

CHAPTER 6

R-I AGRICULTURAL AND RURAL ESTATE DISTRICT **(Amended 09-11-18 Ordinance No 9-11-18-2)**

SECTION 6.01 DESCRIPTION AND PURPOSES. This district is intended to support farming and other agricultural activities, while also allowing a controlled degree of residential development within an extensive pattern of natural open space and farming activity. The District serves as a transition between the A-1 District and zoning districts that are allowed to develop more intensively. Under provisions contained in this Chapter, a landowner has the by right option to increase residential development potential by retaining at least 35% of the property as open space and placing dwellings on the remaining portion. *(Amended 01-04-11)*

SECTION 6.02 USE REGULATIONS. Land, buildings or structures in this Zoning District may be used for the following permitted uses: *(Amended 7/28/93 and 01-04-11)*

- (a) Farms for both general and specialized farming, except intensive livestock operations, together with farm dwellings and buildings and other installations necessary to such farms. *(Amended 7/28/93 and 01-04-11)*
- (b) Specialized crop production including but not limited to greenhouses, nurseries, orchards, vineyards, apiaries or blueberry farms. *(Amended 01-04-11)*
- (c) Single family dwellings.
- (d) Farm ponds and private ponds accessory to a permitted principal use. *(Amended 7/28/93)*
- (e) Real estate, identifying and nameplate signs.
- (f) Open space preservation projects as regulated by Chapter 22 *(Amended 1-27-03)*.
- (g) Type I Permitted Home Occupations as listed and regulated under the provisions of Section 11.28. A home occupation may only be permitted to involve a detached garage or other detached accessory building if approved as a special use. *(Amended 4-03)*
- (h) Non-commercial kennels and animal runs subject to Section 11.21

SECTION 6.03 SPECIAL USES. The following uses may be permitted as special land uses when approved by the Planning Commission. Such uses are subject to the provisions and general standards outlined in Chapter 15 and any specific standards pertaining to the particular use as outlined in this section. *(Amended 7/28/93 and 01-04-11)*.

- (a) Two family dwellings. *(Amended 7/28/93)*
- (b) Type II Home occupations, as listed in accordance with the standards contained in Section 11.28. *(Amended 4-03)*
- (c) Removal and processing of top soil, sand, gravel or other such minerals in accordance with Chapter 21. *(Amended 1-27-03)*
- (e) Roadside stands subject to the standards provided in Section 5.02A
- (f). *(Amended 7/28/93)*
- (g) Commercial kennels. In considering such authorization, the Planning Commission shall consider: *(Amended 7/28/93)*
 - (1) the size, nature and character of the kennel;
 - (2) the proximity of the kennel to adjoining properties;
 - (3) the possibility of noise or other disturbance for adjoining properties and the surrounding neighborhood on account of the operation of the kennel;
 - (4) potential traffic congestion on account of the kennel; and
 - (5) the nature and character of the buildings and structures to be utilized for the kennel operation.
- (h) Intensive livestock operations. *(Amended 7/28/93)*
- (i) Campgrounds. *(Amended 7/28/93)*

- (j) Golf courses and country clubs. *(Amended 7/28/93)*
- (k) Churches. *(Amended 7/28/93)*
- (l) Shooting ranges. *(Amended 7/28/93)*
- (m) Automobile and animal racing facilities. *(Amended 7/28/93)*
- (n) Saw mills. *(Amended 7/28/93)*
- (o) Commercial composting operations. *(Amended 7/28/93)*
- (p) Farm related commercial services. *(Amended 7/28/93)*
- (q) Tack shops. *(Amended 7/28/93)*
- (r) Cemeteries. *(Amended 7/28/93)*
- (s) Self storage or mini warehouse facilities. *(Amended 7/28/93)*
- (t) Nursing homes and senior citizen centers. *(Amended 7/28/93)*
- (u) Child or adult day care facilities caring for greater than six (6) individuals. *(Amended 7/28/93)*
- (v) Communication towers and antennas in excess of 50 feet subject to the provisions of section 15.04A. *(Amended 1-18-00)*
- (w) Riding stables where horses are boarded and/or rented. *(Amended 7/28/93)*
- (x) Bed and Breakfast establishments. *(Amended 5/10/94)*
- (y) Air field or landing strips subject to the following: *(Amended 5/10/94)*
 - (1) The land areas beneath runway approaches shall be under the ownership or control of the owner or operator of the airfield. Ownership or control shall extend a minimum of 1,200 feet from each runway end and laterally 500 feet from the center line of the runway. The above requirements may be modified if the landing strip is intended solely for the use of ultralight aircraft.
 - (2) The facility shall not exceed a Michigan Aviation System Plan (MASP) classification of U-1, offering service to small single engine utility aircraft.
 - (3) The landing strip shall be of turf construction.
 - (4) Unless specifically waived by the Planning Commission, areas upon which airplanes taxi shall be at least two hundred (200) feet from any property line. The airfield must be of a size and location that will not require limitations on the height of structures on land that is not controlled by the airfield operator.
 - (5) The Planning Commission may require the fencing of appropriate areas to insure public safety. If required, such fencing shall be not less than six feet in height with suitable gating.
- (z) Equipment storage and/or maintenance yards, and structures and establishments for building trades, heavy equipment and petroleum and well field operators and contractors. *(Amended 1-97).*
- (aa) Conservation subdivisions as may be permitted under the provisions of Chapter 23. *(Amended 1-27-03)*
- (bb) Small rural enterprises that may be authorized in the Re-Use Of existing Farmsteads meeting the intent and standards of Section 15.04 (l).
 - (1) Small scale wood, metal and plastics fabricating and assembly businesses.
 - (2) Antique sales and service, excluding automobile.
 - (3) Self-storage or mini storage facilities.
 - (4) Retail or service business associated with any aspect of the sales, distribution, service or maintenance of Agricultural Products.
 - (5) Other business uses identified as special uses in this Section 6.02A. *(Amended 12-06)*
- (cc) Athletic fields and public parks. *(Amended 01-04-11)*

- (dd) Veterinary services. *(Amended 01-04-11)*
- (ee) Accessory Farm Dwellings. *(Amended 01-04-11)*
- (ff) Temporary Dwellings *(ref. Sec. 11.07). (Amended 01-04-11)*
- (gg) Accessory buildings located in the front yard areas. *(Amended 01-04-11)*
- (hh) Seasonal/Migrant Farm labor camps. *(Amended 01-04-11)*
- (ii) Rural Events Facilities, upon properties over ten acres in size and with frontage and access upon a public road Right of Way. The Planning commission may waive specific parking and landscaping requirements from Chapters 12 and 26 if it determines that an applicant's plan provides adequately for the general health, safety and welfare while preserving a "rural atmosphere" aesthetic. *(Amended 09-18)*

SECTION 6.04 HEIGHT REGULATIONS. *(Amended 01-04-11)* No residential building or structure shall exceed thirty-five (35) feet in height or two and one-half (2 1/2) stories. All other buildings and structures shall not exceed their usual and customary heights. *(Amended 7/28/93)*

SECTION 6.05 AREA REGULATIONS. *(Amended 99-2018)* 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. *(Ref. Section 11.13, Additional Setbacks for Buildings and structures adjacent to major streets. Amended 7/28/93)*
- (b) Side Yard - For residential buildings 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 twenty (20) feet. For all other principal buildings, there shall be two (2) side yards of not less than fifty (50) feet each. *(Amended 7/28/93).*
- (c) Rear Yard - There shall be a rear yard of not less than fifty (50) feet.
- (d) Lot Area- The minimum lot area shall be not less than one acre. *(Amended 09-18)*
- (e) Lot Width- The minimum lot width shall be two hundred (200) feet. *(Amended 09-18)*

SECTION 6.06 MINIMUM FLOOR AREA. *(Amended 01-04-11)* Each single and two-family dwelling unit shall have minimum usable floor area as follows:

- (a) One story - Eight hundred sixty-four (864) square feet.
- (b) Two story - One thousand (1000) square feet Ground floor - Six hundred fifty (650) square feet Note: Ground Floor Area - In determining the minimum ground floor area for dwelling units, the calculation may include the floor areas contained on more than one level provided that the levels are separated by no more than three feet of elevation difference (see definition of basement). *(Amended 10/96)*

SECTION 6.07 ACCESSORY BUILDINGS. *(Amended 01-04-11)* Reference Section 11.09. *(Amended 7/28/93)*

SECTION 6.08 ELIMINATED *(09-18)*