

GROVELAND TOWNSHIP, OAKLAND COUNTY, MICHIGAN

Zoning Ordinance Amendment

BUILDINGS ACCESSORY TO AGRICULTURAL OR FORESTRY OPERATIONS

Add to Division 2. RE/F Rural Estate/Farm District the following amendment:

Sec. 54-111. - Purpose and intent.

The purpose of the RE/F rural estate/farm districts are to provide open land area for future orderly residential growth, continued agricultural use and residential activities of a rural character that are presently without public water and sewer facilities and are likely to remain without such services into the foreseeable future. It is further the intent of this district to protect and stabilize the essential characteristics of these areas in order to promote and encourage suitable environments for low-density family life, and to maintain and to preserve the rural character of the township wherever possible.

(Zoning Ord. 1999, § 400; Ord. No. 143, § 400, 3-9-2004)

Sec. 54-112. - Principal uses permitted.

In the RE/F districts, unless otherwise provided in this chapter, no building or land shall be used and no building shall be erected except for one or more of the following specified uses.

[subsections (1) through (9) unchanged]

Sec. 54-113. - Principal agricultural uses permitted.

The following uses shall be permitted subject to the conditions hereinafter imposed for each use and subject further to review and approval by a township official designated to do so by the township board:

(1) Agriculture, when such operations occur on land containing at least ten contiguous acres under single ownership. Agricultural buildings and structures shall also be regarded as principal permitted uses, provided they directly relate to and are actively used in the bona fide agricultural enterprise being conducted on the property. All such agricultural activity shall be limited to the raising of crops and/or animals grown and/or raised on the premises, and shall conform to Generally Accepted Agricultural and Management Practices (GAAMPs) as adopted by the Michigan Department of Agriculture and Rural Development (or equivalent successor standards). When agricultural property contains any animals, including, but not limited to, livestock, a horse or horses, a residential dwelling shall be located on the premises and shall be permanently occupied by the owner farmer, or farm manager or tenant. No agricultural operation shall be operated as a feed lot or for the disposal of garbage, rubbish, offal or rendering plants or for the slaughtering of animals except such animals raised on the premises for the use and consumption by those persons residing on the premises.

(2) Forestry operations, when such operations occur on land containing at least ten contiguous acres under single ownership. Forestry buildings and structures shall also be regarded as principal permitted uses, provided they directly relate to and are actively used in the bona fide forestry operation enterprise being conducted on the property. Forestry operations shall conform to the Best Management practices (BMPs) as adopted by the Michigan Department of Natural Resources and Michigan Department of Environmental Quality in the publication "Sustainable Soil and Water Quality Practices on Forest Land" (or its equivalent successor publication).

(3) Building and structures customarily incident to the above permitted uses, and subject to the following:

- a. Agricultural buildings may be exempt from the requirements of the Michigan Building Code per the Michigan Construction Code Act (PA 230 of 1972) and the Michigan Right to Farm Act (PA 93 of 1981, as amended), however such buildings shall be subject to the dimensional requirements (setback, height, bulk, etc.) of this Ordinance.
- b. Forestry operation buildings are offered no exemption from the requirements of the Michigan Building Code per the Michigan Right to Forest Act (PA 676 of 2002) and are therefore subject to the requirements of that Code as well as the dimensional requirements (setback, height, bulk, etc.) of this Ordinance.

(4) A person who keeps or houses chickens (hens) on his or her property, having less than ten acres, shall comply with all of the following requirements:

[subsections (a) through (i) unchanged]

Sec. 54-114. - Principal uses permitted subject to special conditions.

The following uses shall be permitted, subject to the conditions hereinafter imposed for each use and where so specified shall be subject to review and approval by the planning commission or by a township official designated by the township board. Whenever review by the planning commission is required it shall do so in accordance with the applicable requirements of section 54-1131.

(1) One or more horses, provided:

[subsections (a) through (e) unchanged]

f. The storage of manure shall be located at least 100 feet from any well and from any existing or future dwelling building, and no less than 50 feet from any property line. All manure so stored or kept, shall be maintained so as to control odor and flies. Manure management shall conform to Generally Accepted Agricultural and Management Practices (GAAMPs) for Manure Management and Utilization as adopted by the Michigan Department of Agriculture and Rural Development (or equivalent successor standards).

g. Animal care shall conform to Generally Accepted Agricultural and Management Practices (GAAMPs) for the Care of Farm Animals as adopted by the

Michigan Department of Agriculture and Rural Development (or equivalent successor standards).

(2) Stables for the keeping of horses for boarding, pasturing and/or training but not for rent, provided:

[subsections (a) through (e) unchanged]

f. The storage of manure shall be located at least 100 feet from any well and from any existing or future dwelling building, and no less than 50 feet from any property line. All manure so stored or kept, shall be maintained so as to control odor and flies. Manure management shall conform to Generally Accepted Agricultural and Management Practices (GAAMPs) for Manure Management and Utilization as adopted by the Michigan Department of Agriculture and Rural Development (or equivalent successor standards).

g. Animal care shall conform to Generally Accepted Agricultural and Management Practices (GAAMPs) for the Care of Farm Animals as adopted by the Michigan Department of Agriculture and Rural Development (or equivalent successor standards).

(3) Livery stables for the renting of trail and/or riding horses for riding on the premises, subject to review and approval by the planning commission, provided:

[subsections (a) through (f) unchanged]

g. The storage of manure shall be located at least 100 feet from any well and from any existing or future dwelling building, and no less than 50 feet from any property line. All manure so stored or kept, shall be maintained so as to control odor and flies. Manure management shall conform to Generally Accepted Agricultural and Management Practices (GAAMPs) for Manure Management and Utilization as adopted by the Michigan Department of Agriculture and Rural Development (or equivalent successor standards).

h. Animal care shall conform to Generally Accepted Agricultural and Management Practices (GAAMPs) for the Care of Farm Animals as adopted by the Michigan Department of Agriculture and Rural Development (or equivalent successor standards).

(4) Sale of seasonal products produced on the premises or on contiguous land, subject to approval by a designated township official, provided:

a. The sale of all products sold on the premises shall take place only on the property where the product was grown or made and not within any road right-of-way;

b. Agricultural buildings shall be subject to the requirements of the Michigan Building Code if the building is used in the business of retail trade or is otherwise visited by the public for commercial purposes;

c. A temporary building or structure for the sale of products so produced shall be permitted and shall observe all applicable requirements of the district for a principal use; and

d. Off-street parking shall be provided on the premises and shall consist of a graveled surface treated to diminish dust. It shall be of sufficient area to satisfy the applicable numerical off-street parking requirements of section 54-1191

[Subsections (5) through (14) unchanged]

Sec. 54-115. - Required conditions.

The following conditions, where applicable, shall apply to all buildings and uses permitted in the district:

[subsections (1) through (3) unchanged]

(4) Buildings and structures accessory to a farm or farm operation as defined by the Michigan Right to Farm Act (PA 93 of 1981, as amended) may be exempt from the requirements of the Michigan Building Code, but are subject to the dimensional requirements (setback, height, bulk, etc.) of this Ordinance. Buildings and structures accessory to a forestry operation as defined by the Right to Forest Act (PA 676 of 2002) are subject to both the Michigan Building Code and the dimensional requirements of this Ordinance.

[subsections (5) through (9) unchanged]

Secs. 54-116—54-150. - Reserved.