than stated.
  2. The particular shall control the general. For terms used in this Chapter, the use of a general or similar term shall not be taken to be the same as the use of any other specific term.
  3. In case of any difference of meaning or implication between the text of this Chapter and any caption or illustration, the text shall control.
  4. A building or structure includes any part thereof.
  5. The term "used" includes the following meanings when used in context with the following terms: arranged, designed, constructed, altered, rented, leased, sold, occupied, and intended to be occupied.
  6. Unless the context clearly indicates the contrary, where a regulation involves two (2) or more items, conditions, provisions or events connected by the conjunctions "and," "or" or "either . . . or," the conjunction shall be interpreted as follows:
    - a. "And" indicates that the connected items, conditions, provisions or events apply.
    - b. "Or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
    - c. "Either . . . or" indicates that the connected items, conditions, provisions or events apply singly but not in combination.
  7. Unless otherwise specified, a "day" as used in this Chapter shall be a calendar day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the City, the deadline or required date of action shall be the next day that is not a Saturday, Sunday, or City-observed holiday.
  8. Unless otherwise stated, all calculations that result in a part or fraction of a whole number shall be rounded up to the next highest whole number.
  9. Any reference to Chapter, Article or Section shall mean Chapter, Article or Section of Chapter 61 of the City Code, Zoning Ordinance, unless otherwise specified.

10. Terms not defined in this Chapter shall be given their ordinary and common meaning. Where not otherwise evident, terms shall have the meaning given in the latest edition of Merriam Webster's Collegiate Dictionary.

**Sec. 5.16.02. - Definitions.**

A. Definitions—A.

**ABUTTING or ABUTS**

The condition of two (2) adjoining parcels having a common property line or boundary but not including lots separated by a street or alley. See ADJACENT.

**ACCESSORY STRUCTURE**

A building or structure that is subordinate in use and square footage to the principal use of land or buildings, is customarily found in connection with and on the same lot as the principal use or main building. Examples are garages, carports, sheds, gazebos, large play structures and greenhouses.

**ACCESSORY USE**

A use on the same lot that is customarily incidental, appropriate and subordinate to the principal use of land or buildings.

**ACT OF GOD**

An event that directly and exclusively results from the occurrence of natural causes that could not reasonably have been prevented by the exercise of foresight or caution.

**ADJACENT**

The condition of where two (2) or more parcels share common property lines or where two (2) parcels are separated only by an alley, easement or street.

**ADMINISTRATIVE DEPARTURE**

A minor deviation from the requirements of this Chapter, as provided for in this Chapter and the individual Zone Districts, and as reviewed and approved by the Director in accordance with Section 5.12.16.

**ADMINISTRATIVE MANUAL**

A document maintained by the Planning Department that serves as a user's guide to this Chapter. The Administrative Manual may contain copies of application forms, fees, schedule and contact information, additional definitions, and interpretations of the intent behind the language and standards in this Chapter, but is not a part of this Chapter.

**ADULT FOSTER CARE**

See GROUP LIVING.

**ADULT USES**

See REGULATED USES.

**AFFORDABLE HOUSING**

Any form of group living or household living intended for low- or moderate-income persons and families with incomes at or below eighty (80) percent of area median income, adjusted for family size; and where monthly shelter costs do not exceed a designated percentage of that person's or family's income, as used by the U.S. Department of Housing and Urban Development (HUD) or the Michigan State Housing Development Authority (MSHDA).

**ALLEY**

See STREET, ALLEY.

**ALTERATION**

Any change, addition or modification in construction or type of occupancy or any change in the structural members of a building, such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to in this Chapter as "altered" or "reconstructed."

**AMENDMENT**

A change in the wording, context or substance of this Chapter, or a change in Zone District boundaries or Neighborhood Classifications on the Official Zoning Map.

**ANIMAL, DOMESTIC**

A small animal of the type generally accepted as pets including, but not limited to, dogs, cats, and fish, but not including roosters, ducks, geese, pea fowl, goats, sheep, hogs or similar animals.

**ANIMAL SALES, SERVICES AND DAY CARE**

An establishment that includes sales, grooming or other services, or day time care of dogs, cats and similar small animals. Typical uses include pet stores, dog bathing and clipping salons and pet grooming shops but not including overnight boarding.

**APPEAL**

A procedure by which a decision or enforcement action from a body or individual authorized to make an administrative decision under the provisions of this Chapter is disputed and submitted to the Board of Zoning Appeals for review.

**APPLICANT**

The owner of property, or the representative of the owner authorized in writing, applying for development approval.

**APPROVAL**

A formal action by a designated approving authority approving a plan, use, design, or progress or completion of work as authorized by this Chapter.

**APPROVING AUTHORITY**

The body or official approving a use, design, or progress or completion of work as authorized by this Chapter. See also REQUIRED REVIEWING AUTHORITY.

**ARCADE**

A continuous covered space fronting on and open to a street or publicly accessible open area.

**ARCHITECTURAL ELEMENTS**

That portion of a building containing any architectural projection, relief, cornice, column, change of building material, or window or door opening. Also, ornamentation or decorative features attached to or protruding from an exterior wall that add detail and/or finely-scaled features to a façade. Examples are plinths, cornices, knee braces, columns, belt courses, chimneys, bay windows and other decorative ornaments. Synonymous with Architectural Detail.

#### ARCHITECTURAL METAL

Metal panel systems, either coated or anodized, metal sheets with expressed seams, metal framing systems, or cut, stamped, or case ornamental metal panels, but not including ribbed or corrugated metal panel systems.

#### ARTICULATION

Shifts in the plane of walls, setbacks, step-backs, reveals, overhangs, and details in order to create variations in a building's façade. Variations of a building's mass through the use of deep recesses, diminishing upper floor areas, and/or projecting roof overhangs.

#### ARTISANAL AND CREATIVE INDUSTRY

A use conducted for the production of quality products by skilled craft persons usually involving workers who practice a trade or handicraft and produces products in limited quantities often using traditional methods involving the use of hand tools and small-scale, light mechanical equipment. This may include activities which are concerned with knowledge and information, such as advertising, architecture, art, crafts, design, fashion, film, music, performing arts, publishing, software, toys and games, TV and radio, and video games.

#### ASSEMBLY BUILDING

A building or structure designed and intended for use as a place of public assembly, with or without fixed seats, for entertainment, business, social, religious, educational or other purposes. Examples of assembly buildings include, but are not limited to auditoriums, cinemas, community centers, convention centers, religious institutions, social or service clubs, sports arenas, and theaters.

#### ATTACHED

An addition to a main building that is integrated visually, structurally and architecturally with the main building, has an attached roof with similar design to the main building, permits access between the main building and the addition either internally or under the roof, and/or shares a common wall with the main building or is connected to the principal structure by a completely enclosed space. A completely enclosed space is an area under a roof which has solid walls at least eighteen (18) inches high around its entire exterior, or which is completely screened, walled, or provided with glass from floor to ceiling, so that the enclosed interior space is completely separated from the outside space.

#### AUDITORIUM

An establishment designed or used for the gathering of people seated as an audience; open to the general public, with or without admission charge; and used primarily for public speaking or live entertainment.

#### AUTOMATED TELLER MACHINE (ATM)

An automated mechanized consumer banking device operated by a financial establishment for the convenience of its customers. ATMs may be provided as a drive-through use, outside of a financial establishment, or a walk-up use in or on a structure unrelated to the financial establishment.

#### AUTOMOBILE

A motor vehicle designed for passenger or light cargo transportation, and for the purposes of this Chapter include pick-up trucks, vans, motorcycles, sport utility vehicles, and similar vehicles.

**AVERAGE**

See MEAN AVERAGE (Arithmetic Mean) and MEDIAN AVERAGE.

**AWNING**

A retractable or fixed shelter projecting from and supported by the exterior wall of a building (i.e. cantilevered) and constructed with non-rigid materials on a supporting framework. See also CANOPY and MARQUEE.

**B. Definitions—B.**

**BACK OF CURB**

That portion of the back side of a street curb, typically six (6) inches from the face of the curb and where the sidewalk or tree lawn begins. The face of the curb is the point where the curb meets the street gutter line.

**BALCONY**

A platform that projects from the exterior wall of a building above the ground floor, which is exposed to the open air, has direct access to the interior of the building, and is not supported by posts or columns extending to the ground.

**BANQUET HALL**

An establishment that is used regularly for serving food or beverages to groups that have reserved the facility for banquets or meetings prior to the event; and to which the general public is not admitted; and for which no admission charge is imposed at the door.

**BASE ZONE DISTRICT**

The Zone District that applies to mapped areas as depicted on the Zoning Map, but not including any Overlay Zone Districts.

**BASEMENT**

That portion of a structure between the floor and ceiling which has more than one-half (½) its height below grade.

**BED AND BREAKFAST**

A private home providing accommodations to the traveling public in habitable units for compensation, limited to short-stay facilities. This use includes the provision of approved related accessory and incidental services such as eating and drinking, meeting rooms, and the sale of gifts and convenience goods, not generally available to the public.

**BERM**

An elongated earthen mound capable of supporting live landscaping materials typically built to separate, screen, or buffer adjacent incompatible uses, parking areas, or buildings, or other similar features.

**BIKE-SHARE FACILITIES**

Bicycle parking, lockers, and other improvements used in a specific program operated by public or private agencies intended to be used in a program for the common use of bicycles.

**BLOCK**

Land bounded by streets, not including alleys, or by a combination of streets and public land, railroad rights-of-way, water bodies, or any other barrier.

**BLOCK FACE**

Land abutting one side of a street and lying between the two nearest intersecting or intercepting streets, railroad rights-of-way, water bodies, or un-subdivided land.

**BOARD, BOARD OF ZONING APPEALS, OR BZA**

The Board of Zoning Appeals for the City.

**BUFFER**

Vegetative material, structures (e.g. walls, fences), berms, or any combination of these elements that are used to separate and screen incompatible uses. See also SCREEN or SCREENING.

**BUILDABLE AREA**

The area of the lot within the limits of the required setbacks for a main building or structure. The buildable area is the total area of a lot that can be built upon.

**BUILDING**

An independent structure, either temporary or permanent, having a roof supported by columns or any other support used for the enclosure of persons, animals, or property of any kind, or carrying on business activities or other uses.

1. **BUILDING ELEVATION.** The front, side, or rear of a structure.
2. **BUILDING FAÇADE.** The building elevation facing a street.
3. **BUILDING FRONTAGE.** The length of any side of a building which fronts on a public street, a public or private parking area, or a pedestrian walk where customer access to the building is available.
4. **BUILDING HEIGHT.** The maximum permitted vertical height of a building, as measured in feet or stories.
5. **BUILDING LINE.** The edge of any required setback line in the Zone District, and the corresponding boundaries forming the buildable area of a lot.
6. **BUILDING, MAIN.** A building or structure in which the primary permitted use of the lot is conducted, with such use possibly occurring in one or more buildings or structures. Synonymous with principal building or principal structure.
7. **BUILDING MASS.** The three-dimensional bulk of a building using: height, width, and depth.

**BZA**

The Board of Zoning Appeals for the City.

**C. Definitions—C.**

**CALIPER**

See TREE, MEASUREMENTS

**CAMPUS**

The area encompassing the grounds and buildings of a college, university, hospital or other institutional or educational use.

**CANOPY**

A rigid multi-sided structure covered with fabric, metal or other material and supported in whole or in part by posts embedded in the ground. Compare to AWNING and MARQUEE.

**CARPORT**

A roofed structure or shelter or portion of a building open on two (2) or more sides that is provided for the purpose of sheltering one (1) or more vehicles.

**CEMETERY**

Land used or intended to be used for the burial of human remains or storage of cremated human remains, including columbaria, crematories, mausoleums and mortuaries, when operated in conjunction with, and within the boundary of, that cemetery.

**CHARACTER**

Those attributes, qualities, and features that make up and distinguish a building or structure, a group of buildings or structures, or a neighborhood or a Zone District, and give it a sense of place, purpose, function, definition, and uniqueness.

**CHILD CARE**

A private home or facility in which minor children are received for care and supervision for periods of less than twenty-four (24) hours a day, and where the parents are not immediately available to the child.

1. **CHILD CARE CENTER.** A facility, other than a private home, receiving one (1) or more preschool or school age children for care and supervision.
2. **CHILD CARE HOME, FAMILY.** A private home in which one (1) to six (6) minor children receive care and supervision, not including the children related to an adult member of the family by blood, marriage or adoption. The term includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year.
3. **CHILD CARE HOME, GROUP.** A private home in which seven (7) to twelve (12) minor children receive care and supervision, not including the children related to an adult member of the family by blood, marriage or adoption. The term includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year.

**CITY**

City of Grand Rapids, Michigan. When “City” is capitalized, the reference is to the government of the City of Grand Rapids; when “city” is not capitalized, the reference is to a geographic designation.

**CITY CODE**

The current City of Grand Rapids Code of Ordinances.

**CITY FORESTER**

The qualified forestry official or designee, as designated by the City Manager of the City assigned to carry out duties related to trees on public and private property as provided by this Chapter and other applicable City Ordinances.

**CITY COMMISSION**

The City Commission for the City.

**CITY OFFICIALS**

City officials who are duly elected or appointed to those offices or positions and includes anyone designated by them or by any of their superiors to act in their place. Examples include City Manager, Planning Director, City Clerk, and City Attorney, but shall not include members of appointed boards or commissions.

**CLEAR GLASS**

Clear or lightly tinted glass in windows, doors, and display windows with a glass Visible Light Transmittance (VLT) as regulated in Section 5.2.14.A. of this Chapter. See TRANSPARENCY.

**CLEAR VISION AREA**

The area at the intersection of two (2) streets, whether public or private, or a street and driveway through which an unobstructed view of approaching traffic is necessary for pedestrians and drivers. See Article 8 of Chapter 51 Streets of the City Code.

**CLINIC**

An establishment providing medical, dental, psychiatric or surgical treatment exclusively on an out-patient basis, with no overnight stays. Clinics may provide examinations, diagnostic services and medical treatment.

**COMMERCIAL USE**

Any nonresidential use of a lot, building or structure as a principal use for financial gain, including but not limited to entertainment activities, offices, personal services and retail sales.

**COMMERCIAL VEHICLE**

A vehicle designed, maintained or used primarily for the transportation of property or passengers in furtherance of a commercial enterprise, including tow trucks and semi-trucks.

**COMMISSION**

See Planning Commission.

**COMMON OWNERSHIP**

See Ownership, Common.

**COMMUNITY CENTER**

A government or nonprofit facility used for recreational, social, educational, cultural, or advisory services and activities. Services may be targeted to certain populations (e.g. youth, seniors) but membership is available to the general public. Examples of services include but are not limited to: parenting classes, counseling, tax assistance, health and fitness training, senior meals, and after-school tutoring sessions; but does not include educational uses, religious institutions, , or social or service clubs, operated as a principal use.

**COMMUNITY GARDEN**

A neighborhood- based development with the primary purpose of providing space for members of the community to grow plants for beautification, education, recreation, community distribution or personal use. Sites are typically managed by public or civic entities, nonprofit organizations or other community-based organizations that are responsible for maintenance and operations.

**COMMUNITY EVENT**

A temporary outdoor use of land for the purposes of a gathering, including but not limited to a fair, festival, celebration, or fundraiser.



**COMPATIBILITY**

The characteristics of different uses, activities or design that allow them to be near or adjacent to each other in harmony. Characteristics may include height, scale, mass, and bulk of structures; pedestrian or vehicular traffic, circulation, access, and parking impacts; and landscaping, lighting, noise, odor, and architecture.

**CONCESSION SALES**

A structure, stand, trailer, wagon, or vehicle where patrons may purchase food and/or drink.

**CONTIGUOUS**

Adjoining or touching at some point.

**CONVENIENCE STORE**

A retail establishment with a limited sales area which may be a freestanding use or associated with another principal use.

**CREMATORY**

An establishment that is involved in the purification and reduction of human bodies by fire.

**CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)**

Architectural design, site design, and landscape design principles and standards intended to reduce the fear and incidence of crime, and to improve quality of life.

**CRITICAL ROOT ZONE (CRZ)**

See TREE PROTECTION.

D. Definitions—D.

**DECK**

A roofless outdoor structure built as an above-ground platform supported by posts, at least one (1) foot above average grade, which may or may not be attached to the main building or have railings or steps.

**DECORATIVE**

Any architectural, physical, landscape, or natural feature or other element used to enhance an architectural feature or complement an aesthetic feature of a property.

**DENSITY**

The gross number of dwelling units per acre of land, calculated by dividing the number of dwelling units on a site by the gross acreage of the site, including dedicated rights-of-way within a site, and that portion of existing dedicated rights-of-way adjoining a site that is between the street or alley centerline and lot lines.

**DEVELOPER**

Any individual, firm, corporation, association, partnership or trust involved in commencing proceedings to effect development of land.

**DEVELOPMENT**

The construction, reconstruction, remodeling, conversion, structural alteration, relocation, enlargement, or demolition of any structure, proportion of a structure, or sign; any change in use in land, building, or structure, or material change in the appearance of any structure; any increase in the number of dwelling units, businesses, manufacturing establishments, or offices; any mining, excavation, filling, grading, paving, or land disturbance; and any division of land.

**DIRECTOR or PLANNING DIRECTOR**

See Planning Director for the City, or designee.

**DISPLAY WINDOW**

A window integrated into the facade of a building behind which is an area intended for the display of retail goods or promotional materials that is not intended for occupancy or which does not provide direct line of sight into the habitable space beyond.

**DRIP LINE**

See TREE, MEASUREMENTS.DRIVE-IN OR DRIVE-THROUGH

An establishment that by design, physical facilities, service or packaging procedures encourages or permits customers to receive services, obtain goods or be entertained while remaining in their vehicles.

**DWELLING UNIT**

A building or portion thereof which is used exclusively for human habitation, typically consisting of a room or a suite of rooms designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the unit for use by one (1) household, family or person only. See HOUSEHOLD LIVING.

**DWELLING, LIVE-WORK**

See LIVE-WORK DWELLING UNIT.

**E. Definitions—E.**

**EASEMENT**

The right to use property owned by another for access to another property or for a specific purpose, including but not limited to utility placement, stormwater drainage, or pedestrian or vehicular access.

**EDUCATIONAL USE**

A facility offering classes, training courses, or skill development to the public or to members of an organization. This use includes but is not limited to elementary, middle, or high schools; vocational, business, technical schools or training centers; and colleges, and universities. May or may not include residential facilities, such as dormitories, and other accessory facilities, such as cafeterias, restaurants, retail sales, and other uses specifically related to the educational use.

**ELEVATION DRAWING**

A vertical view drawing of the front, side or rear of a structure that describes the design, floor-to-floor dimensions, building height, window and door dimensions, and signs. See BUILDING ELEVATION.

**ENCROACHMENT**

The portion of a building, structure, equipment, or sign that intrudes into a required setback, right-of way or easement.

**ENTERTAINMENT, LIVE**

Any event performed live by one (1) or more persons, whether done for compensation and whether admission is charged, including but not limited to: Musical acts, karaoke, theatrical acts, standup comedy, plays, revues, dance, magic acts, disc jockey functions or other similar activities, but not including Regulated Uses, as defined by this Chapter.

## ESSENTIAL SERVICES

1. The erection, construction, alteration or maintenance by public utilities, municipal departments or commissions, or any governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution system, collection, communication, supply or disposal system, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, electric substations, telephone exchange buildings, gas regulator stations, and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of utility service by such public utilities, municipal departments, commissions or any governmental agencies, or for the public health, safety or welfare.
2. For the purposes of this Chapter, wireless communications towers and antennas are not considered essential services, except where a communications facility that is used for the primary purpose of providing local public safety communication services that directly transmit information for fire protection, police protection, and basic or advanced life support to the City of Grand Rapids Police and Fire Departments, as defined in a written contractual agreement approved by the City Commission and uniquely connected to the Police Department data center.

## ESTABLISHED AREA

An area of existing development or lots used to determine lot, area, and building requirements.

## ESTABLISHED (BLOCK)

A block that has been legally subdivided into lots of record, when considered relative to lot area and lot width.

## EVENT

A non-routine happening or social activity that brings people together for entertainment, business, civil, social, religious, educational or other purposes.

## F. Definitions—F.

### FAA

U.S. Federal Aviation Administration

## FAMILY

1. Any number of persons related by blood, marriage, adoption or guardianship, occupying a dwelling unit and living as a single nonprofit housekeeping unit; or not more than four (4) unrelated individuals eighteen (18) years of age or older living together in one (1) dwelling unit, having a relationship which is functionally equivalent to a family. The relationship must be of a permanent and distinct character, cooking as a single housekeeping unit with a demonstrable and recognizable bond characteristic of a cohesive unit.
2. The following do not qualify as a family: Any society, club, fraternity, sorority, association, lodge, organization, coterie, combine, federation, organization which is not a recognized religious order, or group of students or other individuals where the common living arrangement or basis for the establishment of the housekeeping unit is temporary and/or of resort-seasonal character in nature. The term family does not include any adult foster care facility licensed under Public Act No. 218 of 1979 (MCL 400.701 et seq.) except an adult foster care family home as defined in Section 3 of that Act (MCL 400.703).

**FARMERS' MARKET**

The temporary outdoor sale, for an extended period, of an array of agricultural products, handmade goods, and similar locally produced items (not including secondhand goods).

**FEMA**

U.S. Federal Emergency Management Agency, including any successor agency.

**FENCE**

A structure used to delineate a boundary or act as a barrier or means of protection, confinement or screening.

**FLEX-OFFICE**

A facility including office, research, laboratory, manufacturing, clean assembly, warehousing, or other related activities whose configurations and construction methods allow for easy conversion of interior and exterior space.

**FLOOR AREA**

1. **FLOOR AREA, GROSS (GFA).** The sum of the gross area of each story of a building measured from the exterior limits of the faces of the structure, or from the centerline of walls separating two (2) buildings, including all areas of a building having a height of more than seven (7) feet, as measured from the floor to the lowest point of the ceiling. Measurement of GFA does not include areas used exclusively for vehicle parking or loading and, in industrial areas, storage sheds with less than one hundred and fifty (150) square feet of space, bunkers, electrical substations, smoking shelters, instrument shelters, and similar enclosures.
2. **FLOOR AREA, RESIDENTIAL** The area of a residential dwelling unit that is the area within the building measured from the exterior limits of the faces of the structure, but not including areas of basements, unfinished attics, attached or detached accessory structures, breezeways, or enclosed and unenclosed porches.

**FOSTER CARE**

See **GROUP LIVING**.

**FRONTAGE**

See **BUILDING FRONTAGE** or **LOT FRONTAGE**.

**FUNERAL HOME OR MORTUARY**

An establishment in which the human dead are prepared for burial or cremation, including areas used to display funeral equipment, provide gathering spaces for viewing the body, and conduct funeral services.

**G. Definitions—G.**

**GARAGE (PRIVATE)**

An outbuilding or accessory structure used primarily for the parking or storage of vehicles and equipment for the use of the occupants of the main building or structure on the lot, with no facilities for vehicle service or repair.

**GARAGE SALE/YARD SALE/BASEMENT SALE**

A sale of personal household goods and clothing on the same premises as a principal residential use.

#### GLARE

See Lighting, Glare.

#### GRADE

A reference plane representing the ground level adjoining a building or structure used for the purpose of regulating the height of a structure measured at the level of the ground adjacent to the structure if the finished grade is level.

1. **GRADE, AVERAGE.** If the ground is not entirely level, the elevation using the ground elevation on each side of the structure, measured at six (6) feet from the exterior walls of the structure.
2. **GRADE, EXISTING.** The elevation or surface of the ground or pavement as it exists prior to disturbance.
3. **GRADE, FINISHED.** The elevation or surface of the ground after all earthwork has been completed, without a berm, measured at six (6) feet from the exterior walls of the structure.

#### GREENBELT

A landscape area serving as an obscuring screen, noise abatement or visual enhancement between land uses or between a land use and a public right-of-way.

#### GREENSPACE

All natural pervious open space at grade, including land covered with soil (and usually with lawns, landscaping, or other plant materials) and water bodies, as required by this Chapter; and does not include permanent structures, sidewalks, patios, decks, or pavement of any type including gravel. Compare to OPEN SPACE and OPEN SPACE, URBAN.

#### GROUND COVER

Low-growing plants including grass that form a dense, extensive growth after one (1) complete growing season and tend to be used to prevent weeds and soil erosion.

#### GROUND FLOOR or GROUND LEVEL ESTABLISHMENT

A building or portion thereof under separate ownership, lease, or management, which fronts on and has its floor at the closest level to the street, and has a public entrance from a street.

#### GROUP LIVING

Residential occupancy of a dwelling unit by other than a household and providing communal facilities.

1. **ADULT DAY CARE.** A facility providing group care and supervision in a place other than their usual place of abode on a less than 24-hour basis to adults who may be physically or mentally disabled and open during defined hours of operation to provide various care services, supervision and social interaction for the elderly.
2. **ADULT FOSTER CARE FACILITY.** A facility for the care of adults over eighteen (18) years of age, as licensed and regulated by the State of Michigan. It includes facilities and foster care 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 care. It does not include nursing homes, assisted living facilities, hospitals, alcohol or substance abuse rehabilitation centers, or residential centers for persons released from or assigned to a correctional facility.

- a. ADULT FOSTER CARE FAMILY HOME. A private residence with the approved capacity to receive not more than six (6) adults who are provided with foster care for five (5) or more days a week and for two (2) or more consecutive weeks.
  - b. ADULT FOSTER CARE LARGE GROUP HOME. An adult foster care facility with the approved capacity to receive thirteen (13) to twenty (20) adults, excluding licensee and staff, to be provided with foster care.
  - c. ADULT FOSTER CARE SMALL GROUP HOME. An adult foster care facility with the approved capacity of not more than twelve (12) adults, excluding licensee and staff, who are provided with foster care.
3. ASSISTED LIVING FACILITY. A combination of housing, supportive services, personalized assistance or health care designed to respond to the individual needs of persons, typically the frail or elderly, who need help with activities of daily living. These facilities may include a central or private kitchen, dining, recreational or other service and support facilities, with separate bedrooms or living quarters.
  4. NURSING OR CONVALESCENT HOME. A State of Michigan licensed long term facility providing accommodation and supervised medical and personal care on a twenty-four-hour basis for aged or infirm persons. A hospital is not included in this definition. A state licensed:
    - a. Sub-acute care facility (comprehensive inpatient care designed for a patient who has had an acute illness, injury, or exacerbation of a disease process; usually rendered either immediately after or instead of acute care hospitalization, to treat specific active or complex medical conditions or to administer any necessary technically complex medical treatments in the context of the person's underlying long-term condition);
    - b. Home for the aged;
    - c. Nursing home, or
    - d. Hospice facility providing twenty-four (24) hour care are included.
  5. RESIDENTIAL REHABILITATION FACILITY. An adult residential care facility operated by a government agency or private nonprofit organization that provides care and supervision on a twenty-four-hour basis for the treatment of mental illness, alcohol or substance abuse, or other long term illnesses along with temporary group living accommodations. Also includes "half-way houses" for ex-prisoners making the adjustment from prison/jail to self-sufficiency.
  6. ROOMING OR BOARDING HOUSE. A single-family detached dwelling which is owner-occupied and serves as the principal residence of the owner; where are occupied by individuals who are not related by blood, marriage or adoption to the owner; where two (2) or more rooms are occupied under separate rental agreements or leases; and where communal facilities (such as a kitchen or bathroom) are available to the occupants; and is not a hotel, motel or bed and breakfast.
  7. SINGLE ROOM OCCUPANCY (SRO). A room in a dwelling that usually contains fifty (50) or more units and is designed and intended for a single person's long-term accommodation that contains either a bathroom or kitchen, but not both. A SRO facility is not an owner-occupied rooming/boarding house, hotel, motel or bed and breakfast.

8. TRANSITIONAL OR EMERGENCY SHELTER. A residential facility operated by a government agency or private nonprofit organization that provides temporary accommodations and on-site management for homeless persons or families, or other persons requiring interim housing arrangements.

H. Definitions—H.

HEALTHY CORNER STORES

A healthy corner store contains items that are defined by product category and include fresh fruits and vegetables, water, non-sugar sweetened beverages, one-hundred (100) percent juice, low-fat dairy, whole wheat bread, whole wheat cereals, low-sodium soups and canned goods, canned fruit in water, juice, or light syrup, single-serving snacks with two-hundred (200) calories or less per serving, excluding candy and gum, and single-serving packages of nuts (no upper calorie limit).

HEDGE

A row of evergreen or deciduous shrubs planted close enough to form a solid barrier.

HEIGHT, BUILDING

See BUILDING HEIGHT.

HEIGHT, FENCE OR WALL

The vertical distance between finished grade and the highest point of the fence or wall to the top of the fence or wall, including posts, finials, or other supporting structures.

HEIGHT, STRUCTURE

When not a building, the vertical distance between the finished grade and the uppermost part of the structure.

HELIPORT

A landing area regularly used for landing and takeoff of helicopters, including landing pad, support buildings and equipment for refueling, parking, maintenance or repair.

HELISTOP

A landing area regularly used for landing and takeoff of helicopters, without the support services provided by a heliport, such as fueling stations, helicopter storage or other service or maintenance facilities for routine use.

HISTORIC STRUCTURE

A building or structure of historic value as designated in Chapter 68 Historic Preservation Commission of the City Code and/or designated by the county, State or Federal government as historic landmarks or structures.

HOME OCCUPATION

A business, profession, occupation or trade that is conducted within an owner-occupied principal dwelling unit for the economic gain or support of a resident of the dwelling unit and is incidental and secondary to the residential use.

HOSPITAL

A facility providing medical, psychiatric or surgical services for sick or injured persons primarily on an inpatient basis, including accessory facilities for outpatient and emergency treatment, diagnostic and testing services, laboratories, training, research and administration, and services to patients, employees or visitors.

**HOUSEHOLD LIVING (DWELLING UNIT)**

Residential occupancy of a dwelling unit by one (1) household, family or person. . Typical uses include those listed below. Household living does not include the facilities defined under GROUP LIVING.



1. DWELLING UNIT, ACCESSORY. A secondary and clearly subordinate dwelling unit that is contained within a detached single-family dwelling (primary dwelling unit), included within an accessory structure, or separate from but located on the same lot as a detached single-family dwelling. Also known as a "granny flat."
2. DWELLING UNIT, ATTACHED SINGLE-FAMILY. A single-family dwelling attached by a common vertical wall. This term includes town houses and row houses.
3. DWELLING UNIT, DETACHED SINGLE-FAMILY. A principal structure intended for occupancy by a single household, on a separate lot or parcel, and not sharing common structural elements with any other structure intended for occupation by another household.
4. DWELLING UNIT, HOME OCCUPATION. See HOME OCCUPATION.
5. DWELLING UNIT, LIVE-WORK. See LIVE-WORK UNIT.
6. DWELLING UNIT, MICRO-UNIT. A dwelling unit, included as part of a multi-unit development and located in a Mixed-Use Commercial zone district, with a total gross floor area of no more than four hundred and seventy-five (475) square feet.
7. DWELLING UNIT, MULTIPLE-FAMILY OR MULTI-FAMILY. A building or lot containing three (3) or more dwelling units, each of which is totally separated from the other units, any two (2) or more of which may be provided with a common entrance or hall. Includes dwelling units on upper stories of a structure with non-residential uses on other stories.
  - a. DWELLING UNIT, MULTIPLE-FAMILY, SMALL. A building containing four (4) or less separate dwelling units.
  - b. DWELLING UNIT, MULTIPLE-FAMILY, OTHER. A building containing five (5) or more separate dwelling units.
- ~~7.8.~~ DWELLING, TWO-FAMILY (DUPLEX). A building on a single lot containing two (2) dwelling units, each of which is totally separated from the other.
- ~~8.9.~~ MANUFACTURED HOUSING COMMUNITY. See MANUFACTURED HOUSING (HOME) COMMUNITY

I. Definitions—I.

IMPERVIOUS SURFACE

Any hard-surfaced, man-made area that does not readily absorb or retain water, including, but not limited to, building roofs, parking and driveway areas, graveled areas, sidewalks, and paved recreational areas. Synonymous with non-pervious surface.

IMPROVEMENT

Any building, structure, place, work of art, or other object constituting a physical betterment of real property, or any part of the betterment.

INFRASTRUCTURE

Public or private structures that serve the common needs of the population, such as: potable water systems; waste water disposal systems, solid waste disposal sites or retention areas; storm drainage systems; electric, gas, telephone, cable, and other utilities; bridges; roadways; bicycle paths and trails; pedestrian sidewalks, paths and trails; and transit stops.

**INSTITUTION**

A building or parcel occupied by a non-profit corporation or non-profit organization for public or quasi-public activities.

**INTEGRATED COMPLEX**

A group of buildings contained within a single or joint development and under one (1) or more approved plans.

**INTENSITY**

The degree to which land is used, referring to levels of concentration or activity in uses, expressed in lot coverage, dwelling units per acre, parking needs, height, or other measurement used within this Chapter.

J. Definitions—J.

Reserved for future use.

K. Definitions—K.

**KENNEL**

A facility for the boarding, breeding, raising, grooming, selling, training or other animal husbandry activities for domestic animals.

L. Definitions—L.

**LAND DIVISION ACT**

The Land Division Act, Public Act 288 of 1967, as amended, or any successor acts.

**LAND USE AND DEVELOPMENT SERVICES (LUDS)**

A coordinated City program for the review, approval and monitoring of projects that involve the development or redevelopment of land.

**LAND USE AND DEVELOPMENT SERVICES (LUDS) PERMIT**

A LUDS permit allows for approvals of grading, drainage, landscaping, paving, erosion control, encroachments, permitted land use and similar activities.

**LAND USE PLAN**

The Future Land Use Map and accompanying text in the Master Plan.

**LANDSCAPING**

The treatment of the ground surface with live plant materials such as, but not limited to, grass, ground cover, trees, shrubs, vines and other live plant material. In addition, a landscape design may include other decorative natural materials, such as wood chips, boulders or mulch. Structural features such as fountains, pools, statues and benches shall also be considered a part of landscaping if provided in combination with live plant material.

**LANDSCAPE SCREEN**

A method of visually shielding or obscuring from view a screen comprised of fencing, walls, berms, or plantings of sufficient height, length, and opacity to form a visual barrier.

**LEED CERTIFIED**

The LEED (Leadership in Energy and Environmental Design) Green Building Rating System is a voluntary, consensus-based national standard for developing high performance, sustainable buildings.

## LIGHTING

1. ACCENT LIGHTING. Back-lighted translucent panels or strip lighting affixed to any wall or roof which serves to provide visual emphasis and attract attention rather than illuminate space for human activity.
2. ARCHITECTURAL LIGHTING. Exterior lighting which primarily has an aesthetic purpose to illuminate architectural features of a building or site.
3. AVERAGE ILLUMINATION LEVELS. The overall average of all points on the surface of the illuminated area including the brightest and the dimmest points.
4. CUT-OFF FIXTURES. Cut-off fixtures control glare by directing light well below the horizon, out of the viewer's line of sight.
5. DIRECT LIGHT. Light emitted directly by a lamp, off a reflector, or through a refractor of a luminaire.
6. FIXTURE. The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and a refractor or lens.
7. FLOODLIGHT. A light fixture designed to light a scene or object to a level greater than its surroundings. The beam of floodlights may range from narrow field angles of ten (10) degrees to wide angles of over one hundred (100) degrees.
8. FOOT-CANDLE. A measure of light falling on a given surface measured both horizontally and vertically. One (1) foot-candle is equal to the amount of light generated by one (1) candle shining on a square foot surface one (1) foot away.
9. GLARE. The condition that results from insufficiently shielded light sources or areas of excessive light within the field of view.
10. ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA (IESNA). An association of professionals in the field of lighting and related professions.
11. LAMP. The component of a luminaire that produces the actual light including luminous tube lighting.
12. LIGHT EMITTING DIODE (LED). A semiconductor device that emits visible light when an electric current passes through it.
13. LIGHT POLLUTION. Artificial light which causes a detrimental effect on the environment, enjoyment of the night sky or causes undesirable glare or unnecessary illumination of adjacent properties or uses.
14. LIGHT SHIELD. Any attachment which interrupts and blocks the path of light emitted from a luminaire or fixture.
15. LUMINAIRE. The complete lighting system, including the lamp and the fixture.
16. LUMINAIRE, FULL CUTOFF. A luminaire that allows no direct light emissions above a horizontal plane through the luminaire's lowest light-emitting part.

16. LUMEN. A measure of light energy generated by a light source.
17. MAXIMUM TO MINIMUM ILLUMINATION RATIO. The ratio of the maximum illumination level to the minimum level.
18. MOUNTING HEIGHT. The vertical distance between the surface to be illuminated and the bottom of the light source.
19. LIGHTING, PEDESTRIAN-SCALE. Devices intended to provide outdoor lighting that are lower in height than typical street lighting and located proximate to pedestrian areas such as sidewalks, open space areas or plazas.
20. RECESSED LIGHTING. Lighting that uses a luminaire mounted above a ceiling (or behind a wall or other surface) with the opening of the luminaire level or behind the surface.
21. UNIFORMITY RATIO. The ratio of average illumination to minimum illumination.

#### LINER BUILDINGS

A series of smaller buildings that are part of a façade of a larger structure or as standalone perimeter structures positioned to break up the mass of the structure. Typically used in conjunction with parking structures.

#### LIVE-WORK DWELLING UNIT

A dwelling unit that contains limited commercial activities on the ground level of a multiple story building.

#### LOADING AREA

Any entrance/exit into or out of a building that is used for the loading and unloading of materials by trucks or other vehicles.

#### LOADING SPACE, OFF-STREET

Space provided for bulk pickups and deliveries, scaled to delivery vehicles, and not considered as part of the required off-street parking.

#### LODGING, EXTENDED STAY

Provision of temporary lodging services of more than thirty (30) consecutive days and less than ninety (90) consecutive days in duration.

#### LODGING, SHORT TERM

Provision of temporary lodging services of thirty (30) consecutive days or less in duration. The following are considered short-term lodgings:

1. ONE ROOM RENTAL. An owner-occupied dwelling in which a single room, couch, or other sleeping area is rented to no more than two adult guests overnight. The dwelling shall be the principal residence of the owner-operator and the owner-operator shall be on the premises when the rental activity is occurring. Subject to a Class B Home Occupation License.
2. BED AND BREAKFAST. An owner-occupied detached dwelling in which the owner/operator rents rooms to overnight guests where incidental food and drink may be offered only to those guests. The dwelling shall be the principal residence of the owner/operator and the owner/operator shall be on the premises when the Bed and Breakfast is active. Subject to a Class C Home Occupation License.

3. HOTEL AND MOTEL. An establishment where short-term lodging is offered for compensation, typically with a high level of guest services and may include on-site amenities such as pools, restaurants, fitness centers and similar features. Hotels and motels shall be considered five (5) or more bedrooms for the purposes of short-term lodging.

#### LOT

A parcel of land permitted by law to be used, occupied or intended to be occupied by one or more main buildings or structures and accessory structures, together with yards and open spaces required by this Chapter. A lot may or may not be specifically designated as such on public records. A lot may also include a condominium unit and any limited common element (as defined by Act 59 of Michigan Public Acts of 1978, as amended) under and surrounding the condominium unit, which together meet the minimum yard and area requirements of this Chapter.

1. LOT AREA. The total horizontal land area within the lot lines of the lot, not to include public or private rights-of-way.
2. LOT, CORNER
  - a. A lot where the interior angle of two (2) adjacent sides at the intersection of two (2) streets is less than one hundred and thirty five (135) degrees.
  - b. A lot abutting a curved street if the arc is of a smaller radius than one hundred and fifty (150) feet and the tangents to the curve, at the two (2) points where the lot lines meet the curve or the straight street line extended, form an interior angle of less than one hundred and thirty five (135) degrees.
3. LOT COVERAGE. The part of the lot occupied by buildings or structures, accessory structures and impervious surfaces, expressed as a percentage of the total lot area.
4. LOT DEPTH. For an interior lot, the horizontal distance between the front and rear lot lines, measured along the midpoint between the side lot lines. For a corner lot, the horizontal distance of the longer of the two (2) dimensions between the front lot line and the side lot line.
5. LOT FRONTAGE. The horizontal distance between the side lot lines measured at the point where the side lot lines intersect with the street right-of-way. All sides of a lot that abut a street shall be considered frontage. On curvilinear streets, the arc between the side lot lines shall be considered the lot frontage.
6. LOT, INTERIOR. Any lot not a corner lot.
7. LOT LINES. The lines bounding a lot. Synonymous with Property Lines.
  - a. LOT LINE, COMMON. A lot line separating one (1) lot from another lot.
  - b. LOT LINE, FRONT
    - i. For an interior lot, that line separating a lot from the street.
    - ii. For a corner lot, those lot lines separating the lot from the street.

- iii. For individual through lots, that line separating a lot from the street which corresponds with the primary entrance of the building.
  - iv. For a row of double frontage lots, all sides of the lots adjacent to streets shall be considered front yards.
  - c. LOT LINE, REAR. That lot line that is parallel or approximately parallel to the front lot line.
  - d. LOT LINE, SIDE. Any lot line other than the front lot line or rear lot line. A side lot line separating an interior lot from another lot is an interior side lot line.
8. LOT OF RECORD. A parcel of land, described by deed and/or subdivision plat, filed with the Kent County Register of Deeds.
9. LOT, THROUGH; DOUBLE FRONTAGE LOTS. An interior lot having frontage on two (2) more or less parallel streets as distinguished from a corner lot, or a waterfront lot that abuts a street.
10. LOT, WATERFRONT. Any lot which directly abuts and has lot frontage on a natural water body.
11. LOT WIDTH. For an interior lot, lot width is the horizontal distance between the side lot lines, measured at the required front setback or Required Building Line for the District in which it is located.

**LUDS**

See LAND USE AND DEVELOPMENT SERVICES.

**M. Definitions—M.**

**MAIN BUILDING**

A building in which the principal use of the lot is conducted.

**MANUFACTURED HOUSE (HOME)**

A structure transportable in one (1) or more sections, connected to required utilities which includes the plumbing, heating, air conditioning and electrical systems contained in the structure, built on a chassis and designed to be used as a single dwelling unit with or without permanent foundation.

**MANUFACTURED HOUSING (HOME) COMMUNITY**

A parcel or tract of land which is under the control of one person, group or firm upon which three (3) or more manufactured homes have been located on a continual non-recreational basis and which is offered to the public for that purpose regardless of whether a change is made therefore, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a manufactured house.

**MARIHUANA, also known as MARIJUANA, also known as CANNABIS**

- 1. That term shall have the meaning given to it in section 7601 of the Michigan public health code, 1978 PAS 368, MCL 333.7106, as is referred to in section 3(d) of The Michigan Medical Marihuana Act, P.A. 2008, Initiated Law, MCL 333.26423(d). Any other term pertaining to marihuana used in this Chapter and not otherwise defined shall have the

meaning given to it in the Michigan Medical Marihuana Act and/or in the General Rules of the Michigan Department of Community Health issued in connection with that Act.

2. **MARIHUANA DISPENSARY OR DISPENSARY.** Any facility, structure, dwelling or other location where medical marihuana is grown, cultivated, processed, stored, transmitted, dispensed, consumed, used, given, delivered, provided, made available to and/or distributed by two (2) or more of the following: a registered primary caregiver, a registered qualifying patient, or a person with an identification card or in possession of an application for an identification card. The term "dispensary" shall not apply to a registered primary caregiver that provides necessary care and marihuana for medical use exclusively to his/her five (5) or fewer designated qualifying patients in strict accordance with the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, Initiated Law, MCL 333.26423-(d); Administrative Rules of the Michigan Department of Community Health; and the Home Occupation rules of Article 9, Section 5.9.14.M. of this Ordinance. A "marihuana dispensary" shall not include the following uses that are in compliance with this Ordinance and all laws and rules of the State of Michigan, and intended for on-site patient use only: a State-licensed health care facility, a State-licensed residential care facility for the elderly or infirmed, or a residential hospice care facility. It is unlawful to establish or operate a profit or nonprofit medical marihuana dispensary, collective or cooperative within the City of Grand Rapids.
3. **MARIHUANA COLLECTIVE OR COOPERATIVE.** Any facility, structure, dwelling or other location where medical marihuana is grown, cultivated, processed, stored, transmitted, dispensed, consumed, used, given, delivered, provided, made available to and/or distributed by two (2) or more of the following: a registered primary care giver, a registered qualifying patient, or a person with an identification card or in possession of an application for an identification card. The term "collective" or "cooperative" shall not apply to a registered primary caregiver that provides necessary care and marihuana for medical use exclusively to his/her five (5) or fewer designated qualifying patients in strict accordance with the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, Initiated Law, MCL 333.26423(d); Administrative Rules of the Michigan Department of Community Health; and the Home Occupation rules of Article 9, Section 5.9.14.M. of this Ordinance. A "marihuana collective or cooperative" shall not include the following uses that are in compliance with this Ordinance and all laws and rules of the State of Michigan, and intended for on-site patient use only: a State-licensed health care facility, a State-licensed residential care facility for the elderly or infirmed, or a residential hospice care facility. It is unlawful to establish or operate a profit or nonprofit medical marihuana dispensary, collective or cooperative within the City of Grand Rapids.
4. **MEDICAL USE OF MARIHUANA.** The acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer, or transportation of marihuana or paraphernalia relating to the administration of marihuana to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition, as defined under The Michigan Medical Marihuana Act, P.A. 2008, Initiated Law, MCL 333.26423(d).

#### **MARQUEE**

A shelter projecting from and supported by the exterior wall of a building and constructed of rigid materials on a supporting framework. Compare to AWNING and CANOPY.



**MASTER PLAN**

The Master Plan for the City of Grand Rapids, including appropriate graphic and written materials regarding the physical development of the City. The term "Master Plan" includes any unit or part of the plan and any amendment to the plan or parts thereof, including any adopted Area Specific Plans.

**MDEQ or DEQ**

Michigan Department of Environmental Quality, including any successor agency.

**MDOT**

Michigan Department of Transportation, including any successor agency.

**MEAN AVERAGE (ARITHMETIC MEAN)**

The numerical value derived by dividing the sum of a set of numbers by the total of the numbers. (Example:  $50 + 100 + 75 = 225$ .  $225 / 3 = 75$ . 75 is the mean.)

**MEDIAN AVERAGE**

The numerical value of an ordered set of values below and above which there is an equal number of values. If there is no middle value, median is the arithmetic average of the two (2) middle values. (Example: 40, 40, 48, 50, 60, 70, 71 = 50 is the median.)

**MEZZANINE**

An intermediate floor in any story occupying more than one third ( $\frac{1}{3}$ ) of the floor area of that story.

**MICHIGAN PLANNING ENABLING ACT or PLANNING ACT**

Act 33 of 2008, as amended, or any successor acts.

**MICHIGAN ZONING ENABLING ACT OR ZONING ACT**

Public Act 110 of 2006, as amended, or any successor acts.

**MID-BLOCK PATHWAY**

A paved pathway dedicated to pedestrians and separated from vehicles that extend entirely through a block from a street to a parallel street or alley.

**MID-BUILDING PATHWAY**

A pathway, dedicated to pedestrians, intended to provide safe, well-lit, and convenient access through buildings from the public sidewalk to the rear or side of a building. Mid-building pathways may coincide with mid-block pathways.

**MIXED-USE**

The development of a lot, tract or parcel of land, or building(s) with two (2) or more primary land use components, such as residential and commercial uses, that are grouped into a visually compatible and functional land use arrangement. Mixed-uses may be vertically or horizontally integrated within a building or development site.

**MLCC or LCC**

Michigan Liquor Control Commission, including any successor agency.

**MOTORCYCLE CLUB**

A building, room or other facility which is used as a meeting or gathering place for five (5) or more motorcyclists along with their motorcycles.

**MUNICIPALITY**

The City of Grand Rapids.

**N. Definitions—N.**

**NATIVE VEGETATION, TREES, OR LANDSCAPE**

Plant species that are native to southwestern Michigan and characteristic of a pre-settlement landscape.

**NEIGHBORHOOD CLASSIFICATION**

One of three (3) areas within the city that share similar development characteristics, as established in the Master Plan and Pattern Workbook, including: Traditional Neighborhood, Mid-20th Century Neighborhood, and Modern Neighborhood, within which are individual Zone Districts, Permitted Uses, Special Land Uses, and development requirements.

**NONCONFORMING, NONCONFORMITY**

1. **NONCONFORMING BUILDING, NONCONFORMING STRUCTURE.** A building or structure, or portion thereof, lawfully existing at the effective date of this Chapter or amendments thereto, which does not conform to the provisions of this Chapter.
2. **NONCONFORMING BUILDING ELEMENT.** Portions of the physical parts of buildings or structures lawfully existing at the effective date of this Chapter or amendments thereto, but which no longer conform to the provisions of this Chapter. Building elements may include, but are not limited to, building materials, facades, entrances, expression lines, transparency, and other similar elements as regulated by this Chapter.
3. **NONCONFORMING LOT, NONCONFORMING LOT OF RECORD.** A lot with area or dimension lawfully existing at the effective date of this Chapter or amendments thereto with less than the minimum area, dimension or access requirements or other lot requirement of this Chapter.
4. **NONCONFORMING SIGN.** A permanently affixed sign which was legally erected, constructed, installed, placed or located on the effective date of this Chapter or amendments thereto, but which no longer conform to the sign type, height, size, area, or location requirements of this Chapter, but not including any temporary event sign, banner, or placard, including those affixed to the interior or exterior of windows.
5. **NONCONFORMING SITE ELEMENT.** All or portions of site related features required by this Chapter lawfully existing at the effective date of this Chapter or amendments thereto, but which no longer conform to the provisions of this Chapter. Site elements may include, but are not limited to, parking, landscaping, lighting, access, and other similar elements as regulated by this Chapter.
6. **NONCONFORMING USE.** A use that lawfully occupied a building or land on the effective date of this Chapter or amendments thereto, that does not conform to the use regulations of the district in which it is located.

**NON-RESIDENTIAL USE**

A use of a lot, structure or building by a commercial, governmental or institutional, industrial or transportation, or other use that is not suitable or intended to be used for human habitation.

O. Definitions—O.

**OPEN SPACE**

Land devoted to conservation or recreational purposes and/or land designated by the City to remain undeveloped. Open space may include, but is not limited to: lawns, decorative plantings, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, living plant materials, wetlands and water bodies. Open space shall not include driveways, parking lots or other surfaces designed or intended for vehicular travel.

**OPEN SPACE, URBAN**

Open space required for certain developments in the SD-PRD, TN-CC, TN-TCC, TN-TBA, or TOD zone districts.

**OUTDOOR ACTIVITY**

Any enterprise, operation or activity that occurs outside of an enclosed building or structure as part of a permissible use of a lot, including any outdoor display of materials, machinery, vehicles or other items that may or may not be for sale or rent.

**OUTDOOR DISPLAY**

Merchandise displayed for public viewing in any space which is not enclosed, including, but not limited to, balconies, patios, terraces, walkways, parking areas, lawns, or gardens.

**OUTDOOR SEATING**

An unenclosed area where seating is provided in association with a commercial use, including, but not limited to seating on balconies, patios, terraces, walkways, lawns, or gardens.

**OUTDOOR STORAGE**

The keeping of any equipment, goods, junk, materials, merchandise, or vehicles in the same place outside an enclosed building or structure for more than twenty-four (24) hours. This shall not include the permitted display of vehicles or equipment for sale on a sales lot.

**OVERHEAD WALKWAY**

A pedestrian connection between structures over a public street.

**OVERLAY ZONE DISTRICT**

A Zone District with regulations that apply in place of, or in addition to, those of the base Zone District.

**OWNER**

Any person having legal or equitable interest in a property or in real improvements upon a property, solely, jointly, by the entireties, or in common. Owner shall also mean any person who has been empowered to act on behalf of, or as agent of the owner. For the purposes of enforcement, owner shall also mean any person who has or exercises care, custody, dominion or control over any property.

**OWNERSHIP, COMMON (as related to abutting non-conforming lots)**

A condition in which a single owner possesses two (2) or more non-conforming lots of record or combination of lots and portions of lots of record, in existence at the time of the passage of this Chapter, or an amendment thereto.

**OWNERSHIP, SINGLE**

Holding record title, possession under a contract to purchase or possession under a lease by a person, firm, corporation or partnership, individually, jointly, in common or in any other manner where the property is or will be under a single or unified control.

**P. Definitions—P.**

**PACKAGE GOODS STORE**

A retail establishment licensed by the State of Michigan for the sale of beer, wine, liquor and other alcoholic beverages (also known as package goods) for consumption off the premises, where the package goods sales area comprises fifty (50) percent or more of the total sales area. Compare to **CONVENIENCE STORE**.

**PARAPET**

A low wall or railing raised above the edge of a roof.

**PARCEL**

See Lot.

**PARKING**

An area on a street, in a paved lot or in a structure used for the temporary or permanent storage of a vehicle.

1. **PARKING, DEFERRED.** A portion of the required off-street parking associated with a use that is not installed at the time of construction, but delayed or deferred until the additional required parking is determined to be needed.
2. **PARKING DEMAND STUDY.** An analysis of the total number of parking spaces required in order to accommodate the maximum number of vehicles for parking purposes by a particular use or site at any given time, including the parking requirements for all employees, occupants, clients and visitors, based on the recommendations of the Institute of Traffic Engineers (ITE).
3. **PARKING LOT.** A paved area dedicated to vehicular ingress and egress, off-street parking, parking aisles, internal travel ways, fire lanes, and other areas dedicated to vehicular use, but not including vehicular storage or display areas. Synonymous with parking area.
4. **PARKING, OFF-SITE.** An off-street parking area intended to serve one or more nonresidential use(s) provided on a different lot than the use(s) it is intended to serve.
5. **PARKING, OFF-STREET.** A parking lot in a structure or in the open, which has access to a public or private street and is not within the right-of-way of any public or private street or part of any off-street loading space.
4. **PARKING, SHARED.** An off-street parking facility shared by two (2) or more uses that are in proximity to one another, and that have different operational characteristics such that utilization of the parking facilities by one use will not generally overlap with the utilization by the other use(s).
6. **PARKING SPACE.** An area of definite length and width, exclusive of drives, aisles or entrances giving access thereto, used for the parking of vehicles.

7. **PARKING SPACE, ACCESSIBLE.** A parking space with any additional space necessary for the ingress and egress from the vehicle by a person with disabilities and any equipment needed for that purpose.
8. **PARKING SPACE, ON-STREET.** A parking space within the right-of-way of a public or private street.
9. **PARKING STRUCTURE.** A structure designed to accommodate off-street parking that is fully or partially enclosed or on the deck surface of a building. Includes the terms parking garage, deck parking, and parking ramp.
10. **PARKING, TANDEM.** A parking space within a group of two (2) or more parking spaces or stalls arranged one behind the other.

#### **PARKING LOT ISLAND**

A planting area within a parking lot landscaping requirements or assist in the designation of parking aisles that is contained completely within the confines of a parking lot.

#### **PARKING LOT LANDSCAPING**

Landscaped areas in and around a parking lot in specified quantities to improve the safety of pedestrian and vehicular traffic, guide traffic movement, improve the environment and improve the appearance of the parking area and site.

1. **PARKING LOT LANDSCAPING, INTERIOR.** Vegetative material, structures (walls and fences), berms, and associated ground cover within the interior of a parking lot or other vehicular use area for the purposes of providing visual relief and heat abatement.
2. **PARKING LOT LANDSCAPING, PERIMETER.** Vegetative material, structures (walls and fences), berms, and associated ground cover around the perimeter of a parking lot or other vehicular use area for the purposes of screening the parking lot from off-site views when those areas are adjacent to a street right-of-way or other development.

#### **PARTY, RESPONSIBLE**

See **PERSON, RESPONSIBLE**.

#### **PARTY STORE**

See **CONVENIENCE STORE**.

#### **PATIO**

A level, surfaced area adjacent to a main building which is not more than twelve (12) inches above average grade, and without walls or a roof.

#### **PEDESTRIAN**

A person traveling on foot under their own power. For purposes of this Chapter, the term pedestrian shall also include a wheelchair user.

#### **PEDESTRIAN-ORIENTED DEVELOPMENT or ENVIRONMENT**

Development designed with an emphasis primarily on sidewalks and pedestrian access to the site and building rather than on vehicular access and parking. In most cases, the building is built close to the sidewalk, building walls along the sidewalk include large windows, and the main entrance is oriented to the sidewalk. Synonymous with pedestrian-friendly development or environment.

**PEDESTRIAN SCALE**

The use of human proportioned architectural features and site design elements clearly oriented to pedestrian activity. These elements are typically smaller in scale and more proportional to the human body, rather than monumental or large scale, and include surface texture and patterns, lighting, colors, materials and architectural details.

**PERMITTED USE**

A use permitted by right in a Zone District, as listed in this Chapter. Compare to SPECIAL LAND USE.

**PERSON**

Any individual, corporation, government agency, business trust, partnership, two (2) or more persons having a joint interest, or any other legal entity.

**PERSON, RESPONSIBLE**

Any person related to the use or development of the land, including participating, assisting, directing, creating, causing, or maintaining a condition that results in a violation of this Chapter; The responsible person may include an: architect, engineer, contractor, developer, agency, property owner, land owner, tenant or occupant, or any other person who has control over, or responsibility for, the property. Synonymous with responsible party.

**PERVIOUS SURFACE**

Area maintained in its natural condition, or covered by a material that permits infiltration or percolation of water into the ground.

**PLACEMAKING**

The process and features that serve to create and identify specific and memorable qualities of a location, including placemaking elements such as landscape, pedestrian amenities, unique architecture, places of historic significance, and other similar features that together create a unique sense of place for the viewer.

**PLANNING ACT**

The Michigan Planning Enabling Act, Public Act 33 of 2008, as amended, or any successor acts.

**PLANNING COMMISSION or COMMISSION**

The Planning Commission for the City.

**PLANNING DEPARTMENT**

The Planning Department for the City.

**PLANNING DIRECTOR or DIRECTOR**

The Planning Director for the City, or his or her designee.

**PLANTING**

A tree, vine or shrub placed on or in the ground.

**PLAZA**

A publicly- or privately-owned square or similar open area intended as a gathering space that is typically paved and includes pedestrian elements such as benches, seating, fountains, landscaping and public art.

**PLINTH**

A continuous, usually projecting course of stone or brick forming the base or foundation of a wall.

**PORCH**

1. **ENCLOSED PORCH.** A horizontal surface consisting of a deck, slab or other similar construction attached to a main building and designed for outdoor seating or as a means of entry to the building. A porch covered by a roof and enclosed by walls or windows.
2. **OPEN PORCH.** An unenclosed horizontal surface consisting of a deck, slab or other similar construction attached to a main building and designed for outdoor seating or as a means of entry to the building. A porch covered by a roof and open on the sides that does not abut the building, including porches with railings, knee walls and screens.

**PORTABLE COMMERCIAL SHIPPING CONTAINER**

A container used for the temporary storage and/or transportation of property for any commercial purpose.

**PORTABLE RESIDENTIAL STORAGE CONTAINER**

A container used for the temporary storage and/or transportation of personal property. Synonymous with temporary storage container.

**PRIMARY ENTRANCE**

The doorway into a building that faces a public street and is of greatest importance relative to other building entrances. The primary entrance is often the doorway facing the street on which the building is addressed.

**PRINCIPAL RESIDENCE**

Principal residence shall have the same definition as that phrase is defined in the General Property Tax Act, MCL 211.1 et seq.

**PRINCIPAL USE**

The primary use or activity taking place on a lot or in a building or structure, but not including any accessory uses occurring on the same lot.

**PUBLIC ASSEMBLY FACILITY**

A building or other facility where congregations of people regularly attend to participate in or hold meetings, workshops, lectures, civic activities, religious services, and other similar activities.

**PUBLIC FACILITY OR USE**

A facility including but not limited to a building, lot or infrastructure owned by a governmental entity or is used to provide a governmental function, activity, service, or public benefit.

**PUBLIC PARK**

Land owned by, or dedicated to, the City for recreational use by the public.

**Q. Definitions—Q.**

**QUOIN**

Corner stones that anchor the edge of the building wall or decorative feature to imitate corner stones, which wrap around the corner of an elevation and join two (2) abutting walls.

R. Definitions—R.

REAR YARD

See YARD.

RECESSED ENTRANCE

A doorway that is recessed into the face of the building to ensure that the open doors do not encroach onto the sidewalk or other right-of-way, or to provide a sense of entry.

RECREATIONAL VEHICLES AND EQUIPMENT

Portable structures, machines or devices, self-propelled or towable by another vehicle, capable of moving upon the highways without special movement permits; primarily designed, constructed or modified to provide temporary living quarters or for recreational camping, or travel use and the trailers and other devices as shall be primarily intended for the transporting of all the structures, machines, or devices. Recreational vehicles and equipment include the following:

1. TRAVEL TRAILER. A portable vehicle on a towing chassis, which is designed to be used as a temporary dwelling during travel, recreational, and vacation uses, and which may be identified by the manufacturer as a "travel trailer", which may include self-contained sanitary, water, and electrical facilities, or a "fifth wheel". May otherwise be classified as a non-motorized recreational vehicle.
2. PICKUP CAMPER. A structure designed to be mounted on a pickup or truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling during the process of travel, recreational, and vacation uses. May otherwise be classified as a non-motorized recreational vehicle.
3. MOTOR HOME. A vehicle intended for temporary human habitation, sleeping, and/or eating, mounted upon a chassis with wheels and capable of being moved from place to place under its own power. Motor homes generally contain sanitary, water, and electrical facilities. This type of recreational vehicle may be otherwise classified in any of the following classes:
  - a. A Class A or bus-type recreational vehicle has the luggage compartment below the living quarter.
  - b. A Class B motorized recreational vehicle includes conversion vans and camper vans that may contain refrigerator as well as water and electrical facilities. Otherwise known as a van/camper.
  - c. A Class C recreational vehicle is a van with the bed over the cab and is much larger than a passenger van due to the bed over the cab.
4. FOLDING TENT TRAILER. A folding structure, mounted on wheels for towing and designed for travel and vacation use.
5. BOATS AND BOAT TRAILERS. Boats, floats, rafts, canoes, plus equipment customarily used to transport them.
6. OTHER RECREATIONAL EQUIPMENT. Includes snowmobiles, jet skis, all terrain or special terrain vehicles, utility trailers, plus equipment customarily used to transport them.



## REDEVELOPMENT

Any expansion, addition, renovation, or major change to an existing building, structure or aspect of development.

## REGULATED USES

1. **ADULT MOTION PICTURE THEATER.** An establishment regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas," as defined herein, for observation by patrons therein.
2. **ADULT BOOKSTORE, ADULT NOVELTY STORE, OR ADULT VIDEO STORE.** A commercial establishment which has significant or substantial portion of its inventory, or derives a significant or substantial portion of its revenues, or maintains a significant or substantial section of its sales and display space, to the sale or rental, for any form of consideration, of any one (1) or more of the following:
  - a. Books, magazines, periodicals or other printed and/or electronic or digital matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas."
  - b. Instruments, devices, or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others.
  - c. For purposes of this definition, the phrase "significant or substantial" means thirty (30) percent or more of any term modified by that phrase.
3. **SPECIFIED SEXUAL ACTIVITIES**
  - a. Human genitals in a state of sexual stimulation or arousal;
  - b. Acts of human masturbation, sexual intercourse or sodomy;
  - c. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.
4. **SPECIFIED ANATOMICAL AREAS**
  - a. Less than completely and opaquely covered:
    - i. Human genitals, pubic region,
    - ii. Buttock, and
    - iii. The nipple and/or areola of the female breast.
  - b. Human male genitals in a discernible turgid state, even if completely and opaquely covered.
5. **ADULT CABARET.** A nightclub, bar, juice bar, restaurant bottle club, or similar commercial establishment, with or without alcoholic beverages, which regularly features:

- a. Persons who appear nude or semi-nude,
  - b. Live performances which are characterized by the exposure of "specified anatomical areas" or "specified sexual activities," or
  - c. Films, motion pictures, videocassettes, slides, electronic, digital or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas."
6. **NUDE OR SEMI-NUDE MODEL STUDIOS.** Any building, structure, premises or part thereof regularly used solely or primarily as a place which offers as its principal activity the providing of models to display any "specified anatomical areas" as defined herein for patrons for a fee or charge.
  7. **REGULARLY FEATURES OR REGULARLY SHOWN.** A consistent and substantial course of conduct such that the films or performances exhibited on the premises constitute a significant or substantial portion of the films or performances consistently offered as a part of the ongoing business of the adult entertainment business.
  8. **SEXUALLY ORIENTED BUSINESS.** An adult bookstore, video store, or novelty store, adult cabaret, adult motion picture theater, or a commercial establishment that regularly features the sale, rental, or exhibition for any form of consideration, of books, films, videos, DVDs, magazines, or other visual representation of live performances which are characterized by an emphasis on the exposure of display of specified sexual activities or specified anatomical areas.

#### RELIGIOUS INSTITUTION

A building owned or maintained by an organized religious organization for the purpose of regular assembly for worship. Examples of religious institutions include but are not limited to: churches, synagogues, mosques, temples, shrines, pagodas, and meetinghouses.

#### REQUIRED BUILDING LINE (RBL)

A line to which all or part of a building is required to be built. Compare with SETBACK

#### REQUIRED REVIEWING AUTHORITY

The City Commission, Planning Commission, Board of Zoning Appeals, or Director. A required reviewing authority may be either a recommending body or an approving authority, as provided by this Chapter.

#### RESIDENTIAL CHARACTER

A building form, neighborhood, or area that is intended primarily for human habitation, and includes human-scaled detailing, pedestrian orientation, and attributes intended to encourage human activity and interaction. This may include neighborhood scale commercial or service uses that do not affect the overall residential character of a building or neighborhood.

#### RESIDENTIAL REHABILITATION FACILITY

See GROUP LIVING, RESIDENTIAL REHABILITATION FACILITY.

#### RESTAURANT

A business establishment at which food and drinks are provided to the public, primarily for on-premises consumption by seated patrons.

**RESTAURANT, DRIVE-IN/DRIVE-THROUGH**

A business establishment with drive-in or drive-through facilities so that patrons may be served ready-to-consume food and drinks in disposable containers, for consumption on or off the premises, and while remaining in their vehicles.

**RETAINING WALL**

A wall or similar device used at a grade change to hold the soil on the up-hill side of the wall from slumping, sliding, or falling, including but not limited to, segmental walls, masonry walls, poured-in-place concrete walls, boulder walls, stacked railroad ties, and pre-split rock walls.

**REZONING**

The process described in this Chapter for changing the designation of a parcel to a different Zone District or Neighborhood Classification.

**RIGHT-OF-WAY (ROW)**

An area owned or maintained by the City, Kent County, State of Michigan, federal government, public utility, railroad, or private concern for the placement of utilities or facilities for the passage of vehicles or pedestrians, including roads, streets, pedestrian walkways, utilities, or railroads.

**ROOF LINE**

The top edge of a roof or parapet, whichever is higher.

**ROOT PROTECTION ZONE (RPZ)**

See TREE PROTECTION.

**S. Definitions—S.**

**SATELLITE DISH ANTENNA**

A parabolic or dish-shaped antenna designed for the purpose of receiving radio or television signals.

**SCREEN OR SCREENING**

A method of visually shielding or obscuring an abutting or nearby structure or use from another by fencing, walls, berms, gates, parapets, penthouse enclosures, features of a building, or plantings of sufficient height, length, and opacity to form a visual barrier.

**SEASONAL SALES**

The temporary sale of goods or products associated with the season or a cultural event, such as the sale of Christmas trees, pumpkins, or seasonal produce, normally conducted by a single vendor.

**SELF-STORAGE FACILITY**

A building or group of buildings under single management that contain individual, compartmentalized, and controlled access stalls or lockers for the storage of, and regular access to, residential or commercial customer's goods or wares.

**SERVICE AREAS, OUTDOOR**

Loading and unloading spaces, trash removal and storage operations, ground level mechanical facilities, or similar site uses.

**SETBACK**

The minimum distance required by this Chapter, measured from the front, side or rear lot line and/or right-of way line which describes the point at which the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line and/or right-of-way line shall be places, unless otherwise permitted by this Chapter. Compare to REQUIRED BUILDING LINE.

**SIDE YARD**

See YARD.

**SIGNS**

See Sign Definitions of Section 5.15.17.

**SITE CONDOMINIUM DEVELOPMENT**

A development of one (1) or more condominium units on an unplatted tract of land, in which each individual lot conforms to the requirements of the zone district in which it is located.

**SOCIAL OR SERVICE CLUB**

A nonprofit association of persons sharing a common interest or specific purpose who gather on a regular basis for fellowship, recreation, promotional activities, charitable causes and other purposes. Examples include civic clubs, fraternal lodges, veterans' organizations, ethnic halls, and private clubs. Bona fide members are characterized by certain membership qualifications, payment of fees or dues, and a constitution and bylaws. For the purposes of this Chapter, this definition shall also include the building, room, or other facility restricted to the use of the social or service club's members and guests.

**SOCIAL SERVICE FACILITY**

A building used in whole or in part by a government or nonprofit organization for the provision of counseling, social or advisory services to the general public or to targeted population groups (e.g. seniors, youth, persons with mental illness), and where no residential care is provided.

**SPECIAL LAND USE**

A land use of a lot, building or structure listed in a Zone District in this Chapter that could have additional effects related to the health, safety, convenience, and general welfare of users of nearby properties and the community as a whole, and for which additional scrutiny is needed. Compare to PERMITTED USE.

**SQUARE**

A formal open space that provides safe and accessible places for the public to meet and gather. It may provide shelters, benches, landscaping, public art, plantings, and greens or other flat, level surfaces.

**STACKING AREA**

A portion of a development and/or parking area at least twenty (20) feet long and dedicated to the temporary storage or "stacking" of vehicles engaged in a drive-through use of the site.

**STEP-BACK**

A horizontal portion of a building or structure that is recessed a specified distance from the façade of the story immediately below it.

## STOOP

An open platform or landing of stone, masonry, concrete or wood leading to an entrance to a building with minimum dimensions of 4 ft. wide by 3 ft. deep and maximum dimension of 6 ft. wide by 5 ft. deep. If railings are used or required they must be similar to the architectural character of the building. Deck railing is prohibited. If wood is used it must be stained or painted to match the buildings main or ascent colors.~~entrance landing, usually with steps from grade to the door, and may or may not be sheltered by an awning or canopy, and used primarily for entry and exit from a door. A deck shall not be considered a stoop.~~

## STORAGE BUILDING

Structures used for the storage or warehousing of goods, but not including temporary storage containers such as portable on-demand units, self-storage facilities, or tractor trailers used for storage.

## STORY

That part of a building, except a mezzanine, included between the surface of one floor and the surface of the next floor, or, if there is no floor above, then the ceiling next above.

## 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 (7) feet.

## STREET

An existing or planned public or private right-of-way that is designed, dedicated, or used principally for vehicular traffic and providing access to abutting properties. The term street includes avenue, boulevard, circle, court, cul-de-sac, drive, place, road, or any other similar term.

1. STREET, ALLEY. A dedicated public or private way affording a secondary means of access to abutting property, not intended for general traffic circulation.
2. PRIMARY AND SECONDARY STREET. Where two (2) or more streets are compared for relative rank or importance, the primary street is the street with the higher(est) vehicle traffic counts.
3. PRIVATE STREET. A street easement which is privately-owned and maintained.
4. STREET FRONTAGE. The distance that a lot line adjoins a public or private street from one (1) lot line intersecting the street to the furthest lot line intersecting the same street. See LOT FRONTAGE.
5. STREET FURNISHINGS. Outdoor amenities, including but not limited to tables, chairs, umbrellas, landscape pots, wait stations, valet stations, bicycle racks, planters, benches, bus shelters, kiosks, waste receptacles and other similar items that help to define pedestrian use areas.

## STREET CLASSIFICATIONS.

As defined in the Grand Rapids Street Classification Policy, as amended, and incorporated by reference in this Chapter:

1. CITY COLLECTOR STREET. A street that provides shorter distance movements within the City, collecting traffic form Local streets and higher volume Regional and Major streets, per the Grand Rapids Street Classification Policy.



2. EXPRESSWAY. A major state and federal highway, connecting cities.
3. LOCAL/NEIGHBORHOOD STREET. A street that provides access to land uses abutting the street right-of-way, per the Grand Rapids Street Classification Policy.
4. MAJOR STREET. A street that carries traffic through the City and to adjacent parts of the region.
5. NEIGHBORHOOD COLLECTOR STREET. A street that collects traffic from Local streets and higher volume City Collector streets, per the Grand Rapids Street Classification Policy.
6. REGIONAL STREET. A street that carries traffic between Grand Rapids and other communities in the region.

#### STREET WALL

An opaque wall or building façade placed parallel to a public or private street built along the Required Building Line or setback, which aligns with other Required Building Lines, setbacks, or buildings or structures along the same street frontage.

#### STREETSCAPE

The various components that make up the street, both in the right-of-way and on private lot frontages including pavement, permitted signs, parking spaces, landscaping and street trees, streetlights, sidewalks, etc.

#### STREETSCAPE PLAN

A plan adopted by the Planning Commission which may include maps, illustrations, and written descriptions which define the minimum standards for the street environment including the space between buildings, streets, paving, signage, landscaping and trees, lights and street furniture. This includes the general standards adopted as the Downtown Streetscape Plan, and as may be amended.

#### STRUCTURE

Anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having permanent location on the ground, and other construction or erection with special function or form. Includes the term “building.”

#### SUBSTANTIAL PROGRESS

All necessary Land Use and Development Services (LUDS) and building permits for the first phase of the development have been secured, and construction has started.

#### SURETY

A cash deposit, certified check, irrevocable bank letter of credit, bond, insurance, or other form of financial obligation acceptable to the City.

#### T. Definitions—T.

##### TEMPORARY STRUCTURE

A structure of limited duration, including those for special events that comply with this Chapter and are removed upon the conclusion of the event.

##### THROUGH TRAFFIC

Vehicular traffic not destined for individual sites or uses within an immediate area.

**TOPSOIL**

The upper layer of soil, in which plants have most of their roots.

**TRAFFIC IMPACT STUDY**

An analysis by a qualified person of the effect of traffic generated by a proposed development or redevelopment on street capacity, operations, and public safety, and may include a parking study and access management plan.

**TRAFFIC ENGINEERING DIVISION or DEPARTMENT**

The Traffic Engineering Division of the City.

**TRAIL**

An access way, either paved or unpaved, intended to serve multiple modes of travel including walking, jogging, bicycling, or other forms of non-motorized transport.

**TRAILER**

Any portable structure designed for towing depending solely on wheels for support.

**TRANSIT-ORIENTED DEVELOPMENT (TOD)**

Mixed-use developments along transit routes normally containing a substantial residential component(s). The location, design, and mix of uses in a TOD emphasize pedestrian-oriented environments and supports public transportation.

**TRANSIT**

The movement of people by public conveyance in a high occupancy vehicle, including busses, carpools or vanpools, light rail, streetcars and trains.

**TRANSITIONAL FEATURES**

Uses or structures permitted under this Chapter, which, by their nature or level and scale of activity, act as a transition or buffer between two (2) or more potentially incompatible uses or Zone Districts.

**TRANSPARENCY**

The ability to see through with clarity. An opening in the building wall allowing light and views between interior and exterior. Measured as clear glass areas for buildings and as open areas for parking structures. Compare to CLEAR GLASS.

**TRANSPORTATION DEMAND MANAGEMENT (TDM) MEASURES**

An approved and adopted plan of actions that will be implemented to reduce traffic volume with incentives and services promoting ride sharing, transit or other alternative commute options, including flextime and staggered work hour programs that reduce rush hour congestion.

**TREE (TYPE)**

The leaves, stems, trunk, bark, roots, and any other portion of a woody plant typically growing as a single stem (rarely a multiple stem) in an upright form.

**TREE, MEASUREMENTS**

1. **DRIP LINE.** The soil surface delineated by the outermost branch spread of a single plant or group of plants.
2. **TREE CALIPER.** The diameter of a tree trunk.



3. TREE CANOPY. The layer of leaves, twigs, branches, and stems of trees that cover the ground, buildings, and other surfaces when viewed from above. Tree Canopy Cover is measured as a percent of area covered by tree canopy. The City of Grand Rapids Urban Tree Canopy Analysis Map (2015) is recognized as the determinant of tree canopy coverage for the purposes of this Ordinance.
4. TREE DIAMETER AT BREAST HEIGHT (DBH). The diameter in inches of a tree measured in inches at four and one-half (4½) feet above the existing grade.
5. TREE HEIGHT. For a deciduous or evergreen tree, height shall be measured from the top of the tree to the surrounding ground elevation or top of the ball (location where fabric containing root system meets the exposed trunk).
6. TREE SIZE. Small, medium, and large tree sizes at full maturity relative to species, as determined by Article 11, Landscaping and Green Infrastructure and the City Forester.

#### TREE PROTECTION

1. CRITICAL ROOT ZONE (CRZ). The area within the drip line of an existing tree that provides the minimum volume of roots necessary for tree health and stability.
2. ROOT PROTECTION ZONE (RPZ). The soil area surrounding a tree defined by a perimeter, in which excavation, compaction, and other construction-related activities shall be avoided or mitigated. The RPZ may extend beyond the tree protection zone (TPZ).
3. TREE INVENTORY PLAN. A map or plan with a list and description of trees containing descriptive and desired information, such as location, species, condition, and tree size, for all or a portion of the project area.
4. TREE, PROTECTED. Any tree having a diameter of six (6) inches DBH or larger or having an aggregate diameter of fifteen (15) inches DBH or greater.
5. TREE AND ROOT PROTECTION PLAN. A written document included in construction plans and specifications that defines the protection perimeter and details measures designed to protect and prevent damage to existing trees during all phases of the project.
6. TREE PROTECTION ZONE (TPZ). The area surrounding a tree defined by a perimeter, in which excavation and other construction-related activities should be avoided.
7. TREE PROTECTION ZONE BARRIERS. Devices such as fencing, berms, or signs installed to define and limit access to tree protection zones, or soil protection layers, as appropriate to accomplish the Tree and Root Protection Plan.
8. TREE, UNHEALTHY. As determined by the City Forester, a tree demonstrating one (1) or more signs of decline, as indicated by severe insect or disease infestation, or with damage or structural defects that may include, but are not limited to: Severed or damaged roots within the critical root zone; signs of previous topping or other improper pruning practices; evidence of decay or structural defect; cracks, wounds, or cavities within the trunk or limbs; or any other defect that cannot be corrected through standard arboricultural practices.

#### TRELLIS

An outdoor garden frame used to partition an area and/or as a support for vines or other climbing plants.

## TWENTY-FOUR HOUR (24) OPERATIONS

1. A business operation that has the potential to negatively impact adjacent properties and the surrounding neighborhood due to the following hours of operation:
  - a. Open any time between 2:00 a.m. and 5:00 a.m.; or
  - b. Open for twenty (20) hours within a consecutive twenty-four (24) hour period.
2. Twenty-four (24) hour operations shall include, but not be limited to: uses involving alcohol sales or consumption, live entertainment, dance, outdoor seating, outdoor uses of any kind, food-related drive-through facilities, convenience stores, pawnbrokers, or other uses as determined by the Director.
3. Twenty-four (24) hour uses as regulated by this Chapter shall not include: medical facilities, lodging, indoor athletic facilities, alcohol sales within a twenty-five thousand (25,000) square foot or larger retail use, automated teller machines (ATMs), industrial uses within the SD-IT District, or other like uses as determined by the Director.

## U. Definitions—U.

### URBAN FARM

An intentional effort by an individual or a community to grow its capacity for self-sufficiency through the cultivation of plants and/or animals for profit or nonprofit, with a single entity serving as the primary operator. May include indoor operations, such as greenhouses, vertical farming, hydroponic systems and aquaponic systems; outdoor operations including growing beds, growing fields, hoopouses and orchards; or operations on the roof of a principal building as a principal use or accessory use.

### USE CLASSIFICATION

A designation of the use of land in one (1) of the categories noted below. Regulated Uses are covered in Article 9. See Section 5.4.04 Use Determination for Similar Uses Not Addressed.

#### 1. RESIDENTIAL

- a. Household Living (residential dwellings). Independent residential occupancy of a dwelling unit by a household, family or person. Typical uses include single-family houses, two-family houses, and multiple family apartment buildings.
- b. Group Living (including residential care). Residential occupancy of a dwelling unit by other than a household and providing communal facilities. Typical uses include adult foster care facilities, assisted living facilities, nursing homes, and transitional shelters.

#### 2. EDUCATIONAL, GOVERNMENT AND INSTITUTIONAL

- a. Educational Uses. Public and private schools ranging from pre-school through post-graduate study, including technical, vocational and trade schools, as well as residential facilities on or adjacent to the campus and accessory uses such as assembly and athletic facilities, museums, and libraries.
- b. Government and Institutional Uses. Public and private land and facilities that serve established government functions or provide social, religious or cultural services.

3. COMMERCIAL

- a. Auto-Oriented. Businesses related to the sale or rental of motor vehicles, recreational vehicles, and other forms of personal transportation; fuel stations and repair facilities; car washes; drive-in or drive-through uses; vehicle towing services or wrecking facilities; and other similar businesses.
- b. Entertainment, Hospitality or Recreation. Uses related to arts and entertainment, recreation, food and drink service, lodging, and uses related to tourism. Does not include outdoor recreational fields, home occupations or Regulated Uses.
- c. Office Uses. Uses primarily engaged in providing professional, medical, and financial services; administrative and business support services; and other similar uses.
- d. Personal Services. Services generally involving the care of the person or person’s possession, usually on an individual or small group basis and primarily conducted on the premises.
- e. Recreation. A facility or area providing opportunities for physical exercise, physical training or improvement of health for the general public or members of an organization. Includes but is not limited to: theaters, bowling alleys, dance halls, game centers, gymnasiums, health clubs, exercise and fitness facilities, and climbing wall centers.
- f. Retail Sales. Establishments primarily engaged in the sale of goods and materials to the general public.

4. INDUSTRIAL AND TRANSPORTATION

- a. Industrial. Land and facilities involved in the manufacture or treatment of goods from raw materials, assembly or production of products, warehousing and storage of goods
- b. Transportation Related Facilities. Uses related to the movement of people and goods, including transfer facilities.
- c. Aeronautical. Uses related to airport operations, and customary uses associated with airports.

5. UTILITY. A use category for public and private services providing essential services such as water, electric power, and heating systems, and wireless communication facilities.

6. ACCESSORY USES  
See ACCESSORY USE.

V. Definitions—V.

VARIANCE

1. DIMENSIONAL VARIANCE. An approval by the Board of Zoning Appeals (BZA) after a demonstration that a practical difficulty related to the property is present that prevents a lot, building or structure from being erected or improved in a manner that complies with the strict provisions of this Chapter.

2. **USE VARIANCE.** An approval by the Board of Zoning Appeals (BZA) after a demonstration that an unnecessary hardship related to the property is present that prevents a lot, building or structure from being used for any of the Permitted Uses or Special Land Uses of the Zone District.

**VEHICLE**

Any device by which a person or property may be transported or drawn upon a street, not including devices moved by human power or used exclusively upon stationary rails or tracks.

**VEHICLE FUEL STATION**

An establishment where motor vehicle fuels and related products are sold to the public and where fuels are dispensed through fuel pumps directly into the vehicles and certain accessory uses; but does not include vehicle service or repair.

**VEHICLE SALES AREA, OUTDOOR**

An outdoor area used for the storage, display, sale or rental of new or used motor vehicles or recreational vehicles in operable condition.

**VEHICLE SALES OR RENTAL**

Establishments primarily engaged in the retail sale of new and used vehicles, noncommercial trucks, motor homes, or recreational vehicles in operable condition, including incidental storage, maintenance, and servicing.

**VEHICLE WRECKING, SALVAGE OR STORAGE OF INOPERABLE VEHICLES**

An establishment involved in vehicle wrecking and towing services; the dismantling or disassembling of used vehicles or trailers; the storage of one (1) or more impounded, damaged, or inoperable vehicles (whether licensed or unlicensed) for a period of more than twenty-four (24) hours; or the sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

**VEHICLE SERVICE OR REPAIR**

An establishment that services or repairs vehicles, including commercial vehicles, engines and trailers, motor homes or recreational vehicles in an entirely enclosed building or structure.

**VETERINARY CLINIC**

A building, or any portion of a building, used for the treatment of house pets as outpatients only and does not have interior or outdoor kennels and overnight boarding.

**VETERINARY HOSPITAL**

A building, or any portion of a building, used for the treatment of house pets, and may have interior or outdoor kennels and overnight boarding.

**W. Definitions—W.**

**WAYFINDING**

An organized system of signs and other identifying elements that provide visual cues to visitors to locate specified features in the community.

**WRC**

Michigan Water Resources Commission, including any successor agency.

## WIRELESS COMMUNICATION FACILITIES

1. ANTENNA. Any outdoor apparatus designed for telephonic, radio, or television communication through the sending and/or receiving of electromagnetic waves.
2. CO-LOCATION. A communications facility used by more than one wireless communications provider.
3. HEIGHT (Tower or Related Structure). The distance measured from ground level to the highest point on the tower or other structure, even if the highest point is an antenna.
4. LATTICE TOWER. A support structure constructed of vertical metal struts and cross braces forming a triangular or square structure which often tapers from the foundation to the top.
5. MONOPOLE. A support structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation.
6. STEALTH EQUIPMENT. A wireless communications facility designed to appear as another natural or artificial object that exists in the surrounding environment or which is architecturally integrated into a building or other structure, and designed to be minimally obtrusive and to camouflage or conceal the presence of antennas or towers.
7. TELECOMMUNICATION. The technology which enables information to be exchanged through the transmission of voice, video, or data signals by means of electrical or electromagnetic systems.
8. TOWER. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like.
9. WIRELESS COMMUNICATIONS EQUIPMENT SHELTER. The structure in which the electronic receiving and relay equipment for a wireless communications facility is housed.
10. WIRELESS COMMUNICATIONS FACILITY. A facility consisting of the equipment and structures involved in receiving communications or radio signals from a mobile radio communications source and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.
11. FACILITY AS ESSENTIAL SERVICE. A communications facility that is used for the primary purpose of providing local public safety communication services that directly transmit information for fire protection, police protection, and basic or advanced life support to the City of Grand Rapids Police and Fire Departments, as defined in a written contractual agreement approved by the City Commission and uniquely connected to the Police Department Data Center.

## X. Definitions—X.—Z.

### YARD

An open space that lies between the nearest property line and the principal main building or structure and which is unoccupied and unobstructed from the ground upward except as

permitted by this Chapter. The term “yard” shall only be used in relation to a lot on which a main building or structure has been placed.

1. FRONT YARD. An open space extending the full width of the lot, between the front lot line and the main building.
2. REAR YARD. An open space extending the full width of the lot, between the rear lot line and the main building.
3. SIDE YARD. An open space between the main building and the side lot line, extending from the front lot line to the rear lot line.

**ZONE DISTRICT**

An area within a Neighborhood Classification in which certain Permitted Uses and Special Land Uses are allowed and development requirements must be met.

**ZONING ACT**

The Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, or any successor acts.

**ZONING MAP**

The official map upon which the boundaries of various zoning districts are drawn and which is part of this Chapter.”