

CHAPTER V

AG AGRICULTURAL DISTRICT

(Designated on Zoning Map as White)

Section 5.01 Description and Purpose. This Zoning District is intended for large tracts of land used for farming, animal husbandry, dairying, horticultural, or other agricultural activities.

Section 5.02 Use Regulations. Land, buildings and structures in this Zoning District may be used for the following purposes only:

- (a) Farms for both general and specialized farming, together with farm dwellings and buildings and other installations necessary to such farms including temporary housing for migratory workers provided such housing and its sanitary facilities are in conformance with all requirements of the Allegan County Health Department and/or any other federal, state and/or local regulating agency having jurisdiction.
- (b) Greenhouses, nurseries, orchards, vineyards, apiaries, chicken hatcheries, blueberry and poultry farms.
- (c) Riding stables where horses are boarded and/or rented.
- (d) Single family dwellings when authorized by the Planning Commission as a special use. In considering such authorization, the Planning Commission shall consider the following standards and Chapter XIII:
 - (1) The location of said dwelling and lot in respect to whether the land is presently being utilized or is capable of being used for the production of agricultural crops;
 - (2) The location of said dwelling and lot in respect to whether it would interfere with, or substantially hinder, any existing or potential future farming operations or activity within the immediate area;
 - (3) The present and future ability of the township, county and school district to provide adequate vehicular access, schools, public safety and other necessary public services to the proposed dwellings;
 - (4) Any lot created by the division or splitting of a lot or parcel of record or a tract consisting of contiguous lots or parcels of record under the same ownership as of the effective date of this amending Ordinance may be used for one single-family dwelling, if such division or splitting of a lot, parcel or tract is accomplished in such a manner as to create not more than three (3) lots in total, with no lot smaller than thirty-seven thousand five hundred (37,500) square feet in area and one hundred fifty (150) feet in width, and with no such lot used for a single-family dwelling being more than one hundred eight thousand nine hundred (108,900) square feet in area, three hundred thirty (330) feet in width, and three hundred thirty (330) feet in depth. The remainder of the parent parcel, lot or tract will not be counted as one of the three lots which may be created and used for single-family residential

purposes, but the remaining lot, parcel or tract must contain the minimum lot area and width required by this ordinance.

- (e) Publicly owned athletic grounds, parks and cemeteries.
- (f) Home occupations
- (g) Removal and processing of topsoil, stone, rock, sand, gravel, lime or other soil or mineral resources when authorized as a special use by the Planning Commission. In considering such authorization, the Planning Commission shall consider the following and Chapter XIII:
 - (1) The size of the property from which such topsoil, sand, gravel, or other such materials are to be removed;
 - (2) The amount of topsoil, sand, gravel or other such materials which is to be removed;
 - (3) The purpose of such removal;
 - (4) The effect of such removal on adjoining property;
 - (5) The effect of such removal in causing a safety hazard, creating erosion problems, or altering the groundwater table;
 - (6) The potential for such removal to cause the creation of sand blows, stagnant water pools, or swampy areas;
 - (7) The effect of such removal on the environment and the natural topography, and the potential destruction of any natural resource;
 - (8) Potential traffic congestion and problems because of trucks or other vehicles or means utilized to haul and transport the materials removed;

Operations granted a special use permit by the Planning Commission shall meet the following conditions:

- (9) Any change of the natural contour of the land, both during mining operations and at the time of abandonment, shall be maintained as safe to all trespassers and any other persons having reason to be within the area of activity;
- (10) No business or industrial buildings or structures of a permanent nature shall be erected, except where such building is a permitted use within the District in which the extraction activity is located;
- (11) No storage or truck parking shall be located within two hundred (200) feet of any adjacent residence or within fifty (50) feet of any other adjacent property;
- (12) All of the operation shall be screened with a wire screen or uniformly painted wood fence at least six (6) feet in height, with evergreen screen planting on any side adjacent to residentially zoned property;
- (13) As the natural resources are being removed, the property shall be restored by the replacement of topsoil where feasible; and all excavations shall be sloped to a gradient with not more than a thirty (30) degree slope and the contour be caused to blend as nearly as possible with the natural surroundings. The excavation area shall be planted with a suitable ground cover sufficient to control erosion.

- (14) All truck operations shall be directed away from residential streets wherever possible;
- (15) The Planning Commission may require such bond as deemed necessary to insure that requirements are fulfilled, and may revoke permission to operate at any time specified conditions are not maintained;
- (16) Topsoil or sand may be removed from a lot without authorization from the Planning Commission for the purpose of erecting or constructing a building or structure on the lot, provided there is compliance with all other requirements of this Ordinance. In addition, topsoil or sand may be moved from one part of a lot to another part if such action will not cause, or be likely to cause, sand blows, stagnant water pools, bogs or possible future injury to adjoining properties;
- (17) The applicant shall secure all necessary permits from Township, County, State and Federal authorities;

(h) Kennels.

(i) Roadside stands which sell products grown or produced on the premises.

(j) Real estate sign, identifying sign, and name plate.

(k) Non-public airport or airport expansion when authorized by the Planning Commission as a Special Use. In considering such authorization, the Planning Commission shall consider the following standards and Chapter XIII:

- (1) The nature of proposed and/or present airport operations.
- (2) The proximity of existing structures, domesticated fowl or livestock, and the proximity of existing airports.
- (3) The size of property from which the airport will be established or expanded.
- (4) The purpose of the airport.
- (5) The effect of the airport on adjoining property.
- (6) The effect of the airport on the environment and the natural topography, and the potential destruction of any natural resources.

Operations granted a Special Use permit by the Planning Commission shall meet the following conditions:

- (1) No more than four (4) aircraft may be regularly used, stored, sheltered or supplied by owner or owners at the airport, and no more than two (2) visiting aircraft may be used, stored, sheltered or supplied during any twenty-four (24) hour period.
- (2) A letter from the Michigan Aeronautics Commission shall be submitted to the Planning Commission by the applicant stating the proposed non-public airport or expansion will not interfere with the airspace of a public airport in the area.

(3) A site plan as required in Section 13.02(b)(2) with the following additional information:

- (a) The location of any homes within two thousand (2,000) feet of the boundaries of the property on which the airport or airport expansion would be located.
- (b) The location and height of any trees, groups of trees, mounds of earth, buildings or other structures within one thousand (1,000) feet of the proposed airport expansion.

(l) Commercial and light industrial uses when authorized by the Planning Commission as a Special Use. In considering such authorization, the Planning Commission shall consider the following standards and Chapter XIII:

- (1) The size of the property from which such use shall operate.
- (2) The character of the proposed use.
- (3) The proximity of existing structures.
- (4) The effect of the use on adjoining property.
- (5) The effect of such use in respect to whether it would interfere with, or substantially hinder, any existing or potential future farming operations or activity within the immediate area.
- (6) Potential traffic congestion and problems because of trucks or other vehicles necessary for such use.

Operations granted a Special Use permit by the Planning Commission shall meet the following conditions:

- (1) No use shall be conducted upon, or from, the premises which would constitute a nuisance or annoyance to adjoining residents by reason of noise, smoke, odor, electrical disturbance, night lighting, or the creation of unreasonable traffic to the premises. Noise, smoke, odor, electrical disturbance, or the source of lighting shall not be discernible beyond the boundaries of the property from which the use is conducted.
- (2) The outside storage area shall be screened (1) by a compact hedge of evergreen trees which reach a minimum of five (5) feet in height after one growing Season; (2) a solid wall or tight board fence six (6) feet in height; or (3) any alternative screening devices if they conceal the area as effectively as alternatives 1 and 2 if approved by the Planning Commission.
- (3) For purposes of identification, one (1) non-illuminated business sign not exceeding nine (9) square feet in area shall be permitted. Such sign shall identify only the use of the operation.

(m) Privately Owned cemeteries when authorized a special use by the Planning Commission. The Planning Commission shall consider the standards contained in Chapter XIII of this Ordinance. All such cemeteries must comply with applicable state statutes and health department regulations.

Section 5.03 Height Regulations. No residential building or structure shall exceed thirty-five (35) feet in height. All other buildings and structures shall not exceed their usual and customary heights.

Section 5.04 Area Regulations. No building or structure nor any enlargement thereof shall be hereafter erected except in conformance with the following yard, lot area, and building coverage requirements:

- (a) Front Yard - There shall be a front yard of not less than fifty (50) feet.
- (b) Side Yard – For residential buildings and structures, and accessory building and structures, there shall be total side yards of not less than fifty (50) feet; provided, however, that no side yard shall be less than ten (10) feet. For all other buildings, there shall be two (2) side yards of not less than fifty (50) feet each, including poultry and livestock buildings.
- (c) Rear Yard - There shall be a rear yard of not less than fifty (50) feet.
- (d) Lot Area – The minimum lot area and width for all uses in this district, unless specified elsewhere, shall be thirty-seven thousand five hundred (37,500) square feet and one hundred fifty (150) feet, respectively.

Section 5.05 Minimum Floor Area. Each dwelling unit, unless specified elsewhere, shall have a minimum of twelve hundred (1,200) square feet of usable floor area.