<table>
<thead>
<tr>
<th>Project</th>
<th>Applicant</th>
<th>Notes</th>
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<tbody>
<tr>
<td>Bear Creek Township Access Management Plan</td>
<td>Patty O'Donnell – MDOT</td>
<td>No new information. Applicant was reminded monthly. Suggest removal from the agenda due to lack of progress.</td>
</tr>
<tr>
<td>PSPR17-015</td>
<td>Wayne Blomberg for Ryde Marine 7433 Keystone Park Dr Littlefield Township</td>
<td></td>
</tr>
<tr>
<td>PSUP18-007</td>
<td>Brent Taylor 2526 Gregory Rd Maple River Township</td>
<td>No new information.</td>
</tr>
<tr>
<td>PSPR18-009</td>
<td>Northern Excavating &amp; Topsoil Inc 4150 Wressel Rd Friendship Township</td>
<td>Township recommendation – postpone – applicant not present at meeting. Fire Chief recommendation.</td>
</tr>
<tr>
<td>PSUP18-008</td>
<td>Paul Theriault 5324 Howard Rd Bear Creek Township</td>
<td>No new information in packet. Township recommended denial.</td>
</tr>
<tr>
<td>PSUP18-009</td>
<td>Mark Young SUP – Accessory Building as a Main Use Oak Dr Cross Village Township</td>
<td>6 letters/emails from public (opposed).</td>
</tr>
<tr>
<td>PPTEXT18-001</td>
<td>Emmet County Planning Commission Accessory Uses Text</td>
<td>Springvale Township PC minutes and recommendation. Example text from the following Zoning Ordinances: Mason County, Dexter Township, Leelanau Township, Mussey Township, Long Lake Township.</td>
</tr>
<tr>
<td>PPTEXT18-002</td>
<td>Emmet County Planning Commission Farm Labor Housing</td>
<td>Example text from Mason County.</td>
</tr>
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Friendship Township Planning Commission

Meeting Minutes, 7/23/18 - 7PM Friendship TWP Hall

Call to order at 7:00PM by Chair Donahey.
Present: Donahey, Cullip, Macgregor, Kurburski
Absent:

Public present: None

Approve minutes 6/25/18 – as written

New Business:
Discussion of county questionnaire to the townships regarding zoning text amendments: PPTEXT18-001 regarding Accessory Uses in Farm/Forest of Event barns for weddings, receptions, concerts and other large gatherings. After much discussion, MacGregor made a motion that our answer to this question is to not allow these events (as commercial ventures) on properties other than those zoned commercial in Emmet county. Cullip 2nd. Unanimous in favor.

However, if the county allows this Accessory use for stated purposes we would like to recommend the following be included with the other proposed regulations:
1. Owner's primary residence be on the property
2. 20 acre minimum
3. Agriculture is the primary activity, but it is unclear how you measure /enforce this.
4. Hours of operation noon to 10pm
2. The event barn shall be limited to existing building(s).
3. There should be a limit to the number of events hosted/year or month.

Questions on zoning text amendment with regards to wineries, microbreweries, distilleries and hard cider operations. We would like to see the following requirements placed on these establishments along with the other proposed regulations:
1. 20 acre minimum, 10 of which is agricultural, not just open space.
2. Primary residence of owner is on the property
3. Hours of operation noon-10pm
4. 2400 sq ft maximum size

We have questions regarding Text Amendment document for wineries, microbreweries, distilleries and hard cider operations.
1. Item F, Building limitation. Does this mean an 8000sq. ft building is possible?
2. Does the paragraph after section J "Signs" belong with section 26.33? This paragraph appears to be left over from a previous draft. It talks about FF and the top indicates all zoning districts.
3. Item C "On premise consumption" “Tasting room quantities” How much does this constitute?
Old Business:
Discussion of Case # PSPR 18-009, a request by Northern Excavating to build an addition to an existing building was tabled due to the appearance of a discrepancy between the current zoning (Contractors use) and planned addition (commercial).

Public comment: None

Report from trustee (MacGregor): none

Adjourn: 9:10 PM
Next scheduled meeting 8/27/18, 7:00PM

Submitted by Mike Cullip, Secretary
TO: Emmet County Planning Commission
FROM: Chief Chris Krupa
SUBJECT: SITE PLAN REVIEW
Application# PSPR 18-009
I have reviewed the site plan issue dated: 7/25/2018
FOR: Northern Excavating and Topsoil
LOCATION: Friendship Township

After reviewing the plans the following will be required:

International Fire Code:

1. Access road that would with stand at least 75000lbs
2. Waste oil and other class IIIB liquids shall be stored in approved tanks or containers.
3. Cleaning of part shall be conducted in listed and approved parts cleaning machines
4. Show Drainage and disposal of liquids and oil soaked waste
5. Provide information on storage and use of flammable and combustible liquids
6. Portable fire extinguishers are to be provided
7. Knox box key retention box

This review is based upon and limited to the information presented on the drawings and/or materials submitted. Matters not presented within the construction documents submitted, nor items not requested for review, which are required for the granting of permits, are assumed to be reviewed and inspected by others and not to be considered as part of this review unless herein specifically requested. The review does not release the contractor from compliance with the applicable codes.
To whom it may concern,

I recently became aware of the purpose "accessory/polebarn" to be constructed on Oak Rd. in Cross Village.

Personally, I think a pole-barn sitting in the middle of a residential area (with no residence) would be quite out of place and do absolutely nothing for the quaintness of our village.

I understand the owners have a residence about a half-mile away.

Please, keep our village quaint.

Deborah Maynard
Colleen McClive - very much opposed. Mr. Young should place the building on the property where his cottage is located. Neighbors don't want to look at the building. They have storage buildings, but they're behind the house. If he is granted this permit, it will encourage others to apply.
My wife and I have a home at 6596 Lake Shore in Cross Village. We are very opposed to having a pole barn built in a residential area that is not accompanied with a place of residence as is being contemplated on Oak in Cross Village. Bruce Brown and Pam O’Malley
I don’t think you should be able to build one with out home there. Let him build it on his own property. Or down size his toys.

Sent from my iPad
TO: Tammy Doernenberg  
Emmet County Planning & Zoning Dept.
tdoernenberg@emmetcounty.org

RE: Pole Barn on Oak Street

25 July 2018

Dear Tammy,

I live on Wadsworth Street around the corner from the property on Oak Street that was previously owned by Marie Krupa our former Cross Village Township Treasurer. Since Marie passed the property has sold and now I understand the new owner wants to build a pole barn on the property. I have spent many years (18) improving my property to look nice and clean and will be very unhappy having a storage building built in this residential housing area. It is hard enough keeping the junk from collecting at some houses in the village and keeping the area clean and neat without turning the area into a storage area. Building this type of building with no on site property owner is not going to raise the value of property in the village! I think the owner should go on the land where his house is and put his storage building where he lives and see how his close neighbors will like his storage shed. I personally feel that this building and use for this property will lower the value of all the houses in the area and lower the aesthetics of Cross Village.

Best Regards
CODonald Brown
rbozn45@gmail.com
Springvale Township Planning Committee  
Regular Meeting Minutes, July 23, 2018

Members present: Becky Fettig, Bill Shorter, Jim Scott and Dudley Marvin. Absent: Stan Royalty

1. Call to order and attendance: Chairman Scott brought the meeting to order at 7:30 pm.
2. Minutes: the minutes of June 25, 2018 were approved as presented with Shorter Motioning, Fettig second, and a unanimous vote
3. Public comment and visitors: Alyce Conrad in attendance. Conrad had no comment at this time, but subsequently was asked to refrain from comments during the Board's discussion period, unless requested.
4. Reports: County Planning Commission; The Commission at their last meeting tabled discussions of the text amendments on our agenda for further input; requested that cases for accessory buildings be removed from ZBA responsibility and given back to the Planning Commission to provide greater latitude for interpretation and need within applicable zoning districts. ZBA; The The Remml Haley variance request was denied. Township Board; Discussion of needs at Township Road park will be on the August agenda.

5. Old business:
A. Case #PPTEXT18-001, Emmet County Planning Commission, Text amendment, Accessory uses to a farm operation. After discussion the Committee generally agreed to be in favor of the text amendment as long as the intent of the document and the standards for FF-1 and FF-2 zoning districts is kept and the surrounding neighbors and properties were protected from nuisances. The committee made the following comments regarding the standards included in the proposed Section 26.51, and to answer the the MEMO from the Director of Planning and Zoning of 7/18/2018. See attachment A, included with these minutes.

B. Case #PPTEXT18-002, Emmet County Planning Commission, Text Amendment, Farm Labor Housing. After discussion, The Committee agreed that the housing need in Emmet County is not primarily for Farm Labor, but for seasonal labor and affordable housing. The Committee felt that this ordinance in its present form should have its approval delayed for further discussion and input from the Planning Commission.

6. New business: Section 26.33 Wineries, Microbreweries, Distilleries and Hard Cider Operations. This section and the portion of the Memo from the Director of Planning and Zoning dealing with this subject was deferred until our August meeting.

7. Planning ideas and work in progress: None.
8. Public Comment: No further public comments.
9. Announcements; None.
10. Adjournment: 9:20 pm.

**Attachment A. PPTTEXT18-001, Comments and discussion points from Springvale Planning Committee.**
Case # PPTEXT18-001. Text Amendment Accessory uses to Farm operations, FF-1 and FF-2. The following comments were made by the Committee regarding Section 26.51 text amendments and to respond to the memo of July 18, 2018 from the Director of Planning and Zoning regarding event barns for wedding receptions, concerts and other large gatherings.

- Why is this text amendment limited to only the FF-1 and FF-2 zoning districts. Other districts may benefit from this change as well.
- The Committee agrees with the statements regarding INTENT.
- Permitted Accessory uses: Item 1, more specifics needed on the statement “similar social activities”. Item 2, Concert and Festivals should be eliminated.
- Outside activities: Sound systems; Define ambient sound levels?; Timing should be 10 am to 10 pm., seven days a week. Farming communities tend to rise early. **Commission should address other outside activities** that may be a nuisance in this district; ie: Tents, bon fires, fireworks, light shows, exhibitions, etc.
- Owner occupancy: Totally agree with this. Owners, rather than managers, are the responsible parties in containing nuisances.
- Site Size and setback. 20 acres parcels would be the minimum. Set backs should be enlarged for NEW buildings.
- Hours of operation: OK with this, but noise or other nuisances should have restricted hours.
- Building limitations: Favor the 2400 square feet, but why was this number chosen? Why are building occupancy restrictions not placed here, and occupancy restrictions should be placed on new construction. New buildings should be allowed, but restrictions should be placed according to size to prevent nuisances having to do with the occupancy for the accessory use. Useable floor area definition?
- Parking, Lighting, Screening, Signs: These four standards are defined by their respective Zoning sections; however there seems to be a great latitude for interpretation in these standards, and perhaps greater nuisances if not followed closely.
- Other items from the memo not explicitly covered in our above comments: 1. Use should **not** be limited to only existing buildings. 2. There should be a limit to the number of events — maximum MONTHLY (8); perhaps an annual or seasonal maximum to contain the nuisance for the neighborhood residences?
Agribusiness: Businesses catering exclusively to the agricultural community. They may include, but not necessarily be limited to, the commercial production, processing, packaging or sale of farm products, the sale of seed and feed, livestock auctioning, wineries, micro-breweries and micro-distilleries, but shall not include slaughter houses or tanneries. For the purposes of this ordinance, an agribusiness shall not include a farm market, as defined herein.

Section 17.03 Agribusiness Uses

Agribusiness uses exceeding one thousand five hundred (1,500) square feet in total floor space dedicated to such use are subject to the following requirements:

1. The maximum portion of any building used for agribusiness sales shall be five-hundred (500) square feet.
2. All buildings shall have a front setback of at least fifty (50) feet from the edge of the proposed road right-of-way.
3. At least eighty (80) percent of all sales shall be farm products capable of being grown in Mason County.
4. Adequate trash receptacles shall be provided and shall be completely obscured from view by a screen fence or wall.
5. There shall be no more than two (2) freestanding or ground signs, neither sign to exceed sixteen (16) square feet of sign area.
6. Agribusiness uses shall have frontage on a public road.
7. All ingress and egress to the site shall comply with the applicable regulations of the County Road Commission or the Michigan Department of Transportation.
8. A minimum of five (5) off-street parking spaces shall be provided and shall be laid out in such a way that they can be safely and conveniently used by the customers. The Planning Commission shall determine the number of additional parking spaces necessary based on each individual use and the anticipated traffic that will be generated.
9. Wineries, micro-breweries or micro-distilleries may be allowed as an agribusiness use subject to the requirements above and as follows:
   a. All required licenses and approvals shall be obtained from the appropriate state and federal agencies.
   b. A minimum parcel size of ten (10) acres shall be required.
   c. At least two (2) acres of the parcel on which any of the foregoing facilities are located or, alternatively, at least two (2) acres that are owned or operated by the owner or operator of the winery, micro-brewery, or micro-distillery must be in active production of a fruit, grain, vegetable or other principal ingredient of the beverage to be produced.
   d. The on-premise consumption of alcoholic beverages shall be limited to tasting room quantities. The facility shall not function as a bar.
   e. Retail sales subordinate or related to the operation or production of the beverage produced may be allowed, such as boxes/packaging containing wines, beer or liquors, glassware for serving alcoholic beverages, wine and bottle openers, clothing, and coffee cups. The retail...
sales area shall be no more than twenty five (25) percent of the floor area devoted to the winery, micro-brewery or micro-distillery, but in no case shall it occupy more than two thousand (2,000) square feet of floor area.

f. Adjunct food services, consisting of snacks, sandwiches, luncheons, or pre-arranged dinners provided on the premises in connection with the operation of wineries, micro-breweries and micro-distilleries may be provided.

g. Parking, buildings, and processing areas shall be set back a minimum of fifty (50) feet from all property lines. Screening, consisting of an earth berm, evergreen screen, or an obscuring wall or fence, shall be provided on those sides abutting or adjacent to a residential use. The Planning Commission may waive the screening requirement in specific cases where cause can be shown that no good purpose would be served by the screening requirement.

Agritourism Enterprise: A farm enterprise operated for the enjoyment and education of the public that may also generate additional farm income by promoting farm products. Agritourism enterprises are further classified as follows:

1. **Agritourism Enterprise, Class I**: An agritourism enterprise, limited to u-pick fruits and vegetable operations.

2. **Agritourism Enterprise, Class II**: An agritourism enterprise, including: educational tours; historical agricultural exhibits; educational classes, lectures and seminars; petting farms, animal display and pony rides; outdoor mazes of agricultural origin, such as straw bales or corn; wagon, sleigh and hayrides; nature trails; outdoor picnic areas; the use or rental of farm buildings for special events; and, other similar uses. Overnight sleeping accommodations, except for a bed and breakfast, are specifically excluded from this classification.

**GENERAL PROVISIONS**

**Section 3.41 Agritourism Enterprise, Class I.**

A Class I Agritourism Enterprise, as defined in this ordinance, may be permitted by the Zoning Administrator in the AG and RE Districts, subject to the following requirements:

1. There shall be no more than one (1) freestanding or ground sign, not to exceed sixteen (16) square feet of sign area.

2. Agritourism enterprises shall have frontage on a public road.

3. All ingress and egress to the site shall comply with the applicable regulations of the County Road Commission or the Michigan Department of Transportation.

4. On-site vehicle parking shall be provided on the property in an amount sufficient to accommodate the reasonably anticipated number of agritourism patrons and/or employees. The on-site parking shall be arranged so as to avoid the accumulation of parked cars on nearby streets. Parking and driveway surfaces may be vegetative, pervious surface or hard surface.

5. The application shall be administratively reviewed by the Zoning Administrator. In lieu of a complete site plan required by Article XVIII, the application shall include:

   a. A site plan, drawn to scale, showing all of the features of the proposed use, including the area and location to be used; the amount of off-street parking area; the setback from the street right-of-way line and property lines; the setback from any buildings on the site; the specific location of the elements of the use; and other information required by the Zoning
b. A written narrative describing the use in detail, including the proposed hours of operation; measures that are to be taken to assure that the operation of the use will take place only in a safe and convenient manner; and other information describing the use and which will assist the Zoning Administrator in determining whether the application should be approved.

6. If the proposed Class I Agritourism Enterprise would cause undue impacts to surrounding properties related to drainage, traffic, noise, or other general health and safety issues, as determined by the Zoning Administrator, review and approval by the Planning Commission as a Special Land Use in accordance with Article XVI and Section 17.06 shall be required.

SPECIAL LAND USE

Section 17.06 Agritourism Enterprise, Class II

A Class II Agritourism Enterprise, as defined in this ordinance, shall be subject to the following requirements:

1. On-site vehicle parking shall be provided on the property in an amount sufficient to accommodate the reasonably anticipated number of agritourism patrons and/or employees. The on-site parking shall be arranged so as to avoid the accumulation of parked cars on nearby streets. Parking and driveway surfaces may be vegetative, pervious surface or hard surface.

2. There shall be no more than two (2) freestanding or ground signs, neither sign to exceed sixteen (16) square feet of sign area.

3. The parcel or parcels on which the use is located shall be owned and operated by a single proprietor or entity.

4. Adequate trash receptacles shall be provided and shall be completely obscured from view by a screen fence or wall.

5. Screening, consisting of an earth berm, evergreen screen, or an obscuring wall or fence, shall be provided on those sides abutting or adjacent to a residential use. The Planning Commission may waive the screening requirement in specific cases where cause can be shown that no good purpose would be served by the screening requirement.

6. The Fire Marshall or Building Official shall establish a maximum capacity for meetings, training, educational or similar events which shall be appropriate to the site and facilities in terms of safe capacity in buildings, parking area and sanitation limitations of the site.

7. The Planning Commission may establish hours of operation for Class II Agritourism Enterprises, or specific elements thereof, consistent with the character of the land uses in the vicinity, and may further approve an enforcement mechanism to ensure that the established hours of operation are adhered to.

8. Agritourism enterprises shall have frontage on a public road.

9. All ingress and egress to the site shall comply with the applicable regulations of the County Road Commission or the Michigan Department of Transportation.

10. The applicant shall secure and maintain all required state and local permits, including but not limited to, public health and building code requirements.
11. A Class II Agritourism Enterprise may include a bed and breakfast, if allowed by the zoning district in which the property is located and approved in accordance with Section 17.09.
Section 16.26: SPECIAL EVENT FACILITIES

A. The following site and developmental requirements shall apply:
   1. The lot area shall be at least twenty (20) acres and the frontage shall be at least six hundred (600) feet.
   2. All ingress and egress to the site shall be from a paved major or minor thoroughfare.
   3. The site must include a farm operation.
   4. Any outdoor dining and entertainment areas shall be at least one hundred (100) feet from any lot line unless the special event facility and adjacent lot are in single ownership.
   5. Parking areas for special event patrons must be on a surface that is flat and durable enough to withstand the event traffic. Any requirements of Article 21 may be waived or modified through site plan review and approval, provided the approving body first makes a written finding that specifically identifies characteristics of the site or site vicinity would make the required standards unnecessary, inappropriate, or ineffective.

B. Special Performance Standards:
   1. A temporary zoning permit, in accordance with Section 18.20, shall be required for each special event where the expected number of participants is as follows:
      a. More than 250 people for sites less than twenty-two (22) acres,
      b. More than 300 people for sites twenty-two (22) acres or larger and smaller than twenty-five (25) acres, or
      c. More than 350 people for sites twenty-five (25) acres or larger.
   2. Accessory uses to the special event facility may include managerial facilities, maintenance facilities, educational facilities, and a standard restaurant that may serve alcohol.
   3. Lodging of patrons is not permitted.
   4. The design of structures is to be of an agricultural or residential character complementary to the historic rural character of the surrounding district.
   5. No temporary sanitary facility shall be on the property more than twenty-four (24) hours before or after the special event.
   6. No temporary sanitary facility or trash receptacle shall be located within one hundred (100) feet of a lot line unless the Special Event Facility and adjacent lot are in single ownership.
   7. All parking areas shall be surfaced or so treated as to prevent any dust nuisance.
   8. The hours of operation for outdoor special events shall be subject to Planning Commission approval with consideration of the impact on the safety, health, and welfare of the district and the community.
ARTICLE 4
AGRICULTURAL DISTRICT

SECTION 4.1 PURPOSE AND SCOPE - This article defines permitted and special uses in the Agricultural Districts. These regulations are meant to facilitate agricultural and horticultural operations and to conserve productive Agricultural Lands. This article refers to procedures for Lot Split Options.

SECTION 4.2 PERMITTED USES
A. One single family dwelling per ten (10) acre parcel or legal lot. (See Section 3.5 – Schedule of Regulations)
B. Agricultural activities such as field crops, horticulture, horticultural nurseries, forestry, vineyards, truck gardens, and beekeeping.
C. Non-intensive livestock operations including poultry and egg production, milk production, and animal husbandry.
D. New and/or expanding operations with 50 animal units or greater must be located on minimum parcels of eighty (80) acres or greater and must comply with all applicable requirements of the Michigan Department of Agriculture GAAMPS (Generally Accepted Agricultural and Management Practices) for determining acceptable locations, site analysis plan, manure management system plan process for approval, and manure management and utilization.

SECTION 4.3 ACCESSORY PERMITTED USES
A. Any use customarily incidental to the permitted principal uses, including barns, sheds, and processing operations incidental to the harvesting, packing, storage, and transporting of agricultural products.
B. Home occupations and businesses as regulated in Article 16.
C. Bed and Breakfast operations with a maximum of five rental rooms and with provision for one off-street parking space for each guest room and for each of the regular occupants' vehicles.
D. Roadside stands subject to the following requirements:
   1. The produce sold shall be limited to that grown in Leelanau County.
   2. At least 50% of the produce sold must be produced on land that is owned or leased by the operator of the stand.
   3. Stands shall be located in the Agricultural District. However, the stand operator may petition the Planning Commission on an annual basis to waive this requirement provided the proposed location will not (a), result in increased traffic inappropriate to the area or (b), produce noise that disturbs the adjacent neighbors or (c), depreciate the value of neighboring properties.
   4. Roadside stands shall be adequately served by public streets and highways. In no instance shall site access materially impede traffic flow on adjacent streets and highways, create a traffic hazard, or alter area traffic patterns.
   5. Stands shall not be located within the road right-of-way and shall provide parking in accordance with Table 17.2.A.
   6. Roadside stands shall be operated only during daylight hours.
E. State of Michigan licensed housing for 5 or more agricultural workers.
F. Farm Year Round Employee Housing - Individual dwelling units for year round employees of a farm may be provided subject to the following conditions:
   1. Mobile homes, manufactured housing, or conventional construction homes are permitted.
   2. Farm year round employee housing shall be subject to all setback requirements of this Ordinance.
3. All farm year round employee housing shall be owned by the owner or operator of the farm.
4. One dwelling unit shall be permitted for each 40 acres of the aggregate acres owned or leased by the farm owner or operator.
5. When two or more farm year round employee housing units are to be provided, a site plan review by the Planning Commission shall be required.
6. The person or persons residing in farm year round employee housing must be employed by the farm owner/operator a minimum of 51% of the normal working hours in a year.
7. Farm year round employee dwellings shall not be rented to persons not employed by the farm owner/operator.
8. If the farm operation has not produced an agricultural crop for three years, all farm year round employee housing shall be removed or sold on a lot meeting the requirements of the district in which it is located.

G. Wineries, Microbreweries, Distilleries on parcels of twenty (20) acres or more, provided all of the required licenses and approvals have been obtained from the appropriate state and federal agencies. These facilities are subject to the following regulations and conditions:
1. Ten acres of the parcel on which any of the foregoing facilities are located or, alternatively, ten acres that are owned or operated by the owner or operator of the winery, brewery, or distillery must be in active production of a fruit, grain, vegetable or other principal ingredient of the beverage to be produced.
2. The on-premise consumption of alcoholic beverage shall be limited to tasting room quantities. Adjunct food services are exempted from this restriction. The facility shall not function as a bar.
3. Any retail sales shall be clearly subordinate to the production of the beverage produced such as boxes/packaging containing wines, beer or liquors; glassware for serving alcoholic beverages; and wine bottle openers. Specifically prohibited are unrelated merchandize such as clothing, coffee cups, and bumper stickers. The retail sales area shall be no more than twenty five (25) percent of the floor area devoted to the winery, but in no case shall it occupy more than two thousand (2000) square feet of floor area.
4. Adjunct food services may be provided.
5. Parking spaces shall be provided in accordance with the requirements of Section 17.3 – Landscaping and Fencing.
6. Parking, buildings, and processing areas shall be set back a minimum of fifty (50) feet from all property lines. This setback area shall be landscaped and visually screened from adjacent properties and roads pursuant to Article 17.

H. Value Added Agricultural Enterprise, subject to the following conditions:
   The proposed enterprise shall be clearly subordinate to on-site agricultural production. The following factors shall be considered in making this determination:
1. The geographic area of the lot devoted to the value added enterprise in comparison to that remaining in agricultural production.
2. Whether or not new structures or significant expansion of existing structures is needed to accommodate the support service use.
3. The relative number of employees devoted to the value added agricultural enterprise in comparison to the number needed for agricultural production.
I. Off-site storage, subject to the following conditions: (Added 033012)

1. All off-site storage shall only be located within an enclosed building having a gross floor area of 1,200 square feet, or more.
2. Only one (1) accessory building shall be used for off-site storage.
3. The storage of domestic waste, commercial waste, hazardous materials, construction debris, or building materials or supplies not intended for the personal use of the property owner, is expressly prohibited.
4. No signs shall be located on the premises which are used to advertise off-site storage conducted on the premises.
5. Off-site storage shall be restricted to parcels five (5) acres or greater in area.

SECTION 4.4 SPECIAL USES SUBJECT TO REQUIREMENTS OF ARTICLE 12 – SPECIAL LAND USES

A. Landing strips for private aircraft.

B. Sawmills, on parcels of twenty (20) acres or more, provided that no sawmill is located closer than two hundred-fifty (250) feet from any road right-of-way or five hundred (500) feet from any body of water.

C. Agribusinesses subject to the following conditions:

1. All outdoor storage of materials, vehicles, equipment and machinery used in the course of the applicant's business shall be restricted to the rear yard or be set back from the front lot line not less than 150 feet, whichever is less restrictive.
2. All outdoor storage shall be set back not less than 50 feet from all side and rear property lines.
3. Materials having a propensity for airborne migration off-site such as, but not necessarily limited to, earth or light sand, may be stored on site provided it is stored in a manner that minimizes its migration onto adjacent property. The need for, and the appropriateness of the containment proposed, shall be determined by the Planning Commission in consideration of the type of material being stored, the operational needs of the business, and the aesthetic character of the neighboring properties. For purposes of this section, containment shall be defined to mean the device or technique proposed to limit or prevent the migration of stored material off site including, but not necessarily limited to, a tarp, storage corral, bulk storage building, native vegetative cover, or additional yard setback distance.
4. Vehicles or equipment shall be stored at their lowest operable height.
5. All open storage area shall be screened from all streets, screened from private road easements, and screened to prevent visibility from all horizontal lines of sight from neighboring residentially zoned or used property. Such screening shall consist of a solid ornamental 8-foot wall or fence or a living plant wall consisting of plant materials not less than 5 feet tall and which form a complete visual barrier at the time of their installation.

D. Civic Events subject to the following conditions:

1. Civic events shall not be conducted more than 3 calendar days in a 30-day period.
2. The civic event shall not involve overnight sleeping accommodations for participants or spectators.
3. The hours of operation shall be confined between the hours of 10:00 a.m. and 10:00 p.m.
4. Adequate area shall be provided on site to accommodate off-street parking needs. The number of such parking spaces shall be determined by the Planning Commission based upon the maximum peak attendance anticipated by the event sponsor. The parking area shall be designed and sited to mitigate potential nuisance effects on adjacent property owners.
E. Private Events subject to the following conditions:
1. The private event shall be a use accessory to an established, legally conforming principal use.
2. Private events shall not be conducted more than 3 calendar days in any 30-day period.
3. The private event shall not involve the overnight sleeping accommodations for event patrons.
4. The hours of operation shall be confined between the hours of 10:00 a.m. and 10:00 p.m.

F. Value Added Agricultural Enterprise Promotional Events, subject to the following conditions:
When adjunct food service is provided, the events shall be limited to 3 days per week and comprise no more than 150 persons each. Activities such as small group demonstrations, tours, and workshops are exempt from this limitation. For purpose of this section, small groups are defined as less than 30 persons on site at one time. The hours of operation for value added agricultural enterprise promotional events shall be confined between the hours of 10:00a.m. and 10:00p.m. No outdoor speaker system shall be utilized.

SECTION 4.5 SPECIAL LOT SPLIT OPTION PROCEDURE
A. To use the lot split option a Special Lot Split application shall be submitted to the Zoning Administrator. The application shall include an Affidavit establishing the Parent Parcel and its acreage and a survey indicating the following:
1. The boundaries and acreage of the Parent Parcel.
2. The boundaries and acreages of the residential lots to be created.
3. The boundaries and acreage of the retained 'residentially unbuildable area.'
4. Legal descriptions of the Parent Parcel and all newly created lots, with the residentially unbuildable area described as such.

B. If more than one new residential lot is created under 4.5.A, all driveways used to access those lots shall be shared driveways, reflected in recorded easements, unless accesses are able to be located at least 500 feet apart, where practical.

C. The area retained as 'residentially unbuildable' shall not be used for residential purposes, but may be used for any other Agriculturally permitted uses, including farming, and the building of barns, cherry pads, agricultural storage facilities, etc.

D. After the completed application of the Special Lot Split is reviewed and approved by the Zoning Administrator, the Parent Parcel Affidavit, surveys and legal descriptions shall be recorded with the Leelanau County Register of Deeds. Following the approval, the Zoning Administrator shall change the Township zoning map to record the size and location of all such lot splits.

E. After the approval of the Special Lot Split, the applicant shall submit an application for land division pursuant to Leelanau Township Ordinance 97.7 - Parcel Division Ordinance.

F. Any request for a Land Use Permit on a lot or parcel of less than 10 acres that was not a lot of record as of the time of amendment of the Article (5-12-94) shall be accompanied by a copy of the recorded survey map which describes the location and dimensions of the lot and the parent parcel from which it was derived.

G. When the number of lot splits for a given parent parcel has reached the allowable density specified in footnote 3.5.A.8, the Zoning Administrator shall note this on the Township zoning map and no further lots splits or Land Use Permits for dwellings shall be approved for that parcel. Land Use Permits shall be issued for other uses permitted in the Agricultural District provided the regulations of this Ordinance are met.

H. Guidelines for using the special lot split option.
1. Applicant must identify the Parent Parcel. For every 10 acres of land in the Parent Parcel, one (1) single family residence may be built. This may be on either A) parcels 10 acres or greater in size; or B) parcels with a minimum of 2 acres in size (with remaining land retained as residentially unbuildable).

2. All resulting residential lots that measure under 10 acres in size must have the balance of the acreage up to 10 acres retained, on the Parent Parcel, as forever residentially unbuildable.

<table>
<thead>
<tr>
<th>Residential lot Acreage</th>
<th>Acreage to be Retained</th>
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<tr>
<td>2</td>
<td>8</td>
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<td>3</td>
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<td>6</td>
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3. Examples of land division options in the Agricultural District:

**Option A** - If only parcels 10 acres or greater are to be split out of a Parent Parcel, the Parent Parcel does not need to be recorded.

**Option B** - If one or more Special Lots Splits (a minimum of 2 acres) are going to be split out of a Parent Parcel, the Parent Parcel must be recorded establishing land equivalent to retaining the 1 residence to 10 acre density ratio. For example, to allow four Special Lot Splits of 2 acres each (a total of 8 acres) and the amount of acreage required to be retained as residentially unbuildable (a total of 32 acres), the Parent Parcel would need to be at least 40 acres in size.

**Option C** - The Parent Parcel is identified as 80 acres, it contains a 10.01 acre parcel which was non-farmable so sold as a large acreage residential site, the Parent Parcel is a working family farm with a farm residence, three 3-acre parcels have been split for residential development, with 21 acres being forever retained in the Parent Parcel for agricultural/open space use. The Parent Parcel has used up to 5 (five) of its allowable eight residential options, with the farmer being able to split out 3 (three) more residentially buildable parcels in any manner, which complies with local and state laws and meets the farmer's desired use of the land.

Amendment History

Reformatted and adopted by Board 06/08/04, Ord 2 of 2004, Pub. 06/17/04, Eff 06/24/04 Amended by Board 05/12/09, Ord 1 of 2009, Pub 05/21/09, Eff 05/28/09
Amended by Board 12/14/10, Ord 6 of 2010, Pub 12/23/10, Eff 12/30/10
Amended by Board 03/13/12, Ord 1 of 2012, Pub 03/22/12, Eff 03/30/12, added Sec. 4.3.1
TOWNSHIP OF MUSSEY ST. CLAIR
COUNTY, MICHIGAN
AG TOURISM ORDINANCE # 26

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWNSHIP OF
MUSSEY TO PROVIDE FOR VARIOUS AGRICULTURAL TOURISM AND
SEASONAL AGRICULTURAL USES AS PRINCIPAL PERMITTED USES AND AS
SPECIAL LAND USES IN THE AGRICULTURAL DISTRICT AND TO PROVIDE
PARKING REQUIREMENTS AND SIGN REGULATIONS PERTAINING TO THE
SAME

THE TOWNSHIP OF MUSSEY ORDAINS:

ARTICLE 1: AMENDMENT
The Zoning of Ordinance of the Township of Mussey, Article 2, Definitions, is
hereby amended by adding the following definitions:

2.1 Agricultural Tourism, ag-tourism and/or agri-tourism: The practice of
visiting an agribusiness, horticultural, or agricultural operation,
including, but not limited to, a farm, orchard, winery, greenhouse,
hunting preserve, a companion animal or livestock show, for the
purpose of recreation, education, or active involvement in the
operation, other than as a contractor or employee of the operation.

2.2 Value-added agricultural product: The enhancement or improvement
of the overall value of an agricultural commodity or of an animal or
plant product to a higher value. The enhancement or improvement
includes, but is not limited to marketing, agricultural processing,
transforming, or packaging, education presentation, activities and
tours.

2.3 Agricultural products: Includes, but is not limited to, crops (corn,
wheat, hay, potatoes); fruit (apples, peaches, grapes, cherries,
berries, etc.); cider; vegetables (sweet corn, pumpkins, tomatoes,
etc.); floriculture; herbs; forestry; husbandry; livestock and livestock
products (cattle, sheep, hogs, horses, poultry, ostriches, emus,
farmed deer, farmed buffalo, milk, eggs, and fur, etc.); aquaculture
products (fish, fish products, water plants and shellfish);
horticultural specialties (nursery stock, ornamental shrubs, flowers
and Christmas trees); maple sap, etc.

2.4 Agriculturally related products: Items sold at a farm market to attract
customers and promote the sale of agricultural products.
Such items include, but are not limited to all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream based desserts and beverages, jams, honey, gift items, food stuffs, clothing and other items promoting the farm and agriculture in Michigan and value-added agricultural products and production on site.

2.5 *Non-agriculturally related products:* Those items not connected to farming or the farm operation, such as novelty t-shirts or other clothing, crafts and knick-knacks imported from other states or countries, etc.

2.6 *Agriculturally related uses:* Those activities that predominantly use agricultural products, buildings or equipment, such as pony rides, corn mazes, pumpkin rolling, barn dances, sleigh/hay rides, and educational events, such as farming and food preserving classes, etc.

2.7 *Non-agriculturally related uses:* Activities that are part of an agri-tourism operation's total offerings but not tied to farming or the farm's buildings, equipment, fields, etc. Such non-agriculturally related uses include amusement rides, concerts, haunted houses, etc., and are subject to a special use or temporary use permit.

36.1 *Farm Market/On-farm market:* The sale of agricultural products or value-added agricultural products, directly to the consumer from a site on a working farm or any agricultural, horticultural or agribusiness operation or agricultural land, but not including temporary roadside stand markets.

82.1 *Seasonal:* A recurrent period characterized by certain occurrences, festivities, or crops; *harvest, when crops are ready;* not all year round.

84.1 *Sign, seasonal:* A sign erected for a limited period of time during the year when retailing activities for a particular farm product is available to the public.

**ARTICLE 2: AMENDMENT**

The Zoning of Ordinance of the Township of Mussey, Article 4, AG-Agricultural District, Section 401, Principal Permitted Uses, is hereby amended by revising subsection 401(A) to read as follows:

A. General and specialized farming of agricultural products and agricultural activities, including the raising or growing of crops,
livestock, poultry, bees and other farm animals, products and foodstuffs. Any building or structure may be located thereon and used for the day-to-day operation of such activities, for the storage or preservation of said crops or animals, products and collection, distribution, or processing, and for the incidental sale of crops, products and foodstuffs raised or grown on said parcel or in said building or structure. The following additional agricultural uses shall be permitted:

1.) Storage, retail or wholesale marketing, or processing of agricultural products into a value-added agricultural product is a permitted use in a farming operation if more than 50 percent of the stored, processed, or merchandised products are produced by the farm operator for at least 3 of the immediately preceding 5 years.

2.) Cider mills or wineries selling product, in a tasting room, derived from crops grown primarily on site for at least 3 of the immediately preceding 5 years, provided that the premises is licensed by the Michigan Liquor Control Commission.

3.) Direct marketing of produce in a farm market or on-farm market provided that any building, or combination of buildings used for such purposes contain a total of not more than 2,500 square feet. A temporary roadside stand shall also be permitted provided that it shall comply with all regulations set forth in Section 403(C).

4.) Seasonal U-pick fruits and vegetables operations.

5.) Seasonal outdoors mazes of agricultural origin such as straw bales or corn.

6.) Food sales/processing, processing any fruits/produce.

7.) Uses 2 through 6 listed above may include any or all of the following ancillary agriculturally related uses and some non-agriculturally related uses so long as the general agricultural character of the farm is maintained and the income from these activities represents less than 50 percent of the gross receipts from the farm.

   a) Value-added agricultural products or activities such as education tours or processing facilities, etc.

   b) Bakeries selling baked goods containing produce grown primarily on site (e.g., minimum 50 percent).

   c) Playgrounds or equipment typical of a school playground, such as slides, swings, etc. (not including motorized vehicles or rides).
8.)

d) Petting farms, animal display, and pony rides.

e) Wagon, sleigh and hayrides.

f) Nature trails.

g) Open air or covered picnic area with restrooms.

h) Educational classes, lectures, seminars.

i) Historical agricultural exhibits.

j) Kitchen facilities, processing/cooking items for sale.

k) Gift shops for the sale of agricultural products and agriculturally related products.

l) Gift shops for the sale of non-agriculturally related products such as antiques or crafts, limited to 25 percent of gross sales.

Non-agriculturally related uses listed as permitted uses above may include the following ancillary uses as temporary land uses: small-scale entertainment (e.g., music concert, car show, art fair), family-oriented animated barns (e.g., fun houses, haunted houses, or similar) and small mechanical rides provided that:

a) A temporary use permit shall be obtained from the Zoning Administrator. Said temporary use permit shall be valid for only one period of use. A fee may be charged for said permit.

b) Said use shall be permitted only for one (1) period per year not to exceed consecutive 60 days.

c) Applicant must provide evidence of liability insurance coverage, acceptable to the Township, of not less than $1,000,000.

d) Inspections shall be conducted by the Building Inspector, and other officials as may be required, prior to the period of use. Evidence of approval in the form of an inspection certificate shall be provided to the Zoning Administrator prior to the issuance of a temporary land use permit. A fee may be charged covering the cost of such inspection(s) and certificate(s).

e) Notwithstanding other provisions of this ordinance, said use need not be accessory to a bona fide farm or agricultural use provided that:

i. it is located on a parcel of not less than five (5) acres, and

ii. has been in existence, has been lawfully approved by the Township, and has been operated for at least one (1)
season prior to the effective date of this ordinance provision.

ARTICLE 3: AMENDMENT

The Zoning of Ordinance of the Township of Mussey, Article 4, AG-Agricultural District, Section 402, Special Land Uses, is hereby amended by adding the following sub-sections:

R. Bed and Breakfast provided that such use is part of a bona fide farm.
S. Direct marketing of produce, farm market, on-farm market with when a building or combination of building contain more than 2,500 square feet, roadside stand if the sales area is greater than 200 square feet in building area.
T. Restaurant operations when incidental and accessory to other permitted agricultural tourism uses on the site.
U. Non-agriculturally related uses listed as permitted uses in the zone but which include any of the following ancillary uses shall a special use permit.
   1.) Permanent, organized meeting space for use by weddings, birthday parties, and corporate picnics.
   2.) Designated, permanent parking for more than 20 vehicles.

ARTICLE 4: AMENDMENT

The Zoning of Ordinance of the Township of Mussey, Article 12, General Provisions, Section 1204, Off-Street Parking Requirements, Sub-section 1204(L), is hereby amended by adding the following paragraph:

7) AGRICULTURAL TOURISM AND SEASONAL AGRICULTURAL USES
   a. For agricultural tourism and seasonal agriculturally related uses one space for each 500 square feet of retail area and one space for every 1,000 square feet of outdoor related activities such as agricultural mazes, petting farms, outdoor play equipment, etc.
   b. For uses permitted by right under the agricultural district, parking facilities may be located on a grass or gravel area for seasonal uses such as road side stands, u-pick operations and agricultural mazes. All parking areas shall be defined by either gravel, cut lawn, sand or other visible marking.
   c. For uses permitted by special land use permit, parking may be either gravel or paved as determined by the Planning Commission, based on
applicant estimates for seasonal parking and the intensity of the use. Overflow parking areas may be required by the Planning Commission to accommodate seasonal peak demand.

d. All parking areas shall be located in such a manner to avoid traffic hazards associated with entering and exiting the public roadway.

e. Unpaved parking areas shall not be located within any required side or rear yard. Paved parking areas must meet all design, landscape screening and setback requirements set forth in this zoning ordinance.

ARTICLE 5: AMENDMENT

The Zoning of Ordinance of the Township of Mussey, Article 12, General Provisions, Section 1209, Signs, Sub-section 1209(B), is hereby amended by adding the following paragraph:

AG Agricultural Districts

Two (2) on-premise accessory seasonal signs, not to exceed thirty-two (32) square feet each, may be erected for a limited period of time during the year when retailing activities for a particular farm product is available to the public or when an agricultural tourism use is in operation or is planned to be in operation within thirty (30) days. Said signs may be permanently displayed for permitted uses that are authorized to operate on a year-round basis.

One (1) off-premise seasonal sign, not to exceed twelve (12) square feet each, may be erected at up to six (6) locations within the township for a limited period of time during the year when retailing activities for a particular farm product is available to the public or when an agricultural tourism use is in operation or is planned to be in operation within thirty (30) days. Signs facing in the same direction of travel shall be at least 1,000 feet apart. Permission from the property owner upon which said sign is to be placed shall be provided with the application. Said signs shall not be located within an R-1 District, nor shall
be placed within any road right-of-way. Said signs may be permanently displayed for permitted uses that are authorized to operate on a year-round basis.

ARTICLE 6: SEVERABILITY

Sections of this Ordinance shall be deemed to be severable. Should any section, paragraph, or provision hereof be held by the courts to be unconstitutional or invalid, such holding shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part so held to be unconstitutional or invalid.

ARTICLE 7: REPEAL

All ordinances in conflict herewith are hereby repealed.

ARTICLE 8: EFFECTIVE DATE

This ordinance shall become effective upon expiration of seven (7) days after publication.

SECTION 7: INSPECTION OF ORDINANCE

A copy of this Ordinance may be inspected or purchased at the Township Hall, 135 N. Main Street, Capac, Michigan 48014, during regular posted office hours.

SECTION 8: ADOPTION

Made and passed by the Township Board of Trustees of the Township of Mussey, St. Clair County, Michigan, on this 10th day of June, 2009, A.D.

1. Date of Public Hearing: 7-28-08
2. Date of Adoption by Township Board of Trustees: 6-10-09
3. Date of Publication: 6-17-09
4. Date and Time Ordinance Shall Take Effect: 7-16-09

Sheila McDonald, Township Clerk
SPECIAL LAND USE (in AG and Rural Estates Zoning Districts)

Section 17.41 Migrant Labor Housing

A. Intent. The intent of this Section is to permit the establishment of dwellings as a part of an active farm operation. Such dwellings shall consist of seasonal residences for migratory laborers and their family members and shall be reviewed and approved by the Planning Commission as a Special Land Use.

B. Migrant Labor Housing Standards.

1. One or more dwellings proposed for use by migrant laborers may be permitted as a special land use provided it meets the requirements of the Michigan Department of Agriculture, Agricultural Labor Camp Rules and the following standards:
   a. The area devoted to migrant labor housing shall adhere to the required setback requirements of the AG district.
   b. The number of migrant labor housing units provided shall not exceed more than one (1) unit for each five (5) acres of land devoted to active farming operations. Section 1.05 shall not apply, as more than one migrant labor housing unit shall be permitted on a parcel of land.
   c. Migrant Labor Housing shall have no more than two levels above ground nor contain more than three (3) dwelling units per building. Building height shall not exceed thirty (30) feet.
   d. Migrant Labor Housing shall meet the following dwelling standards:
      i. All single family dwelling units shall have a minimum width across any front, side, or rear elevation of twenty-four (24) feet at the time of construction or placement.
      ii. Each dwelling shall be connected to a public sewer and water supply or to approved private facilities. Road culvert permits shall be obtained for new driveways from the Mason County Road Commission and/or MDOT.
   e. Minimum dwelling area for migrant labor housing shall be the following: seven-hundred twenty (720) square feet for single family dwellings, and six hundred sixty (660) square feet per unit in a two-unit or three-unit structure.
   f. The Planning Commission may require a privacy fence or landscape plantings to screen the migrant labor housing from view of adjacent or nearby residential dwellings.
   g. To ensure adequate access for emergency vehicles and personnel, no migrant labor housing shall be located closer than twenty (20) feet to any other building or structure.
   h. Migrant Labor Housing shall be occupied only by migrant farm laborers and shall not be used for any other purpose.
   i. All Migrant Labor Housing units shall comply with the Agricultural Labor Camp Rules of the Michigan Department of Agriculture. Evidence of such compliance shall be provided to Mason County Zoning Administrator upon request. Failure to provide such evidence or to maintain compliance with such standards and licensing shall be grounds for revocation of a special land use permit for Migrant Labor Housing and shall result in the removal of the Migrant Labor Housing from the site.
   j. The conversion of an existing single family dwelling to migrant labor housing shall be deemed a permitted use in the AG district when said housing meets all requirements of the Michigan Department of Agriculture and there are no modifications or additions to the dwelling and/or accessory structures that would result in additional bedrooms or living quarters. In cases where existing single-family dwellings proposed for migrant labor housing are modified or added to and/or accessory structures are proposed the applicant shall comply with Section 17.41 and obtain a Special Land Use.
   k. The replacement of one or more existing dwelling units within a licensed migrant camp must comply with the standards set forth in this section.
C. A special land use for Migrant Labor Housing shall follow the review and approval process set forth in Article XVI, provided however, a plot plan shall be required instead of a site plan.
review and action will be subject to the preservation of resources identified in the Natural Feature Inventory, as set forth in this Ordinance, and as applied by the Planning Commission.

SECTION 4.21 [Reserved]

SECTION 4.22 ROADSIDE STANDS FOR AGRICULTURAL PRODUCTS

Regulations and Conditions. Roadside Stands that exceed a floor area of thirty-two (32) square feet and/or are operated for more than eight (8) weeks in any twelve (12) month period shall be subject to the following requirements:

1. The total floor area of the Roadside stand shall not exceed two hundred (200) square feet.
2. A Roadside Stand for Agricultural Products shall be subject to plot plan review per Section 20.3.
3. Only fruits, cut flowers, honey, vegetables or other products that have been grown or produced on the premises shall be sold in a Roadside Stand.
4. No part of the Roadside Stand, sales area or parking area shall be located within a road right-of-way.
5. All structures associated with the Roadside Stand shall be portable and shall be removed at the end of the growing season for the products sold.
6. Only one Roadside stand shall be permitted on any one parcel.
7. The Zoning Administrator shall give due consideration to the nature of the proposed use and its potential impact on the surrounding land uses and may establish appropriate site conditions to assure that the use will generate no detrimental impacts on surrounding property.
8. A Roadside Stand shall be permitted not more than one (1) sign with a surface area of thirty-two (32) square feet. Such sign shall not be lighted.
9. A minimum of two (2) off-street parking spaces shall be provided for each roadside stand.

SECTION 4.23 [Reserved]

SECTION 4.24 AGRI-TOURISM AND AGRI-BUSINESS

1. Uses Permitted. Agri-businesses and agri-tourism uses, as defined herein, may be established in the CR, AG, and LDR districts as a use by right. The following uses are specifically included:

Long Lake Township Zoning Ordinance 4-17 General Provisions
a. Storage, retail or wholesale marketing, or processing of agricultural products into a value-added agricultural product where more than fifty (50) percent of the stored, processed, or merchandised products are produced by the farm operator for at least three (3) of the immediately preceding five (5) years. Or alternately, the applicant must demonstrate to the Planning Commission’s satisfaction that more than fifty percent (50%) of the agricultural product will be produced by the farm operator within the following five (5) years.

b. Cider mills or wineries selling product, in a tasting room, derived from crops grown primarily (at least 50%) on site for at least three (3) of the immediately preceding five (5) years. Or alternately, the applicant must demonstrate to the Planning Commission’s satisfaction that more than fifty percent (50%) of the agricultural product will be produced by the farm operator within the following five (5) years.

c. Seasonal you-pick fruits and vegetable operations.

d. Seasonal outdoors mazes of agricultural origin such as straw bales or corn.

e. Food sales/processing, processing of fruits or produce.

2. Accessory Uses Permitted. The following accessory uses may be permitted in conjunction with the uses listed under 1, above:

a. Value-added agricultural products or activities such as education tours or processing facilities, etc.

b. Bakeries selling baked goods containing produce grown primarily on site (minimum 50%)

c. Petting farms, animal display, and pony rides

d. Wagon, sleigh and hayrides

e. Nature trails

f. Open air or covered picnic area with restrooms

g. Educational classes, lectures, seminars

h. Historical agricultural exhibits

i. Kitchen facilities for processing items for sale

j. Retailing of non-agriculturally related products such as antiques or crafts, packaged food or beverages, gifts, or other similar products, limited to twenty-five percent (25%) of gross sales

3. Standards and Requirements.

a. Parking shall be provided based on the capacity of the activity or the retail floor space in compliance with Section 25.4.

b. Parking for agri-tourism or agri-business uses may be located on a grass or gravel area for seasonal uses such as road side stands, you-pick operations and agricultural mazes. All parking areas shall be defined by either gravel, cut lawn, sand or other visible marking.
c. Signs associated with an agri-tourism or agri-business use shall be in conformance with Section 21.4.

d. The parcel or parcels on which the use is located shall be owned and operated by a single proprietor.

e. The applicant shall secure and maintain all required state and local permits.

SECTION 4.25   SMALL WIND ENERGY CONVERSION SYSTEMS (WECS)

1. **Intent.** It is the purpose of this section to promote the safe, effective, and efficient use of small wind energy systems installed to reduce the on-site consumption of electricity supplied by utility companies.

2. **Regulations.** A small WECS may be regarded as a permitted use in any district, if it meets the standards and requirements of this section.

   a. Any small WECS system that is intended to include battery storage of electricity on site and that is intended to be off the electric grid shall only be regulated as a conditional use.

   b. Any small WECS system that is proposed to be located within any woodland as identified in Figure 4 of the Long Lake Township Natural Features Inventory shall only be regulated as a conditional use.

   c. Where there are three (3) or more small WECS proposed for a single parcel of land, the use shall be regulated as a conditional use.

   d. Any small WECS system that, due to site features such as topography or trees, is proposed to be taller than allowed under Section 4.25.4 below. The Planning Commission may increase the allowable height by up to thirty (30) feet where site conditions dictate and impact on neighboring properties and roadways is minimal. All other requirements of this section shall be met, including the setback provisions of Section 4.25.5.

3. **Permit Requirements:** A land use permit request filed under Section 24.2 for a small WECS shall include a plot plan and supporting information with the following information at a minimum:

   a. Property lines and physical dimensions of the property;

   b. Location, dimensions, and types of existing major structures on the property;

   c. Location of the proposed wind system tower;

   d. The right-of-way of any public road that is contiguous with the property;
e. Any overhead utility lines;
f. Wind system specifications, including manufacturer and model, rotor diameter, tower height, tower type (freestanding or guyed), and color;
g. Tower foundation blueprints or drawings;
h. Tower blueprint or drawing; and
i. Any other information necessary to demonstrate compliance with the standards and requirements of this Section.

4. Tower Height: For parcels of less than two (2) acres in area, the tower height (not including the blades) shall be limited to thirty-five (35) feet. For parcels with land area greater than two (2) acres and located in the AG or CR districts, the tower height (not including the blades) shall be limited to sixty (60) feet. For purposes of this section, height shall be measured from the average grade at the base of the tower. Also see Section 4.25.2.d.

5. Setback: The tower shall be set back from all adjoining property lines and rights-of-way (public or private), the greater of the setback requirements of the zoning district or the combined height of the tower and the turbine blade in its vertical position. No part of the small WECS, including guy wire anchors, may extend into any required setback.

6. Location: In addition to the setback requirements above, a small WECS shall meet all location standards for an accessory building found under Section 4.6.1.a.8). The requirements of Section 4.6.1.c shall not apply to a small WECS.

7. Noise: The applicant shall provide evidence that a small WECS will not cause sounds in excess of 50 dB, as measured at any property line.

8. Approval Required: A small WECS shall bear an approval certificate from a certification program recognized by the American Wind Energy Association. The applicant shall demonstrate that all components of the proposed wind turbine meets all applicable safety standards and is UL certified.

9. Compliance with Uniform Building Code: Building permit applications for small WECS shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. An engineering analysis of the tower showing compliance with the Uniform Building Code and certified by a licensed professional engineer shall also be submitted.

10. Utility Notification: No small WECS shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.