

TOWNSHIP OF FOREST  
ZONING ORDINANCE

**ARTICLE 17: Definitions**

Section 17.01 - Definitions

For the purpose of this Ordinance, certain terms are herewith defined. Terms not herein defined shall have the meanings customarily assigned to them.

ACCESSORY BUILDING. A building related to and secondary to the main use of the premises, but not attached to the main structure.

ACCESSORY HOUSING. A dwelling unit, pursuant to Section 14.02, constructed or placed on a parcel of land where a single-family dwelling already exists. The accessory housing may be a separate dwelling or may be attached to the existing single-family dwelling.

ACCESSORY USE. A use naturally and normally incidental and subordinate to the main use of the premises.

ACCESSORY STRUCTURE. Anything constructed or erected which requires permanent location on the ground or attachment to something having such location which is subordinate to the principle building on the same lot.

*Examples include:* Above ground swimming pool, fence and freestanding signs. An accessory structure does not include physical improvements that are flush with the ground such as patios, sidewalks and driveways.

ADULT ENTERTAINMENT ESTABLISHMENT USES. Any use of land, whether vacant or combined with structures or vehicles thereon by which said property is devoted to displaying or exhibiting material for entertainment, a significant portion of which includes matter or actions depicting, describing or presenting "Specified Sexual Activities" or "Specified Anatomical Areas".

1. Adult entertainment use are limited to the following:

- a. An **adult motion picture** theater is an enclosed building with a capacity of fifty (50) or more persons used for presenting material which has a significant portion of any motion picture or other display depicting or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons therein.
- b. An **adult mini-motion picture theater** is an enclosed building with a capacity for less than fifty (50) persons used for presenting material which has as a significant portion of any motion picture or other display depicting, describing or presenting "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons therein.
- c. An **adult motion picture arcade** is any place to which the public is permitted or invited wherein coin or slug operated or electronically or mechanically controlled still or motion picture machines, projectors, or other image producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where a significant portion of images so displayed depict, describe or relate to "Specified Sexual Activities" or "Specified Anatomical Areas."
- d. An **adult book store** is a use which has a display containing books, magazines, periodicals, slides, pictures, cassettes, or other printed or recorded material which has as a significant portion of its content or exhibit matter or actions depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" or an

- establishment with a substantial segment or section devoted to the sale or display of such material.
- e. An **adult cabaret** is a nightclub, theater or other establishment which features live performances by topless and/or bottomless dancers, "go-go" dancers, exotic dancers, strippers, or similar entertainers, where a significant portion of such performances show, depict or describe "Specified Sexual Activities" or "Specified Anatomical Areas."
  - f. An **adult motel** is a motel wherein matter, actions or other displays are presented which contains a significant portion depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas."
  - g. An **adult massage parlor** is any place where for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatment or any other treatment or manipulation of the human body occurs as part of or in connection with "Specified Sexual Activities" or where any person providing such treatment, manipulation or service related thereto exposes "Specified Anatomical Areas."
  - h. An **adult model studio** is any place where, for any form of consideration or gratuity, figure models who display "Specified Anatomical Areas" are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such considerations or gratuities, except that this provision shall not apply to any bona fide art school or similar education institution.
  - i. An **adult sexual encounter center** is any business, agency, or person who, for any form of consideration or gratuity, provides a place where three (3) or more persons, not all members of the same family may congregate, assemble or associate for the purpose of engaging in "Specified Sexual Activities" or exposing "Specified Anatomical Areas."
  - j. An **adult retail establishment** is an establishment in which as a significant portion of its content or exhibit matter consists of, the following: books, magazines and other periodicals, movies, videotapes, compact discs, digital versatile discs, novelty items, games, greeting cards, and other materials which are distinguished or characterized by their emphasis on matters depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas"
2. **Significant Portion** — As used in the above definitions, the phrase "significant portion" shall mean and include:
    - a. Any one (1) or more portions of the display having continuous duration in excess of five (5) minutes; and/or,
    - b. The aggregate of portions of the display having a duration equal to ten (10) percent or more of the display.
    - c. The aggregate of portions of the collection of any materials or exhibits composing the display equal to ten (10) percent or more of the display.
  3. **Display** — As used in the above definitions, the word display shall mean any single motion or still picture, presentation, dance or exhibition, live act, or collection of visual materials such as books, films, slides, periodicals, pictures, computer generated images, video cassettes or any other printed or recorded matter which is open to view or available to the general population whether for free or otherwise.
  4. **Specified Sexual Activities** — As used in the above definitions, the phrase "specified sexual activities" shall mean and include:

- 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.
5. **Specified Anatomical Areas** — As used in the above definitions, the phrase "specified anatomical areas" shall mean and include:
- a. Less than completely and opaquely covered: 1) human genitals, pubic region; 2) buttock; and, 3) female breast below a point immediately above the top of the areola;
  - b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

**AGRICULTURAL TOURISM FACILITIES.** Commercial facilities are designed to attract visitors through the sale of agricultural byproducts and the sale of gifts, arts and crafts and other similar products. These facilities can also include the provision of agricultural-related activities such as hay rides, sleigh rides and petting zoos.

**AIRPORTS, COMMERCIAL.** A transportation facility to accommodate the take-off, landing, shelter, supply, service and repair of aircraft, and the receiving and discharging of passengers and cargo

**AIRSTRIPS, PRIVATE.** A private transportation facility, closed to the public, to accommodate the take-off and landing of aircraft. The runway is made of sod and not paved with any type of material.

**ALTERATIONS.** Any change, addition or modification in construction of the structural members of a building, such as walls, partitions, columns, beams, or girders.

**AMBULANCE STATION, PRIVATE.** A facility for the stationing of ambulances and their crew (A place where ambulances are maintained and dispatched when needed).

**APARTMENTS.** Any multi-family structure containing five (5) or more dwelling units.

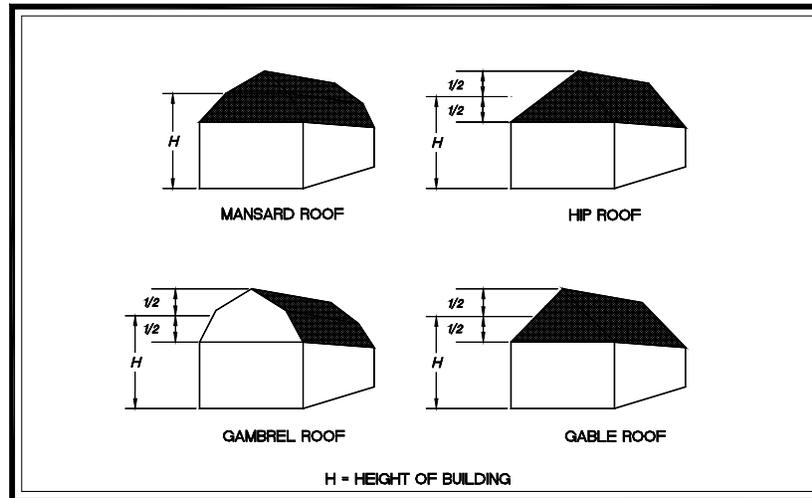
**AUTOMOBILE SERVICE STATIONS.** A building or structure designed or used for the retail sale of fuel (stored only in underground tanks), lubricants, air, water and other operating commodities for motor vehicles, aircraft or boats, and including the customary space and facilities for the installation of such commodities on or in such vehicles, and including space for facilities for the storage, minor repair, or servicing, but not including bumping, painting, refinishing, major repairs and overhauling, steam cleaning, rust-proofing, where the primary use of the premises is such, or high speed washing thereof. The term covers such uses as quick oil change facilities and muffler/brake replacement facilities provided no major repairs as described above are undertaken

**BED AND BREAKFAST ESTABLISHMENTS.** A house, or portion of a house where short-term lodging rooms and meals are provided. A bed and breakfast is distinguished from a motel or hotel in that it shall have only one (1) set of kitchen facilities, employ only those living in the house or up to one (1) additional employee, and have a facade consistent with the surrounding homes. Typically these are residential type homes.

**BUILDING.** A structure, either temporary or permanent, having a roof supported by columns or walls for the shelter, support of enclosure of persons, animals, or personal property. This shall include tents, awnings, vehicles, trailers, or mobile homes situated on private property and used for purposes of a building.

**BUILDING HEIGHT.** The vertical distance measured from the established grade at the center of the front of the building to the highest point of the roof surface if a flat roof; to the deck of mansard roofs; and to the mean height level between eaves and ridge of gable, hip and gambrel roofs (see Figure 17-1).

Figure 17-1



**CAMPER.** Any tent, motor home, travel trailer, van, truck camper, or any similar conveyance or facility which is commonly used for camping purposes.

**CAMPGROUNDS.** A parcel or tract of land under the control of a person or company on which sites are offered for the use of the public or members of an organization, either free of charge or for a fee, for the establishment of temporary living quarters in tents or other recreational vehicles. Campgrounds include a children's camp and adult foster care camp.

**CEMETERIES.** Land used or intended to be used for the burial of the deceased, and dedicated for cemetery purposes, including columbariums, crematories, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

**CLUBS.** An organization of persons for special purposes or for the promulgation of agriculture, sports, arts, science, literature, politics or the like, but not for profit. A club must be recognized or certified as a non-profit organization.

*Examples include:* Fraternal organizations, Lion Club, Kiwanis, American Legion, Eagle Clubs, Knights of Columbus, Masonic Temple, Moose Lodge, other lodges or clubs that are engaged in not for profit activities and other similar clubs compatible with the above organizations.

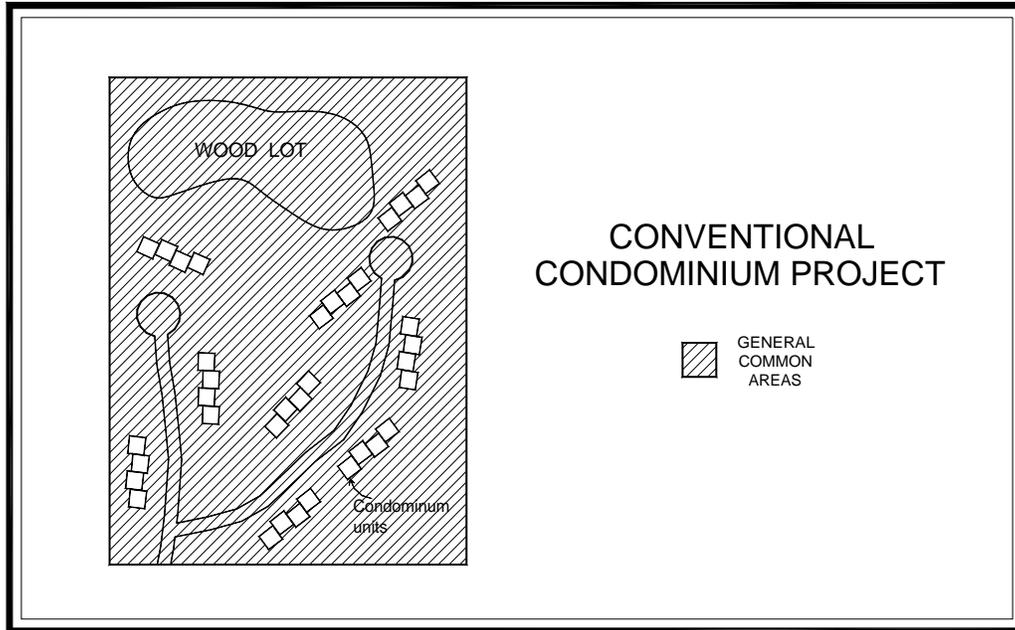
**CONDITIONAL USE PERMIT.** Authority granted by the Planning Commission for a specific use on a specific parcel authorized by Conditional Use Permit in the zoning district in which the parcel is located.

**CONDOMINIUM ACT.** Michigan Public Act 59 of 1978, as amended.

**CONDOMINIUM MASTER DEED.** The condominium document recording the condominium project as approved by the Township, to which is attached as exhibits and incorporated by reference the approved by-laws for the project and the approved condominium subdivision plan for the site.

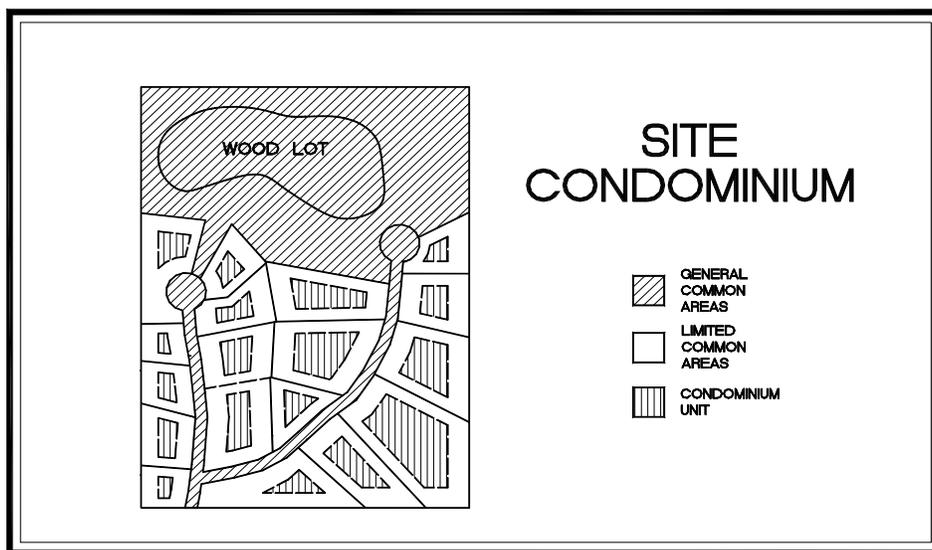
**CONDOMINIUM PROJECT, CONVENTIONAL.** A development in which ownership interest is divided under the authority of the Condominium Act (PA 59 of 1978) and in which the condominium unit consists primarily of the dwelling or other principal structure and most of the land in the development is part of the general common area (see Figure 17-2).

Figure 17-2



**CONDOMINIUM PROJECT, SITE.** A development in which ownership interest is divided under the authority of the Condominium Act (PA 59 of 1978) and in which the condominium unit consists of a building site, with or without structures, which along with associated limited common elements, constitutes the equivalent of a lot (see Figure 17-3).

Figure 17-3



**CONDOMINIUM SUBDIVISION PLAN.** The Site plan illustrating the existing site features and all proposed improvements pursuant to the requirements for site plan review and pursuant to the requirements of Section 66 of the Condominium Act.

**CONDOMINIUM UNIT.** That portion of the condominium project designed and intended for separate ownership and use, as V described in the master deed.

**CONTRACTOR ESTABLISHMENT.** A facility for the operation of a building contractor or similar business, including office facilities, including outdoor storage of equipment and supplies.

Examples include: Heating and cooling contractors, landscape contractors, remodeling contractors and pest control contractors.

**CONVALESCENT HOME.** Establishments primarily engaged in providing in-patient nursing and health related personal care, other than a private home, in which one (1) or more adults who are aged or physically impaired by accident, disease, or otherwise disabled are received for care and supervision for extended periods. Establishments of this type include: nursing homes, subacute care facilities, homes for the aged, intermediate care facilities, hospice, and rest homes.

**CUL-DE-SAC.** A street or alley that is closed at one end.

**DAY CARE CENTER, COMMERCIAL.** Facilities (publicly or privately operated), other than a private home, having as their principal function the receiving of one (1) or more preschool or school age children (under the age of eighteen (18)) for care, maintenance, and supervision. Day care centers include facilities that provide care for not less than two (2) consecutive weeks, despite the number of hours per day of care. Day care centers receive minor children for care for periods of less than twenty four (24) hours a day, where the parents, relatives, or legal guardians are not immediately available. Day care centers are also commonly known as child care centers, day nurseries, child care facilities, nursery schools, parent cooperative preschools, play groups, or drop-in centers. These may also include intergenerational day care facilities for both children and the elderly.

**DRIVE-THRU ESTABLISHMENTS.** An establishment that by design, physical facilities, service or by packaging procedures encourages or permits customers to conveniently make deposits or receive other services, or obtain goods without leaving their motor vehicles, and then proceeding elsewhere. Distinguished from a drive-in establishment by the absence of parking while the service is being provided or brought to the customers. These establishments do not include drive-through fast food restaurants.

*Examples include:* Banks, drug stores, photo shops, grocery or party stores, and related businesses. A drive-through window, or motor vehicle oriented pick-up window, even if accessory to the principal use, shall subject the use to all the standards applicable to uses in which the drive-through aspect is a principal feature of the use and other retail and business service establishments similar to and compatible with the above uses.

**DRIVE-IN ESTABLISHMENTS.** A business establishment so developed that its principal retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle. These establishments do not include drive-in fast food restaurants.

**DWELLING, DUPLEX.** A building used or designed as a residence for two (2) families.

**DWELLING, SINGLE-FAMILY.** A building used or designed exclusively as. a residence for one (1) family.

**DWELLING UNIT.** Any house, building, mobile home, or portion thereof which is designed for or occupied as a residence or sleeping quarters for a person, persons, or family as a single unit.

**ERECTED.** The word “erected” includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required to construct a building. Excavations, fill, or drainage relating to the construction or placement of a structure shall be considered a part of erecting.

**EXCAVATING.** The removal of sand, stone, gravel or dirt from its natural location.

**FAMILY DAY CARE HOMES.** Private homes in which one (1) but less than seven (7) minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Family day care home includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year.

**FARM.** All of the associated land, operated as a single unit on which farming is carried on, including livestock and poultry raising, feedlots, dairying, crop production, forestry, tree and shrub nurseries, greenhouses, sod farms, truck gardens and similar enterprises involving agricultural production. This shall include portable sawmills used for the purpose of processing the wood grown on the farm on which the sawmill is located.

**FARM BUILDING.** Any building or structure, other than a dwelling, which is customarily used on farms for the pursuit of their agricultural activities.

**FILLING.** The depositing or dumping of any matter onto or into the ground, except for agricultural, gardening, or landscaping purposes.

**FLOOR AREA.** The sum of the gross horizontal areas of the several floors, of the building measured from the exterior faces of the exterior walls. The “floor area” of a building shall include the basement floor area when more than one-half (1/2) of the basement height is above the finished lot grade.

**FUEL DISTRIBUTION FACILITIES.** A facility that stores fuel for transport to retailers. Fuel is not sold to the general public on-site.

**FUNERAL HOMES OR MORTUARIES.** A building or part thereof used for human funeral services. Such building may contain space and facilities for: a) embalming and the performance of other services used for preparation of the dead for burial; b) the performance of autopsies and other surgical procedures; c) the storage of caskets, funeral urns, and other related funeral supplies; and d) the storage of funeral vehicles, but shall not include facilities for cremation. Where a funeral home is permitted, a funeral chapel shall also be permitted.

**GOLF COURSES.** A tract of land for playing golf, with tees, greens, fairways and hazards such as sand traps and surface water. A miniature golf course is not included in the general term “golf courses” as defined in this Ordinance.

**GROUP DAY CARE HOMES.** Private homes in which more than six (6) but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group day care homes includes homes that give care to an unrelated minor child for more than four (4) weeks during a calendar year.

**GUN RANGES.** Facilities defined in the Sport Shooting Range Act No. 269 of 1989, as amended, and/or facilities designed, operated, or used for any form of shooting including ranges for archery, rifles, shotguns, pistols, black powder or other similar projecting of weapons, and skeet, trap, silhouettes, and other types of target facilities.

HOBBY FARM. The use of property for the non-commercial raising of farm animals.

HOME OCCUPATION. Any business activity operated out of a home which involves on-site advertising or customers coming to the premises.

HOTELS. A building used as a temporary abiding place of individuals or groups of individuals in which there are more than five (5) sleeping rooms sharing a common entrance to the structure.

INDOOR RECREATION ESTABLISHMENT. Indoor entertainment establishments providing recreation that diverts, amuses, entertains, or provides entertainment or other hospitality that may include food service or accommodations, but does not include drive-through establishments. Additional regulations apply to indoor establishments that serve alcohol.

INDOOR RECREATION, COMMERCIAL. Indoor commercial recreational uses include, but are not limited to: bowling alleys, ice or roller blade rinks, indoor soccer fields and racquet courts, and athletic clubs.

*Examples include:* Bowling alleys, billiard halls, arcade or video game rooms, archery range (indoor) and other indoor entertainment establishments similar to and compatible with the above establishments.

JUNK. Any motor vehicles, machinery, appliances, product, merchandise, scrap metals or other scrap or cast off materials that are deteriorated, or are in a condition which cannot be used for the purpose that the product was manufactured.

JUNK YARD. Any property used for the storage, keeping, dismantling, or abandonment of junk outside of an enclosed building.

KENNEL, COMMERCIAL. Any lot or premises on which four (4) or more dogs, six (6) months or older are bred, boarded or kept for commercial purposes, or on which over eight (8) dogs are kept for any purpose.

KENNEL, PRIVATE. Any lot or premises on which four (4) or more dogs, six (6) months old or older, are kept for non-commercial purposes.

LABORATORIES. A place devoted to experimental, routine study or basic study such as testing and analytical operations and in which manufacturing of a product or products, except prototypes, is not performed

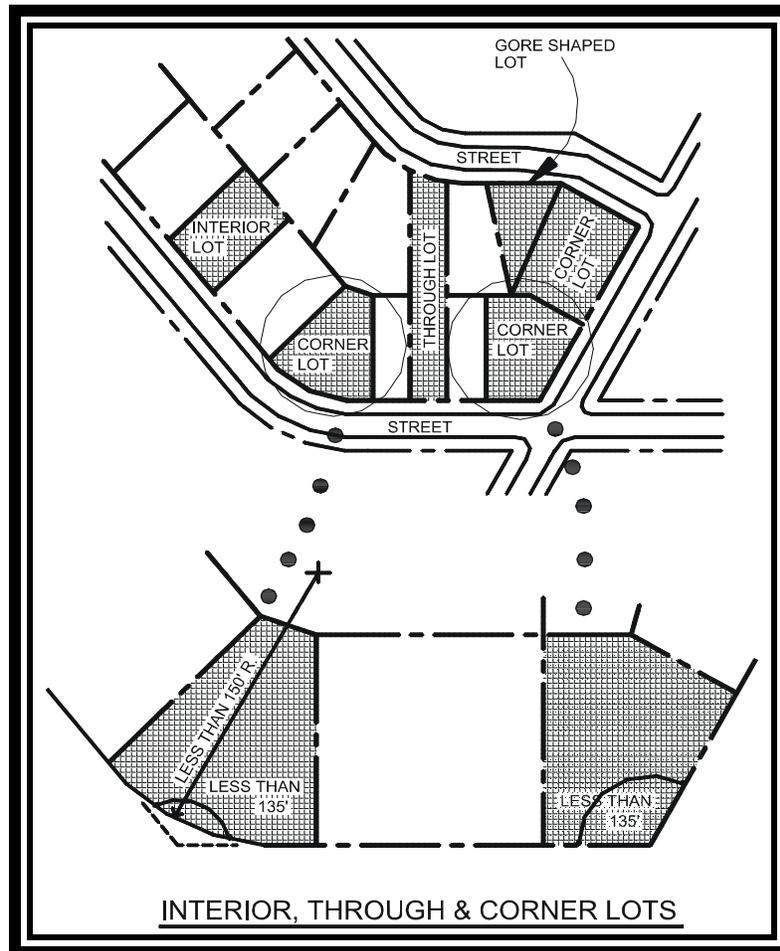
LIVESTOCK. Horses, cattle, sheep, goats, mules, donkeys, hogs, and other hooved animals.

LOT. A parcel of land occupied or intended for occupancy by a use permitted in this Ordinance, including one (1) main building with its accessory buildings, and providing the open spaces, parking spaces, and loading spaces required by this Ordinance. In the case of a site condominium, each condominium unit and its contiguous associated limited common area shall constitute a lot.

LOT AREA. The total horizontal area within the lot lines of a lot.

LOT, CORNER. A lot located at the intersection of two (2) streets or a lot bounded on two sides by a curving street, any two (2) chords of which form an angle of one hundred thirty five (135) degrees or less. The point of intersection of the tangents described above (see Figure 17-4).

Figure 17-4



LOT COVERAGE. That part or percent of the lot occupied by buildings or structures, including accessory buildings or structures.

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

LOT, GORE SHAPED. A triangular shaped lot. (See Figure 17-4).

LOT, INTERIOR. A lot other than a corner lot with only one (1) lot line fronting on a street (see Figure 17-4).

LOT, LAKE. A lot having frontage on a natural or man-made lake excluding rivers, streams, channels and ponds.

LOT LINE, FRONT. In the case of an interior lot, abutting upon on public or private street, the front lot line shall mean the line separating such lot from such street right-of-way. In the case of a through lot, the front lot shall be that line separating said lot from that street which is designated on the zoning permit. In the case of a corner lot, both street lot lines are front lot lines.

LOT LINE, REAR. Ordinarily, that lot line which is opposite and most distant from the front lot line of the lot. In the case of an irregular, triangular, or gore-shaped lot, a line ten (10) feet in length entirely within the lot parallel to, or approximately parallel, and at the maximum distance from the front lot line of the lot shall be considered to be the rear lot line for the purpose of

determining depth or rear yard. In cases where none of these definitions are applicable, the Zoning Administrator shall designate the rear lot line.

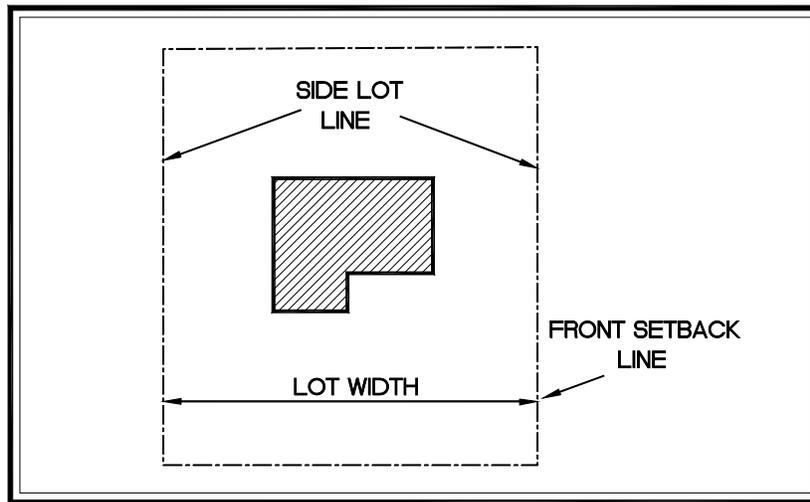
**LOT LINE, SIDE.** Any lot line not a front lot line or rear lot line

**LOT LINES.** The property lines bounding the lot.

**LOT, THROUGH.** A lot having its front and rear yards each abutting a street or road. Expressways do not constitute a road for the purpose of this definition (see Figure 17-4).

**LOT WIDTH.** The continuous horizontal distance between the side lot lines, measured at the required front yard setback or the actual front yard setback, whichever is less (see Figure 17-5).

Figure 17-5



**LOT OF RECORD.** Any parcel of land which is separately described in a deed, land contract, or similar legal document evidencing a conveyance of ownership and recorded with the Genesee County Register of Deeds.

**MASSAGE PARLOR.** An establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist, or similar person. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa, or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service or an "Adult Massage Parlor" defined elsewhere in this article.

**MEDICAL CARE ESTABLISHMENTS.** Healthcare facilities that provide medical, dental, surgical, preventive health services and other related services to patients as well as establishments providing support to health professionals and patients such as medical laboratories, medical suppliers and other service establishments involved with medical services.

*Examples include (Small) :* Medical or dental clinics, doctor or dentist offices, medical or dental labs, blood collection facilities, x-ray and related scanning facilities, emergency medical care facilities, sales of medical supplies and prosthetics, drug stores, pharmacies, chiropractors, physical therapists, rehabilitation therapists, nurses, or physicians and other

medical service establishments similar to and compatible with the above use. Such facilities are five thousand (5,000) square feet in size or less.

*Examples include (Large):* Sanitariums, hospitals, medical clinics and other medical service establishments similar to and compatible with the above use.

**MEAT PROCESSING AND SLAUGHTER HOUSES.** Any building used for the slaughter or the preparation of live animals for food consumption or other uses and for processing animals and the parts thereof to make them saleable for food or other uses. Retail sales shall be limited to items slaughtered on the premises of the establishment.

**MINI-STORAGE FACILITIES.** A building or series of buildings containing separate storage spaces of varying sizes leased or rented as individual leases on a lot that may also include outdoor storage spaces.

**MOBILE HOME.** (includes house trailer, trailer coach, and double- wide mobile home). A dwelling unit designed for long term occupancy and designed to be transported after fabrication on its own wheels or as one or more units. This includes all units which could be licensed under the provision of Act 300 of the Public Acts of 1949, as amended.

**MOBILE HOME PARK.** Any parcel of land which has been designed, improved or used for the placement of three or more mobile homes.

**NON-CONFORMING BUILDING.** A building or portion thereof lawfully existing at the effective date of this Ordinance, or amendments thereto, and which does not conform to the building setback, building height, building size or similar provisions of this Ordinance in the zoning district in which it is located.

**NON-CONFORMING LOT.** A parcel of land thereof lawfully existing at the effective date of this Ordinance, or amendments thereto, and which does not conform to the lot area, lot width or similar provisions of this Ordinance in the zoning district in which it is located

**NON-CONFORMING USE.** A use of land or structure or portion thereof lawfully existing at the effective date of this Ordinance, or amendments thereto, and which does not conform to the use requirements of this Ordinance in the zoning district in which it is located.

**OFFICE ESTABLISHMENTS.** Office establishments are characterized by activities conducted in an office setting and generally focusing on business, government, professional, financial or other related services. Accessory uses may include cafeterias and health facilities established primarily to service the needs of employees on the premises.

*Examples include (large):* Office buildings, industrial parks, corporate headquarters

*Examples include (small):* Professional offices such as banks, credit unions, savings and loan associations and other financial and business services institutions, insurance offices, non-inventory sales, stock brokerage firms administrative, corporate headquarters, dentist, doctors, chiropractors, lawyers, engineers, radio studio without broadcasting towers and photographic studios. Such facilities are five thousand (5,000) square feet in size or less.

**OPEN AIR BUSINESS.** A retail business activity which is conducted entirely or partially outside an enclosed building,

*Examples include:* Drive-in theaters, fuel or propane sales, race tracks, vehicle sales, farm machinery sales, and fruit markets.

**PARKING SPACE.** An area of not less than nine and one-half (9½) feet wide by twenty (20) feet long, designed for the parking of a motor vehicle, such space being exclusive of necessary

drives, aisles, entrances, or exits and being fully accessible for the storage or parking of permitted vehicles.

**PERSONAL SERVICE ESTABLISHMENTS.** Personal service establishments are primarily engaged in providing services involving the care of a person or his or her personal goods, apparel or other belongings.

*Examples include:* Barber, beauty and nail shops or salons, nails, watch and shoe repair, tailor shops, locksmith, coin operated laundromats, laundry or dry cleaning customer outlets (pick-up stations only), laundry pick-up stations, self-serve dry cleaning center and the like, tanning, fitness or health clubs, physical culture or health establishments, reducing salons, gymnasiums, printing, tuxedo rental, tattoo parlors, masseurs, steam baths, upholstering, photographic studios and animal grooming and other uses similar to and compatible with the above establishments.

**PLANNED UNIT DEVELOPMENTS.** A development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements.

**PLANNING COMMISSION.** The duly appointed Planning Commission of Forest Township, as authorized by Michigan Public Act 168 of 1959.

**PUBLIC PARKS AND PLAYGROUNDS.** An area or parcel open to the general public and reserved for the recreational, educational or scenic purposes.

*Examples include:* Play fields, play grounds and other recreational facilities.

**PUBLIC UTILITY FACILITIES.** A building or structure within which a public utility or transportation service deemed necessary for the public health, safety or general welfare (or some other essential service) is provided to the public by an entity under public franchise or ownership, including but not limited to facilities created for the generation, transmission and/or distribution of electricity, gas steam, communications, television, and water; the collection and treatment of sewage and solid waste; and the provision of roads, rails, air or mass transportation for the general public use. Accessory uses may include offices, truck and large equipment parking, fueling and maintenance and other related facilities.

*Examples include:* Electric transformer stations and substation; electric transmission towers; municipal sewage treatment plant and municipal building; and gas regulator and pumping station and municipal utility pumping stations and other uses similar and compatible with the above. These installations do not include outdoor storage yards

**QUARRYING.** The removal of sand, clay, gravel, soil or similar material from its natural location for sale or use on a parcel of land other than the parcel on which the material was originally located. This shall not include material excavated for purposes of digging basements.

**RELIGIOUS INSTITUTIONS.** Institutions that primarily provide meeting areas for religious activities for the general public. They may be associated with a convent (group housing) or provide caretaker housing or a parsonage on-site as an accessory use.

*Examples include:* Churches, synagogues, temples and mosques and other institutions similar to and compatible with the above establishments. Schools, day care centers, homeless shelters, soup kitchens and other uses sometimes associated with religious institutions are separate principal uses.

**RESTAURANTS.** An establishment serving prepared food or beverages for consumption on the premises and which may or may not include accessory "take-out" services.

**ROADSIDE PRODUCE STAND.** A temporary or seasonal outdoor sales area accessory to an agricultural operation which sells products grown or produced on the premises.

**SCHOOLS.** Any building or part thereof which is designed, constructed, or used for education or instruction including vocational, K-12 or other educational purposes.

*Examples include:* Elementary, junior high and high schools, colleges, universities and vocational schools.

**Non-profit:** Public (including charter schools), parochial or other private elementary, intermediate, and/or high schools offering courses in general education.

**For-profit:** Schools including public trade or similar private schools and colleges, offering courses of instruction.

Other educational institutions similar and compatible with the above uses.

**SENIOR HOUSING.** Housing type that provides individual dwelling units to allow seniors to live independently with regard to cooking, housekeeping, laundry and general activities of daily living.

**SETBACK.** The distance between a building and a road centerline or a property line.

**SHOPPING CENTER.** A group of commercial establishments planned and developed as a unit with off-street parking provided on the property and related in its location, size and type of shops to the trade area which the center serves.

**SIGN.** Any device designed to inform, advertise or attract attention.

**SIGN AREA.** The total of the surface of one side of a sign computed in square feet. The total shall be determined by multiplying the total height of the sign surface by the total width of the sign surface area.

**SIGN, PERMANENT.** Any sign designed or intended to be placed on a parcel of land for more than six (6) months.

**SIGN TEMPORARY.** Any sign designed or intended to be placed on a parcel of land for less than six months. Also any sign which is not permanently attached to real estate in accordance with the construction requirements of the building code.

**SINGLE-FAMILY DETACHED CONDOMINIUM.** A condominium unit which is physically separated from any other condominium unit and which is designed and intended for occupancy by a single family.

**STABLES AND/OR RIDING ACADEMIES.** An accessory building in which horses are cared for and kept for either private and/or public use.

**STATE LICENSED RESIDENTIAL FACILITY.** A structure constructed for residential purposes that is licensed by the State pursuant to the Adult Foster Care Facility Licensing Act (MCLA 400.701, *et seq.*) or the Child Care Organizations Act (MCLA 722.111, *et seq.*) that provides resident services or care for persons under twenty four (24) hour supervision for persons in need of that supervision or care. A "State Licensed Residential Facility" that receives special zoning treatment as a residential use may include an adult foster care family home, adult foster care small group home with six (6) or fewer persons or a foster family home.

**STRUCTURE.** Anything constructed, erected, or placed on a parcel of land which is permanently located in the ground or attached to something having a permanent location. This shall include buildings, mobile homes, pre-manufactured units, modular units, and similar items.

Any structure located on the same premises for more than six months shall be deemed to be permanently located within the meaning of this definition.

SWIMMING POOL. The term “swimming pool” shall mean any structure or container intended for swimming, located either above or below grade designed to hold water to a depth of greater than twenty- four (24) inches. Ponds shall not be deemed to be swimming pools.

TAVERNS AND SIMILAR ESTABLISHMENTS. A business serving alcoholic beverages in which the principal business is the sale of such beverages at retail for consumption on the premises and where sandwiches, snacks and other prepared food may also be sold.

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

TOWNHOUSE. A multi-family structure containing 3 or 4 dwelling units

TOWNSHIP BOARD. The duly elected or appointed Township Board of the Township of Forest.

TRAVEL TRAILERS. (including recreational vehicles, camping trailers, truck campers, and motor homes). Vehicular-type portable structures, primarily designed as temporary living accommodations for recreational camping or travel use. These vehicles can either be towed, hauled, or affixed to another vehicle and driven from one site to another without requiring a special transportation permit for travel.

TRAVEL TRAILER PARK. Any parcel of land designed, improved, or used for the placement of three (3) or more travel trailers or tents (used for recreation, camping or travel use) for overnight accommodations. The purpose for which a parcel of land or a building is designed, arranged, or intended or the purpose for which it is occupied, maintained, or leased.

TRUCK TERMINAL. A facility for the receipt, transfer, short term storage and dispatching of goods transported by truck

USE. The purpose for which land or premises of a building thereon is designed, arranged, or intended or for which it is occupied, maintained, let or leased.

USABLE FLOOR AREA. Usable floor area, for the purposes of computing parking needs for off-street parking spaces, is net floor area used for or intended to be used for the sale of merchandise or services or for use to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage of merchandise, or for utilities shall be excluded from this computation of “Usable Floor Area.” Measurement of floor area shall be the sum of horizontal areas of all of the floors of the building, measured from the interior faces of the exterior walls.

VARIANCE. An authorization permitting change in the requirements of this Ordinance by the Zoning Board of Appeals in cases where the general requirements of this Ordinance and the literal enforcement of such would result in a practical difficulty upon the variance applicant.

VETERINARY CLINIC. A facility for the examination and treatment of animals, excluding temporary boarding facilities.

VETERINARY HOSPITALS. A facility for the examination and treatment of animals, including temporary boarding facilities.

WHOLESALE AND WAREHOUSING. Wholesale and warehousing establishments or places of business that are primarily engaged in the selling of merchandise to retailers or storing of merchandise, to industrial, commercial, institutional, or professional business users, to other wholesalers, or acting as agent or broker and buying merchandise for, or selling merchandise to

such individuals or companies. There is little on-site sales activity with the customer present. Accessory uses may include offices, truck fleet parking, fueling and maintenance.

*Examples include:* The sale of wholesale or warehousing of automotive equipment, dry goods and apparel, groceries and related products, raw farm products except livestock, electrical goods, hardware, plumbing, heating equipment and supplies, machinery and equipment, petroleum bulk stations and terminal, tobacco and tobacco products, beer, wine and distilled alcoholic beverages, paper and paper products, furniture and home furnishings and parcel delivery services, any commodity the manufacture of which is permitted in this zoning district.

WIRELESS COMMUNICATION ANTENNAE. Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals and radio frequencies.

WIRELESS COMMUNICATIONS TOWERS. A radio, telephone or television transmission, reception or relay structure including but not limited to monopole, skeleton framework, or other design which is attached directly to the ground or to another structure, used for the transmission or reception of radio, televisions, microwave, or any other form of telecommunication towers and any tower erected by a public entity for hazard warning or other communication purpose.

YARD. An open space of prescribed width or depth on the same land with a building or group of buildings, which open space lies between the building or group of buildings, and the nearest lot line and is unoccupied and unobstructed from the ground upward.

ZONING ADMINISTRATOR. The administrator of this Ordinance appointed by the Forest Township Board.

ZONING BOARD OF APPEALS. The duly appointed Zoning Board of Appeals for the Township of Forest.

ZONING PERMIT. Written verification from the Township Zoning Administrator or their designee, that a proposed land use, new construction, addition, or excavation or grading of property complies with the terms of this ordinance. The instances where a zoning permit is required are outlined in Section 7.02.