

ARTICLE 5
AG AGRICULTURAL AND RURAL DISTRICT
Updated 5-4-13

Sec. 5.01 DESCRIPTION AND PURPOSE.

This zone is intended for tracts of land within the township that are best suited and located for agricultural production and related operations. If development or the dividing of land are to occur, they should be preceded by proper planning and rezoning. The purpose of this district is also to provide sites for single family residential development where a rural atmosphere is to be maintained. Lands within this district may also be used for recreational purposes. A low intensity of uses must be maintained since it is not expected that lands within this district will be served with complete municipal services at any point in the foreseeable future.

Sec. 5.02 PERMITTED USES.

Land or buildings in the AG District may be used for the following purposes only:

- A.** Farms for both general and specialized farm operations, including the following agricultural activities:
 1. crop production, including berry farms, row crops, orchards, field crops, grain, hay, pasturelands and vineyards.
 2. commercial animal raising, including kennels, rabbit farms, fur bearing animal ranches, hog farms, dairy farms and cattle farms.

3. farm buildings designed and constructed to store implements, hay, grain, poultry, livestock, or other horticultural products.
 4. wholesale nurseries, including tree or sod farm and greenhouses.
 5. egg hatcheries.
 6. confined animal feeding operations and intensive animal raising.
- B.** One single family residence on each lot.
 - C.** Conservation area for flora or fauna, forest preserve, game refuge.
 - D.** Parks or recreation areas owned or operated by a government agency.
 - E.** Permitted Accessory Uses.
 1. Uses customarily accessory to farm operations.
 2. Permitted accessory uses and buildings, as regulated in Section 3.11.
 3. Home occupation as an accessory to a permitted use, as regulated in Section 23.07.
 - F.** Adult foster care small group home, licensed under Act 218 of the Public Acts of 1979, as regulated in Section 23.11.
 - G.** Farm Markets as regulated by 5.07.H.

Sec. 5.03 USES REQUIRING SPECIAL APPROVAL.

The following uses may be authorized by the Planning Commission, subject to compliance with the procedures and standards established for special use permits in Article 20 of this ordinance:

- A.** Agricultural related service establishments.
- B.** Agricultural labor housing.
- C.** Radio and television broadcasting buildings and towers.
- D.** Removal and processing of top soil, sand, gravel, or other minerals - see Sec. 23.08.
- E.** Recreational vehicle storage yard – see Sec. 23.13.
- F.** Churches, synagogues and other buildings used for religious worship. – see Sec. 23.05
- G.** Schools and colleges, government buildings - see Sec. 23.05.
- H.** Golf courses, country clubs, athletic grounds, parks - see Sec. 23.10.
- I.** Open Space development – see Sec. 23.18
- J.** Establishments for the sale, rental or storage of farm equipment with incidental repair and service, subject to the standards of Section 23.03.D.

- K.** Cemeteries. (See Section 23.05)
- L.** (reserved)
- M.** Marinas - see Sec. 23.10B.
- N.** Airfields, heliports, and landing strips.
- O.** Campgrounds.
- P.** Guest or dude ranches, riding stables
- Q.** Race Tracks.
- R.** Hunting clubs, wildlife refuges, shooting ranges.
- S.** Public utility buildings, including maintenance and repair shops, vehicle or equipment storage buildings, having a floor area greater than two hundred (200) square feet.
- T.** Support Services Residence, see Section 23.17.
- U.** Any use that is found by the Planning Commission to be similar to any special use listed under Section 5.03, provided that such use to be approved is not permitted by right or by special use in any Zoning District.

Sec. 5.04 HEIGHT REGULATIONS.

No building shall exceed thirty (30) feet in height. Farm buildings and TV and radio broadcasting towers shall be permitted at their usual and customary heights.

Sec. 5.05 AREA REGULATIONS.

All buildings, structures or additions thereto shall comply with the following requirements:

- A. FRONT YARD.** The uniform setback provisions of Section 3.03B shall apply to all residential buildings, structures, and additions. If a uniform setback does not exist, the front yard setback shall be not less than forty (40) feet, except that when adjacent to a primary street, the front yard setback shall be not less than fifty (50) feet, and when adjacent to a major arterial street, the front yard setback shall be not less than sixty (60) feet. Notwithstanding the provisions of the immediately preceding sentence, (i) a lot (see definition in Section 32.13) which is of record as of July 28, 1998 or (ii) any lot included in a proposed plat, building envelope or site in a proposed site condominium, or building site located in any other type of development which is on file with the Township as of July 28, 1998, shall only be required to have a front yard setback of forty (40) feet; and shall not be required to have a front yard setback of fifty (50) feet if on a primary street or sixty (60) feet if on a major arterial street.
- B. SIDE YARD.** For residential buildings, there shall be total side yards of not less than twenty-five (25) feet provided that no yard shall be less than ten (10) feet.
- C. REAR YARD.** There shall be a rear yard of not less than fifty (50) feet.

- D. LOT AREA AND WIDTH.** The minimum lot area shall not be less than on (1) acre and the width of the lot at the front setback line shall be not less than on hundred fifty (150) feet. Any lot in existence on December 22, 1988, may be used for one single family dwelling provided that it meets the lot area and yard requirements of the R-1 Zone.

Sec. 5.06 MINIMUM FLOOR AREA.

Each single-family dwelling in this zone shall have a minimum finished habitable floor area, above exterior finished grade, of one thousand two hundred (1,200) square feet. Each dwelling unit shall have a minimum of twenty-four (24) feet of width for a minimum of twenty-four (24) feet in length. Each single-family dwelling shall be constructed with an attached garage a minimum of four hundred and eighty four (484) square feet.

Sec 5.07 ADDITIONAL REGULATIONS.

- A.** Buildings constructed for use in connection with a confined animal feeding operation or intensive animal raising operation or buildings converted into such use which have a floor area greater than 10,000 square feet in area or additions to such buildings resulting in a building exceeding 10,000 square feet in area shall be subject to site plan review by the planning commission as provided in Article 24. In addition, such buildings shall be subject to the following requirements:

1. Such structures shall be set back 500 feet from any existing residence, except that of the confined feeding operator.
2. Such structures shall be set back 1,000 feet from any existing church, school, or public recreation area.
3. Such structures shall be set back 200 feet from any public right-of-way.
4. Such structures shall be set back 1,300 feet from any existing residential plat.

B. Manure pits, sewage lagoons and similar facilities require the approval of the Planning Commission. Such a facility shall be designed by a registered professional engineer or by an agent of the soil conservation service, who shall certify the adequacy of the proposed facility. The Planning Commission may consult with the township engineer, the soil conservation service or other agencies before approving or denying a request. If approved, such a facility must be built, operated and maintained according to plans approved by the Planning Commission.

C. Keeping and raising animals - see Sec. 23.02.

D. Parking requirements - see Article 21.

E. Signs - see Article 22.

F. Standards for single- and two-family Dwellings - see Sec. 23.14.

G. Foster care facilities - see Sec. 23.11.

H. Farm Markets as defined herein may be conducted as a principal use or on a parcel containing a principal use in accordance with the following requirements.

1. In addition to the following regulations a farm market is subject to the Generally Accepted Agricultural and Management Practices (GAAMP's) for Farm Markets as adopted by the Michigan Department of Agriculture.

2. Temporary Farm Markets. For farm markets which operate during the growing and harvesting season only and which utilize stands, tables, shelves, canopies, wagons, vehicles or similar items which are portable and used for the display and sale of farm products the following regulations shall apply:

a. Such items shall not be located within the road right of way but shall be setback a minimum of 10 feet from the side and rear lot lines.

b. Such farm markets shall provide safe, adequate and convenient off street parking which does not require the vehicle to back into the abutting public road to exit the site.

c. The items used to display the farm products shall be taken down when the farm market is not operating.

3. Farm Markets within Temporary Enclosures. For farm markets which operate within a temporary enclosure such as a tent or similar enclosure so that customers must enter the enclosure to

purchase the products offered for sale contain the following regulations shall apply:

- a. The farm market owner or operator shall submit an accurate drawing illustrating the location of the lot lines, the size and type of enclosed structure containing the farm market, the setback of the structure, parking area, access drive, information on the type of and area devoted to farm and non-farm products to be sold and other relevant features of the proposed farm market to the Zoning Administrator who shall review the drawing and make such recommendations as are necessary and practical to ensure that the use is designed to ensure the safety of patrons on the site and entering and leaving the site.
 - b. A minimum of five off street parking spaces shall be provided. Such spaces need not be paved but shall be located so vehicles do not need to back into the public road.
 - c. The temporary enclosed structure shall be setback a minimum of thirty (30) feet from the front lot line and a minimum of ten (10) feet from the side and rear lot lines.
4. Farm Markets in Permanent Buildings. For farm markets which operate within a permanent building the following regulations shall apply:
- a. The farm market operator shall submit a site plan to the Planning

Commission to ensure that the project is designed to be compatible with adjacent land uses, to provide safe and efficient vehicle traffic flow and safety for pedestrians, to provide adequate utilities, storm water management provisions and public services and to ensure the orderly development of land uses in accordance with the intent and purposes of this Ordinance.

- b. The site plan shall be submitted in accordance with the requirements for a Final Site Plan as contained in Section 24.06 but is exempt from the Review Standards of Section 24.07 herein and the requirement that the landscape plan be sealed by a registered landscape architect. The Planning Commission may waive or modify the requirements for Final site Plans depending upon the size of the farm market in order to meet the objectives of the site plan review process noted above. The site plan is also subject to the requirements of Section 24.08 to 24.11 herein.
- c. As part of the submittal requirements the applicant shall provide the following:
 - i) Information on the type of farm and non-farm products to be sold;
 - ii) A floor plan of the building showing the area to be devoted to the sale of the farm and non-farm products in order to verify compliance with the definition of farm market or

- iii) As an alternative to the floor area requirement the applicant may provide information on the gross dollar sales of farm products in order to verify compliance with the definition of farm market.
- d. If the farm market constitutes the principal use of the parcel the building shall comply with the setback requirements for principle buildings in the AG Zone. If the farm market is
 - i) Ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodation increased service facility loads caused by the land use or activity;
 - ii) Protect the natural environment and conserve natural resources and energy;
 - iii) Ensure compatibility with adjacent uses of land;
 - iv) Promote the use of land in a socially and economically desirable manner.
- e. Such farm markets shall provide safe, adequate and convenient off street parking which does not require the vehicle to back into the abutting public road to exit the site. The applicant shall provide evidence to the Planning Commission that the parking provided is adequate to meet the parking needs of the farm market. The parking area may be vegetative, ground, pavement or other suitable material.

Lighting, if provided, shall comply with the requirements of Section 21.04.A. herein.
- f. As part of an approval of a site plan for the farm market, the Planning Commission, as applicable, may impose conditions or limitations as in its judgment may be necessary to achieve the objective of the site plan review process provided that such conditions do not significantly hinder the operation of the farm market and that the conditions are necessary to:

5. Sale of Non-Farm Products. Farm markets may sell the following non-farm products: landscaping and gardening items including but not limited to plant container, seed, bulbs, fertilizer, pest control items, bags of mulch and soils, gardening decorations and tools, and other similar gardening accessory items, and the limited sale of pre-packaged snack foods and beverages provided that the sale of all non-farm product items is clearly accessory to the principle farm market use and that the area devoted to the sale of such non-farm products does not occupy more that 20% of the total square footage used to display all the products offered for retail sale on the property and that such non-farm products do not comprise more than 20% of the total gross dollars of all products sold.

The Zoning Administrator or Planning Commission as applicable may allow

other non-farm products to be sold provided they are similar to those items listed above.

- 6. Sale of farm Products Not Produced by the Affiliated Farm. Farm products, as defined herein, which are not produced on and by the affiliated farm, may also be sold provided such products do not occupy more than 50% of the total square footage devoted to retail sales on the property and provided that such products do not comprise more than 50% of the total gross dollars of all products sold.

The combination of non-farm products and farm products not produced on and by the affiliated farm which are sold at a farm market as set forth in 5.07.H.5 & 6 above shall not in any case exceed 50% of the total square footage devoted to retail sales on the property or exceed 50% of the total gross dollars of all products sold. For example, if non-farm products occupy 20% of the total square footage devoted to retail sales (permitted by 5.07.H.5) than farm products not produced on and by the affiliated farm shall occupy on more than 30% of the

total square footage devoted to retail sales for a total of 50% of the total square footage devoted to retail sales.

- 7. Outdoor display. The locations and size of the outdoor sales area, the items displayed and the placement and type of structures used for display shall be determined by the Zoning Administrator or Planning Commission as applicable during review of the site plan. Non-farm products displayed outdoors shall be at least 25 feet from all lot lines.
- 8. Signs. If the farm market constitutes the principle use of the parcel and is operated within a permanent building, signs as permitted for Commercial Zoning Districts are allowed. For all other farm markets only signs as permitted for the AG Zone are allowed.
- I. Home occupation - see Sec. 23.07.
- J. Landscaping shall be provided in accordance with Article 21A herein.

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