

## **ARTICLE V**

### **AR AGRICULTURAL-RESIDENTIAL DISTRICT**

#### **SECTION 5.01 PURPOSE**

The purpose of this district is to provide for the compatible arrangement and development of parcels of land for residential building purposes in a pastoral, agricultural, woodland or open land setting, which will remain unserved by public water distribution and wastewater disposal systems in the foreseeable future, but which are suitable for large lot residential purposes, which can accommodate healthful on-site water supply and wastewater disposal, but which reserves and conserves that land which is most adaptable for present and future agricultural, woodland, natural resource and other extensive land uses.

#### **SECTION 5.02 PERMITTED PRINCIPAL USES**

- A. General farming
- B. Field crop, fruit, vegetable, horticultural, maple sugar production, lumber and worm farming, and similar types of specialized farming
- C. Greenhouses and nurseries for trees, shrubs and plants
- D. Raising and keeping of cattle, horses, ponies, sheep, goats, swine and similar livestock
- E. Raising and keeping of rabbits, poultry, fowl and similar small animals
- F. On-site production and consumption of food for animals
- G. Apiaries
- H. Hatcheries
- I. Public and semi-public buildings for the housing of public facilities, utilities and services
- J. Public and private conservation areas and structures for water, soil, forest, wildlife, minerals and open space
- K. Public and private areas for golf courses, golf driving ranges, country clubs, miniature golf courses, historical places, parks, playgrounds, beaches, resorts, swimming pool and court game clubs and organizational camping
- L. Public areas for forest preserves, game refuges and similar uses

- M. Cemeteries; public, private or pet
- N. Conventional and manufactured single family dwellings. Refer to Ordinance 30, "Mobile Home Ordinance", for mobile homes located outside of Mobile Home Parks.
- O. State licensed Foster Care Facilities housing six (6) or less persons
- P. Non-farm single family homes
- Q. Child Care Centers provided they are licensed by the State of Michigan

**SECTION 5.03 PERMITTED PRINCIPAL SPECIAL USES WITH CONDITIONS**

- A. **OUTDOOR KENNELS FOR DOGS**
  - 1. All dog kennels shall be operated in conformance with all applicable county, state and federal regulations; permits being valid no longer than one (1) year.
  - 2. For dog kennels, the minimum lot size shall be one (1) acre for up to six (6) dogs and an additional one-sixth (1/6) acre for each one (1) additional dog.
  - 3. Buildings wherein dogs are kept, dog runs, and/or exercise areas shall not be located nearer than 100 feet to any occupied dwelling or any building on an adjacent parcel used by the public and shall not be located in any required front, rear or side yard setback area.
  - 4. Such facilities shall be under the jurisdiction of the Planning Commission, and subject to other conditions and requirements of said body deemed necessary to insure against the occurrence of any possible nuisance by requiring necessary minimum distances, berms, fencing, soundproofing and sanitary requirements.
- B. **ELECTRONIC RECEIVING, TRANSMITTING AND RELAY FACILITIES**
  - 1. The minimum lot size shall be three (3) acres.
  - 2. The lot shall be so located that at least one (1) property line abuts a public thoroughfare and the ingress and egress shall be directly upon said thoroughfare.
  - 3. The front yard setbacks and side and rear yards for each tower from adjacent right-of-ways and/or property lines shall be not less than the height of each tower above the ground.
  - 4. Unless specifically waived by the Planning Commission, an open air fence six (6) feet or more in height shall be constructed on the boundary property lines.
  - 5. Construction plans shall be approved by an engineer licensed by the State of Michigan.
- C. **AGRIBUSINESS**
  - 1. **PERMITTED SPECIAL USES:** An agribusiness shall be buildings, structures, lots, parcels or parts thereof which are used to provide services,

goods, storage, transportation or other activities directly related to the production of agricultural commodities. Permitted agribusinesses are listed below:

Agricultural products, production and processing operations.

Agricultural products storage facilities.

Bulk feed, plant, and nursery stock fertilizer outlets and distribution centers

Farm machinery sales, service, rental and repair.

Riding stables.

Seed and farm plant or nursery stock dealership outlets and distribution centers.

Veterinary hospitals, clinics and indoor kennels.

2. CONDITIONS: The following conditions apply to agribusinesses:
  - a. Minimum lot or parcel area shall be five (5) acres and minimum road frontage shall be 300 feet, except as otherwise required for specific uses listed.
  - b. All agribusiness uses shall be located at least 330 feet from all RD, LDR, MDR, HDR, and MFR zoning district boundary lines, and existing residential structures located on adjacent properties.
  - c. All agribusiness uses shall meet the requirements of the State and County Health Departments for water supply, liquid and solid waste disposal and other applicable health and sanitation requirements.

D. PERMITTED PUBLIC AND PRIVATE INSTITUTIONS FOR HUMAN CARE, RELIGION, EDUCATION AND OTHER HUMAN SOCIAL PURPOSES

1. The proposed site for any of the uses permitted herein which would attract persons from, or are intended to serve, areas beyond the immediate zoning district area shall have at least one (1) property line abutting a paved impermeable hard surface public road.
2. Side and rear yards shall be set back at least fifty (50) feet, and shall be landscaped in trees, shrubs, and grass. All such landscaping shall be maintained in a healthy condition. There shall be no parking or structures permitted in these yards, except required entrance drives and those fences, walls and berms used to screen the site from abutting residential lots and parcels.

E. WIND ENERGY CONVERSION SYSTEMS

*[amended May 2009 – see Article XV]*

**SECTION 5.04 PERMITTED ACCESSORY USES**

- A. Buildings and structures customarily incidental to the operation of a principal agricultural or other use permitted in the AR District.
- B. Building and structures customarily incidental to single family residential dwellings.
- C. Signs related to permitted uses, provided that all such signs shall conform to the requirements of Article XXI.
- D. Home occupation agricultural commercial enterprises, including, but not limited to, seed, plants, nursery stock and other product sales as conditioned by Section 18.21.
- E. Private residential swimming pools as conditioned by Section 18.20.
- F. Farm implement and vehicle repair and maintenance.
- G. Herbicide, insecticide and fertilizer sales and application.
- H. Greenhouses and nurseries.
- I. Grain and feed storage facilities.
- J. Cold storage and other storage facilities for agricultural products.
- K. Customary home occupations, as conditioned by Section 18.21.

**SECTION 5.05 PERMITTED ACCESSORY USES WITH CONDITIONS**

- A. **ROADSIDE STANDS**  
In the AR District each farm may have one (1) roadside stand for the purpose of selling produce or other products principally raised or produced on that farm in the course of its permitted agricultural activity. The stand shall be located and constructed to meet the following requirements:
  - 1. The structure shall not be more than one (1) story in height.
  - 2. The floor area shall not be more than 400 square feet.
  - 3. The stand shall be located no closer than forty (40) feet from the nearest road right-of-way line. In no case, shall the stand occupy any part of the right-of-way.
  - 4. All off-street parking and standing areas shall comply with Article XX of this Ordinance.

- B. **MIGRANT FARM LABOR HOUSING**  
 Provided it is in accordance with the requirements of the Michigan State Department of Agriculture.
  
- C. **ACCESSORY FARM DWELLINGS**
  - 1. Permitted on forty (40) acres or more of land uses for agricultural production with the following conditions:
    - a. The parcel has a principal farm dwelling located on it.
    - b. The farm parcel is at least forty (40) acres in area for the first dwelling, and an additional forty (40) acres for each additional dwelling.
    - c. The occupants meet either one of the following conditions:
      - 1) Have direct family relationship to those persons occupying the principal farm dwelling.
      - 2) an employee of the occupants of the principal farm dwelling and engaged in an agricultural occupation on the farm on which the dwelling is located.
    - d. Mobile home located outside of Mobile Home Parks shall meet the requirements of Ordinance 30, "Mobile Home Ordinance."
  - 2. Item 1. immediately above shall also meet the following additional conditions:
    - a. Dwellings used for this purpose shall be limited to one (1) per each forty (40) acres of a farm parcel.
    - b. Dwellings used for this purpose shall have either their own or shall have immediate and unlimited access to all facilities located in the principal dwelling on the farm lot for the maintenance of proper health and sanitation, including potable water and sanitary disposal facilities for solid and liquid wastes.
    - c. All accessory dwellings shall be located in conformance with the appropriate setback lines for the yard in which they are located, except that no accessory dwelling shall be located in a front yard of a principal dwelling.
    - d. Zoning Permits shall be approved by the Planning Commission and reviewed annually by the Zoning Administrator thereafter for continued need and compliance.
    - e. Zoning Permits issued for such use shall terminate at such time that any one or combination of the above conditions cease to be met.

**SECTION 5.06      DIMENSIONAL REQUIREMENTS**

- A. **LOT AREA:** A permitted parcel shall have a minimum of twenty (20) acres in area, except as otherwise may be provided in this Ordinance. Non-farm single family dwellings shall be located on a lot having a minimum area of three (3) acres and specialized crops, floriculture and horticulture uses may be located on at least five (5) acres.
  
- B. **LOT WIDTH:** Minimum of 300 feet at the required building setback line.

- C. LOT COVERAGE: Maximum of twenty (20) percent, except that greenhouses and nurseries may have up to a maximum of fifty (50%) coverage with structures.
- D. FIRST FLOOR AREA: The minimum first floor area of a one (1) story dwelling 680 square feet, and for a two (2) story dwelling 500 square feet on the first floor, and a minimum total of 680 square feet for both stories.
- E. YARD AND SETBACK REQUIREMENTS:
  - 1. FRONT YARD: Minimum from the road right-of-way line, as specified in Section 18.41, or as established by the Master Plan for Roads and Highways, whichever is greater and a minimum of fifty (50) feet from established shorelines for surface water bodies.
  - 2. SIDE YARDS: Minimum of twenty (20) feet for each side yard, except where a side yard abuts a road right-of-way line, the minimum shall be as specified in Section 18.41 or as established by the Master Plan for Roads and Highways, whichever is greater.
  - 3. REAR YARD: Minimum of fifty (50) feet.
- F. HEIGHT LIMITATIONS: Maximum of thirty-five (35) feet for all dwellings and a maximum of twenty-five (25) feet for all buildings accessory to dwellings; maximum of forty-five (45) feet for all agricultural buildings, except for grain elevators, silos and windmills which shall not exceed 120 feet in height. Any proposed structure greater than thirty-five (35) feet in height shall be referred to the Airport Board for review and recommendation prior to approval.