

ARTICLE XX

AGRICULTURAL & RECREATION CONSERVATION DISTRICTS

§ X.05 - INTENT & PURPOSE

The intent and purpose of this Article is to:

- (A) Establish the intent and purposes of the Agricultural (AG) and Recreation Conservation (RC) Districts;
- (B) **Preserve** the Township's rural character and protect visual corridors along public streets;
- (C) Ensure adequate space on properties for uses, structures, and other improvements;
- (D) **Reduce** conflicts between adjacent uses and properties;
- (E) Encourage appropriate use of the Township's agricultural and recreational areas;
- (F) **Ensure** compatibility between agricultural and recreation conservation uses and surrounding uses;
- (G) Reduce the impacts of development on surrounding properties and the community; and
- (H) Establish use and developmental standards for the Agricultural (AG) and Recreation Conservation (RC) Districts.

§ X.10 - DISTRICT INTENT & PURPOSE

(A) **Agricultural (AG) District:** The intent and purpose of the Agricultural (AG) District is to:

- (1) *Agriculture:* ~~Preserve, e~~Encourage, and provide opportunities for the continuation and creation of agricultural operations and uses;
- ~~(2) *Reduce Conflicts:* Reduce conflicts between agricultural operations and nonagricultural uses;~~
- ~~(3)~~(2) *Preservation:* Encourage the preservation of undeveloped natural areas, such as woodlands, wetlands, and watercourses;
- ~~(4) *Character & Aesthetics:* Preserve the rural character and the aesthetic and scenic value of agricultural areas;~~
- ~~(5)~~(3) *Residential Use:* Provide opportunities for lower-density residential use in a manner that is consistent with the character of agricultural areas; and
- ~~(6)~~(4) *Development Character:* Foster development patterns that are designed to maintain, enhance, and preserve open spaces, including farmlands, woodlands, and wetlands, that contribute to the character of agricultural areas.

(B) **Recreation Conservation (RC) District:** The intent and purpose of the Recreation Conservation District is to:

- (1) *Recreation:* Provide opportunities for the preservation, creation, and enhancement of passive and active recreational areas and uses that are compatible with the natural character of the land;
- (2) **Preservation:** Protect and enhance natural areas, natural resources, natural amenities, habitats, and undeveloped areas;

- (3) *Residential Use:* Provide opportunities for very low-density residential use in a manner that requires limited alteration of the natural landscape; and
- ~~(4) *Character & Aesthetics:* Preserve the natural character and the aesthetic and scenic value of recreational areas; and~~
- ~~(5)~~(4) *Expansion:* Limit the expansion of this District because of more appropriate alternatives.

§ **x**.15 - SCHEDULE OF USES

Land and structures shall only be used for the uses specified below, unless otherwise permitted in this Ordinance.

(A) *Description:* Uses, as denoted in the Schedule of Uses, are described below.

- (1) “P” identifies uses that are permitted.
- (2) “S” identifies special land uses.
- (3) “PA” identifies permitted accessory uses.
- (4) “SA” identifies accessory special land uses.
- (5) “-” identifies uses that are not permitted. Uses that are not listed are also not permitted.

(B) *Schedule of Uses:* Uses are grouped into major categories. Only those uses listed under each category are permitted.

Table x.15(B)- Schedule of Uses			
(1) Residential	Zoning District		Specific Standards
	AG	RC	
a. Single-family dwelling	P	P	YES
b. Two-family	P	P	YES
c. Accessory Dwelling	PA	PA	YES
d. Day care, family home	P	P	YES
e. Day care, group home	S	S	YES
f. Foster care facility, family home	P	P	YES
g. Foster care facility, group home	S	S	YES
h. Home occupation	PA	PA	YES
(2) Agriculture, Forestry, Fishing, & Hunting	Zoning District		Specific Standards
	AG	RC	
a. Biofuel production, small	P	P	YES
b. Biofuel production, large	S	S	YES
c. Commercial agriculture, excluding commercial slaughterhouses	P	P	YES
d. Commercial stable	P	P	YES
e. Conservation area and game refuge	P	P	
f. Farm equipment sales and service of equipment	S	-	
g. Outdoor shooting range	P <u>S</u>	S <u>-</u>	YES
h. Roadside stand	P	-	YES
i. Sod farming	S	-	
j. Winery	S	-	

(3) Business, Commercial, & Retail	Zoning District		Specific Standards
	AG	RC	
a. Commercial kennel	S	-	YES
b. Landscape nursery and greenhouse, including sales of plant materials and supplies	P	-	
c. Veterinarian clinic	P	-	
(4) Arts, Entertainment, & Recreation	Zoning District		Specific Standards
	AG	RC	
a. Campground	S	S	YES
b. Common use access lot	-	S	YES
c. Dedicated open space	P	P	YES
d. Driving range	-	P	YES
e. Golf course or country club	-	S	YES
f. Marina or yacht club	-	S	YES
g. Outdoor athletic facility or similar recreation facility of an open-space and low-intensity nature	P	P	YES
h. Outdoor shooting range	S	S	YES
i. Public park or playground	-	S	YES
j. Recreation site dedicated for a platted subdivision or site condominium	P	P	
k. Special event facility	S	S	YES
l. Watercraft access ramp	-	S	
m. Watercraft sales, repair, or storage	-	S	YES
(5) Food Service	Zoning District		Specific Standards
	AG	RC	
a. Entrepreneurial kitchen	SA	SA	YES
b. Food cart	-	S	YES
(6) Institutional	Zoning District		Specific Standards
	AG	RC	
a. Cemetery	P	-	YES
b. Polling place	P	P	
c. Religious institution, including housing for affiliated personnel	S	-	YES
d. School	-	S	
(7) Other	Zoning District		Specific Standards
	AG	RC	
a. Accessory uses customarily incidental and subordinate to the permitted principal use	PA	PA	
b. Bed and breakfast	S	S	YES
c. Community well	S	S	YES
d. Community sewage system	S	S	YES
e. Day care center	S	S	YES
f. Extractive operation	S	-	YES
g. MET Tower	P		YES
h. Private club or meeting hall	S	S	
i. Private landing strip or heliport	S	-	YES
j. Private stable	PA	PA	

k.	Sign	PA	PA	YES
l.	Solar energy system	PA	PA	YES
m.	Utility substation	S	-	YES
n.	WECS, mirco	PA	PA	YES
o.	WECS, small	PA	PA	YES
p.	Wireless communication facility	S	-	YES

(C) Interpretation: For specific uses that are not listed, the Director of Planning and Zoning shall determine if that use is substantially similar to any of the uses listed in the Schedule of Uses

(1) Similar Use: If a specific use is determined to be substantially similar to a use is the Schedule of Uses it shall then be subject to the same use and development standards as that similar, listed use.

(2) No Similar Use: If a specific use is determined to not be substantially similar to any of the uses in the Schedule of Uses, it shall not be considered a permitted use.

~~**(C) Interpretation:** For specific uses that are not listed, the Director of Planning and Zoning shall determine if that use is substantially similar to any of the uses listed in the Schedule of Uses, and it shall then be subject to the same use and development standards as that similar use.~~

§ x.20 - LOT STANDARDS

Lots shall only be created or altered in a manner that complies with the minimum lot area, lot widt, lot frontage, and other standards outlined below, unless otherwise permitted in this Ordinance.

Table x.20- Lot Standards

District	Minimum Lot Area ^A	Minimum Lot Width ^B	Minimum Lot Frontage ^C
a. AG Agricultural	1-5 acres ^E	150 feet	150 feet ^D
b. RC Recreation Conservation	5 acres	330 feet	330 feet

(A) Lot Area: The lot area is measured as the total horizontal area within the lot lines of a lot, excluding any street right-of-way or easement, shared driveway easement, other permanent access easement, bottomland, and wetland within the lot. See DEFINITION ARTICLE for a more-detailedthe complete description.

(B) Lot Width: The lot width is measured as the horizontal distance between the side lot lines at a distance equal to the front-yard setback. See DEFINITION ARTICLE for a more-detailedthe complete description.

(C) Lot Frontage: The lot frontage is measured as the horizontal length of the front-lot line. See DEFINITION ARTICLE for a more-detailedthe complete description.

(D) Cul-de-Sac: The lot frontage in Agricultural (AG) Districts may be reduced to sixty-six (66) where the front lot line is along a curvilinear segment of road, such as a cul-de-sac, if requiring the full distance would result in a lot with an unnecessarily excess lot width or lot area. The lot shall meet the minimum lot width for at least sixty-six (66) percent of the lot’s depth.

~~(E) **Legally Nonconforming Lot of Record:** A lot lawfully existing at the effective date of this Ordinance, or an amendment thereto, that fails to meet the area and/or dimensional standards of the zoning district in which it is located may continue to exist and may be used, as outlined in NONCONFORMING ARTICLE.~~

~~(F)~~**(E) Agriculture Lot Area:** The minimum lot area in Agricultural (AG) Districts shall meet one of the following:

- (1) *Standard:* The minimum lot area shall be five (5) acres; or
- (2) *Reduced:* The minimum lot area shall be at least one (1) acre, if all of the following conditions are met:
 - a. *Number:* There shall be a maximum of one (1) lot with a lot area of (1) acre for every ten (10) acres of the parcel being divided;
 - b. *Density:* There shall be an average density of one (1) lot per five (5) acres of the parcel being divided;
 - c. *Access:* The lots shall have direct access from a street other than a minor or major thoroughfare or a shared driveway; and
 - d. *Conservation Easement:* A conservation easement or similar legally-binding tool shall prohibit development of an area equal in size to the difference between the five (5) acres per parcel and the size of parcels being created. This easement shall be reviewed and approved by the Township and recorded with the Register of Deeds, with a copy provided to the Township.

§ x.25 - DEVELOPMENTAL STANDARDS

Structures and lots shall only be created and modified in a manner that complies with the developmental standards below, unless otherwise permitted in this Ordinance.

(A) Setbacks: Structures shall only be created and modified in a manner that complies with the minimum setbacks outlined below, unless otherwise permitted in this Ordinance.

<i>Table x.25(A)- Minimum Setbacks ¹</i>							
District		Front-yard ^{2,6}	Side- yard ⁶	Rear-yard ⁶	Waterbody _{5,6}	Wetland ₆	Building-to-Building
(1) AG	Agricultural	35-80 feet	15 feet	30 feet	50 feet	50 feet	10 feet
(2) RC	Recreation Conservation	35-80 feet	15 feet	30 feet	50 feet	50 feet	10 feet

GRAPHICS

- (1) *Setback Description:* Setbacks are the minimum required distance, measured horizontally, from a structure to the lot lines and other features or improvements. See **DEFINITION ARTICLE** for ~~a more detailed~~the complete description.
- (2) *Front-yard Setbacks:* The following shall apply to front-yard setbacks:
 - a. *How Measured:* The front-yard setback shall be measured from the right-of-way or access easement.
 - b. *Corner or Double-frontage Lots:* Corner and double frontage lots shall have a front-yard setback along each front-lot line.

- c. *Distance:* Front-yard setbacks shall at least thirty-five (35) feet from all streets and shall be at least eighty (80) feet from the following streets:
1. Colby Road;
 2. Donner Road;
 3. Dexter-Pinckney Road;
 4. Dexter-Townhall Road;
 5. Hankerd Road;
 6. Island Lake Road;
 7. Lima Center Road;
 8. Madden Road;
 9. McKinley Road;
 10. North Territorial Road;
 11. Quigley Road;
 12. Riker Road;
 13. Waterloo Road; and
 14. Wylie Road.
- (3) *Access Easement:* Setbacks from access easements shall be measured from the edge of the easement.
- (4) *Setback from Lake Access Easement:* When a lake access easement runs along the side-lot line, the side-yard setback shall be measured from the easement.
- (5) *Setback from Waterbody:* In no instance shall any structures, other than docks, seawalls, retaining walls, sidewalks, and low decks and patios, be permitted within the required waterbody setback. The minimum waterbody setback from the ordinary high-water level shall be determined as follows:
- a. *Adjacent Buildings:* When there are buildings on both adjacent lots, the shoreline setback shall be a straight line drawn between the adjacent dwellings, including attached decks that are more than eighteen (18) inches above the adjacent grade.

GRAPHIC

- b. *Large Setbacks:* When buildings on adjacent lots are set back more than fifty (50) feet, the minimum waterbody setback shall be fifty (50) feet.

GRAPHIC

- c. *Vacant Lots:* When one (1) or both of the adjacent lots are vacant, the next adjacent lots shall be used. When two (2) lots in both directions are vacant, the minimum waterbody setback shall be fifty (50) feet.

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- d. *Minimum Setback:* Never less than 20 feet.

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- e. *Show Buildings:* Site plans, plot plans, and surveys used to secure a zoning permit or preliminary certificate of zoning compliance shall show the location of buildings on adjacent lots and the waterbody setback line.
 - f. *Point or Peninsula:* For lots at the end of a point or peninsula, the minimum waterbody setback shall be the distance equal to the average waterbody setback of the two (2) closest lots.
- (6) *Setback Projections:* Certain architectural features may project into the required front-yard, side-yard, rear-yard, waterbody, and wetland setbacks but shall at least than five (5) feet from any lot line and at least twenty (20) feet from waterbodies, as outlined in the table below.

Table x.25(A)(6)- Setback Projections

Projection	Front-Yard	Side-Yard	Rear-Yard	Waterfront-Yard	Wetland
Awnings, canopies	3 feet	3 feet	5 feet	-	3 feet
Bay windows, garden windows	3 feet	2 feet	3 feet	2 feet	3 feet
Roof overhangs	3 feet	3 feet	3 feet	3 feet	3 feet
Unroofed porches, decks, patios, and steps	5 feet	5 feet	10 feet	-	-
Unroofed porches, decks, patios, and steps that are within 18 inches of the natural adjacent grade	5 feet	5 feet	10 feet	10 feet	-
Window air conditioning units	2 feet	2feet	2 feet	2 feet	2 feet
Window wells	3 feet	3 feet	3 feet	3 feet	-

- (B) *Height & Coverage:* Structures and lots shall only be created and modified in a manner that is consistent with the height and coverage outlined below.

Table x.25(B)- Maximum Height & Coverages

District	Height ¹	Lot-Building Coverage ²	Impervious Coverage ³
(1) AG Agricultural	30 feet	10 percent	25 percent
(2) RC Recreation Conservation	30 feet	5 percent	20 percent

GRAPHICS

- (1) *Height Description:* The vertical distance measured from the finished grade to the highest roof surface or the average height between the drip edge and the peak for the highest roof surface for sloped roofs. See **DEFINITION ARTICLE** for ~~a more detailed~~ the complete description.
- (2) *Lot-Building Coverage Description:* The horizontal area of the lot that is covered by ~~roofed surfaces~~ buildings, including ~~porches, arbors, breezeways, arbors, and roofed porches, patios, and decks, and patio roofs.~~ See **DEFINITION ARTICLE** for ~~a more detailed~~ the complete description.
- (3) *Impervious Coverage Description:* Any surface that cannot be effectively and easily penetrated by water. See **DEFINITION ARTICLE** for ~~a more detailed~~ the complete description.

End of Article xx.

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