

ARTICLE V

AGRICULTURAL DISTRICT

5.0 STATEMENT OF PURPOSE:

The AG - Agriculture District is intended to provide land area for horticultural activities, which are compatible with adjacent land uses in a developed environment. The District is designed to protect existing agricultural operations in the City, but not encourage new animal husbandry operations.

5.1 PRINCIPAL PERMITTED USES:

In the AG - Agricultural District no building or use shall be permitted unless otherwise provided in this Ordinance, except for the following:

- A. One single-family farm or non-farm dwelling per parcel**
- B. Group day care homes or family day care homes when operated in an owner occupied single-family detached dwelling in conjunction with proper licensing and in conformance with State Law and Regulations**
- C. Any horticultural activities, including truck gardening, orchards, crop production, and animal 4H projects, but excluding new animal husbandry operations**
- D. The sale of farm produce which has been raised on the farm from which it is to be sold**
- E. Home occupations, Class I**
- F. Essential services**
- G. Public Schools**

5.2 ACCESSORY USES

Accessory buildings and uses customarily incidental to the above Principal Permitted Uses.

5.3 SPECIAL USES: (Subject to Article XIX)

- A. Churches, private schools, libraries, museums and community halls.**
- B. Kennels.**
- C. Planned developments.**
- D. Home occupations, Class II.**

- E. Publicly owned and operated buildings and uses including community buildings and public parks, playgrounds and other recreational areas.

5.4 SITE PLAN APPROVAL:

For uses subject to a special approval use permit, a site plan shall be submitted in accordance with Article XVIII.

5.5 AREA, HEIGHT, BULK & PLACEMENT REQUIREMENTS:

- A. No building or structure, nor enlargement of any building or structure, shall hereafter be constructed or placed unless the following requirements are met and maintained for any building structure or enlargement.

Front Yard	50 feet (see B below)
Side Yards	20 feet, each side
Rear Yard	40 feet
Lot Coverage	35%
Building Height	2 ? stories or 35', whichever is less
Minimum Lot Area	5 Acres
Minimum Lot Width	330 feet
Minimum Floor Area (see C below)	One story dwelling ? 1,000 square feet Two story, first floor, 750 square feet
Minimum Dwelling Width	24 feet throughout entire length

- B. The required front yard shall not be used for off-street parking, loading or unloading, and shall remain as open space unoccupied and unobstructed from the ground upward, except for landscaping, plant materials, or vehicle access drives.

- C. The minimum floor area per dwelling unit shall not include areas of basements, breezeways, unenclosed porches, terraces, attached garages, attached sheds, or utility rooms.
- D. Accessory building shall not be erected in any required yard, except a rear yard.
- E. No detached accessory building shall be located closer than ten (10) feet to any main building nor shall it be located closer than five (5) feet to any side or rear lot line.
- F. Accessory buildings may be constructed to equal the permitted maximum height of structures in said districts, subject to Planning Commission review and approval if the building exceeds one (1) story or fourteen (14) feet in height.
- G. When an accessory building is located on a corner lot, the rear yard shall be opposite the street address front yard and the accessory building shall not be located nearer than twenty (20) feet to a side yard street right-of-way line.
- H. When an accessory building is intended for other than the storage of private motor vehicles, the accessory use shall be subject to the approval of the Planning Commission. Accessory buildings with a floor area of one hundred twenty (120) square feet or less shall not be subject to Planning Commission review.
- I. Off-street parking for one (1) and two (2) family dwellings and any driveway accessing such parking shall be paved with concrete or bituminous material in a manner which is adequate to prevent washout from obstructing storm sewers and catch basins, and in a manner which is adequate to provide safe access to the dwellings in question. The off-street parking areas for one (1) and two (2) family dwellings and for any driveways accessing them shall be a minimum of eight feet in width for their entire length and shall at a minimum extend between the public or private right of way and the required front setback line on each lot. Within a required front yard no driveway may exceed 12 feet in width for each stall facing the street within 20 feet of the required front setback line. In no case shall the driveway width exceed 26 feet in width between the right-of-way line and the curb or shoulder. (see Figure 8)

5.6 OPEN SPACE PRESERVATION

- A. In the AG zoned districts in the City, a land owner may choose to apply for a land division(s), plat or site condominium under the

below described Open Space Preservation option. Provided that no more than the same number of dwelling units allowed on the entire land area of the tract, under the existing City zoning district regulations, State Laws and rules, may be created.

- B. To qualify for an Open Space Preservation land division, plat or site condominium option the land owner must:
1. Sign and record either a conservation easement, plat dedication, restrictive covenant or other legal document that runs with the land and is agreeable to the City Commission, whereby the land owner shall agree that at least 20% of the land owner's property shall remain in a perpetual undeveloped state.
 2. If the property is not served by a municipal sewer system and municipal water system, then before any divisions are approved the land owner must obtain individual septic system permits from the County Health Department for non-mounded septic systems on each proposed lot. A State and County approved common septic system is an acceptable option with the approval of the City Commission, so long as the common septic system is not located in areas within the dedicated open space.

C. MINIMUM LOT REQUIREMENTS

Under the Open Space Preservation option, the minimum lot width and depth required to meet the setback regulations of the AG zoning district plus the minimum requirements for dwellings outside of mobile home parks shall determine the minimum lot size as follows:

1. MINIMUM LOT WIDTH ? shall be calculated by adding the required side yard setback (20 feet) times 2 (or total required side yards), plus the minimum dwelling width (24 feet). Total 64 feet.

FOR CORNER LOTS, MINIMUM LOT WIDTH ? shall be calculated by adding one (1) minimum required side yard (20 feet), plus the minimum required front yard (50 feet), plus the minimum dwelling width (24 feet), plus the

minimum building code requirement for a landing outside of an exterior door (3 feet ? 2001 State Building Code). Total = 97 Feet.

2. MINIMUM LOT DEPTH ? shall be calculated by adding the minimum required front yard (50 feet), plus the minimum required rear yard (40 feet), plus 2 times the minimum building code requirement for a landing outside of an exterior door ($3 \times 2 = 6$ feet), plus a distance equal to the minimum dwelling unit area divided by the minimum dwelling width ($1000/24 = 42$ feet). Total 138 feet.
3. FOR DOUBLE FRONTAGE LOTS, MINIMUM LOT DEPTH ? shall be calculated by adding 2 times the minimum required front yard ($50 \times 2 = 100$ feet), plus 2 times the minimum building requirement for a landing outside of an exterior door ($3 \times 2 = 6$ feet), plus a distance equal to the minimum dwelling unit area divided by the minimum dwelling width ($1000/24 = 42$). Total 148 feet.

D. APPLICATION

All applications for an Open Space Preservation option land division must be accompanied by a parallel plan, showing a layout of building sites which meets the ordinance requirements without applying the Open Space Preservation option. This shall be done in order to demonstrate that the number of sites shown on the application do not exceed the number which could be permitted without applying the Open Space Preservation provisions.

1. PLATS ? Applicant shall inform the City Clerk in writing at the time of application for the preliminary plat if the landowner chooses to exercise the Open Space Preservation option.
2. SITE CONDOMINIUMS ? Applicant shall indicate on the Zoning Application form when submitting the preliminary site plan to the City Clerk if the owner chooses to exercise the Open Space Preservation option.

3. EXEMPT DIVISIONS UNDER THE STATE LAND DIVISION ACT ? Applicant shall indicate on the Land Division Application form if the owner chooses to exercise the Open Space Preservation option, when submitting the application to the City Clerk.

E. APPROVAL

1. The parallel plan and the application for a Plat, Site Condominium or exempt land division(s) shall be reviewed by the Planning Commission which shall determine the allowable density for the Open Space Preservation development and recommend approval, approval with modifications or denial to the City Commission.
2. Divisions applied for under this Section may not be approved until the City Commission, upon the review and recommendation of the City Attorney, accepts the dedication document used to perpetually preserve the open space in an undeveloped state and these documents have been filed and are recorded with the Allegan County Register of Deeds.