

## **ARTICLE III**

### **“A” AGRICULTURAL ZONING DISTRICT**

#### **Section 3.1 Description and Purpose**

This zoning district is primarily intended for farming and related land uses with limited residential use. Lands designated “A” Agricultural contain prime and important soil types as related to crop production.

#### **Section 3.2 Permitted Land Uses**

Land and buildings in the “A” Agricultural District may be used by right for the following purposes only:

- (a) Farm and farming activities conducted in accordance with generally accepted agricultural and management practices approved by the Michigan Commission of Agriculture, except intensive livestock operations.
- (b) Single family dwelling.
- (c) Greenhouse and nursery, except retail store selling items not produced on premise.
- (d) Orchard, vineyard and apiary.
- (e) Group daycare home for not more than six minor children.
- (f) Adult foster care family home for not more than six adults.

#### **Section 3.3 Special Land Uses**

The following uses of land and buildings may be permitted when authorized as a special land use by the Planning Commission; subject to regulations contained in Article XIX: *(As amended June 8, 2015 effective date June 20, 2015)*

- (a) Church, synagogue, temple, mosque and any other recognized place of worship.
- (b) Public and private K-12 school.
- (c) Public and institutional uses and buildings.
- (d) Publicly-owned park, playground, recreation area and athletic ground.
- (e) Golf course and country club; commercial riding stable; private recreation area.
- (f) Bed and breakfast establishment.
- (g) Farm market with roadside stand.
- (h) Greenhouse and nursery accessory retail store.
- (i) Kennel.
- (j) Group daycare home for more than six minor children.
- (k) Adult foster care family home for 7-12 adults.
- (l) Subdivision or Site Condominium Subdivision that is served by public roads meeting standards of the Barry County Road Commission.

- (m) Mineral extraction and processing.
- (n) Intensive livestock operation complying with generally accepted agricultural and management practices approved by the Michigan Commission of Agriculture.
- (o) Essential services building.
- (p) Commercial communications antenna and tower; non-commercial, ground-mounted communications antenna and tower exceeding a height of 50 feet or, if roof mounted, exceeding a height of 15 feet above the roof.
- (q) Home-based business.
- (r) Household and Recreational storage facility as provided in Section 21.40.
- (s) Contractor Yard
- (t) Accessory dwelling for the use of individuals requiring special care *[amended 4-28-2018]*
- (u) Barn Event Venue *[amended 3-28-2020]*
- (v) Greenhouse Special Event Venue *[amended 3-28-2020]*

### **Section 3.4 Other Land Uses**

The following other land uses may be permitted as provided in this Ordinance:

- (a) Customary accessory use as regulated by this Ordinance.
- (b) Temporary use as regulated by this Ordinance.
- (c) Non-contiguous PUD (open space only).

### **Section 3.5 “A” Agricultural Zoning District Regulations**

Land divisions, building and structures in the “A” Agricultural District shall comply with the following requirement unless expressly provided otherwise in this Ordinance:

- (a) **Minimum Lot Area and Width.** One and one-half acres and 200 feet; provided, however, that a lot or parcel of land which is platted or otherwise recorded in the records of the Barry County Register of Deeds prior to April 1, 1997 may be used for one single family detached dwelling if it has a minimum area of 25,000 square feet and a minimum width of 120 feet, but further provided that this provision pertaining to a lot or parcel of record at the effective date of this Ordinance shall apply only for a period of five years from the effective date and shall be of no effect thereafter.
- (b) **Minimum Required Building Setbacks.**
  - (1) **Front yard.** There shall be a minimum front yard building setback of 40 feet.
  - (2) **Side Yard.** Side yard building setback shall not be less than 20 feet.
  - (3) **Rear Yard.** There shall be a minimum rear yard building setback of 35 feet.

- (4) **Maximum Height.** No building or structure shall exceed 35 feet in height, except permitted communications antennas and towers; provided, however, that this provision shall not apply to barns and other bona fide farm buildings and farm structures.
- (c) **Minimum Floor Area for Dwelling.** Each single family dwelling hereafter constructed, shall meet requirements of Section 21.10 herein.

### **Section 3.6 Parking Regulations**

All uses of land and buildings in this District shall conform to applicable parking and loading regulations contained in Article XXIII.

### **Section 3.7 Sign Regulations**

All signs in this District shall conform to applicable sign regulations contained in Article XXIV.

### **Section 3.8 Site Plan Review**

All uses of land and buildings in this District shall conform to applicable site plan content and review requirements contained in Article XX.

### **Section 3.9 Landscape Standards**

All uses of land and buildings in this District shall conform to applicable landscaping standards contained in Article XXV.

### **Section 3.10 Special Regulations**

- (a) **Overlay Districts.** Lands in the “A” Agricultural District that are also located in any “NR”, “WP”, or “AM” overlay district shall also comply with terms of applicable overlay district(s).
- (b) **Private Roads.** Construction of and use of private roads for access to new lots or parcels after the effective date of this Ordinance is specifically prohibited within the “A” Agricultural District. Non-conforming private roads listed in Appendix 1 hereto, and existing on the effective date of this Ordinance shall not be increased in length but may be upgraded to meet requirements of this ordinance applicable to private roads.

### **Sections 3.11 – 3.99 [Reserved]**