

ARTICLE 18.00

AG-C, COMMERCIAL AGRICULTURAL DISTRICT

Section 18.01 -- STATEMENT OF PURPOSE

It is intended that developments in this district be designed to preserve significant natural features and promote public health, safety, and welfare. Preservation of open space, protection of flood prone areas, protection of wetlands, woodlands, and groundwater recharge areas, and preservation of other natural features is encouraged, consistent with state law. (*revised 10/1/96, 2/3/98*)

This district is further established to achieve the following objectives:

1. To discourage the encroachment of urban and suburban services into agricultural and rural portions of the Township.
2. To create a stable environment for agricultural production.
3. To permit services and uses that are necessary to support agricultural activities.
4. Encourage use of land that promotes public health, safety and welfare.

Section 18.02 -- PERMITTED USES AND STRUCTURES

A. Principal Uses and Structures

In all areas zoned AG-C, Commercial Agricultural, no building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses:

1. Farms and other agricultural activities related to the definition of "farm" in Section 1.03, subject to the provisions in Section 8.02, sub-section N.
2. Barns, silos, sheds, equipment storage and other farm buildings, as defined in Section 1.03.
3. One farm dwelling per farm, which serves as the principal residence of the owner, operator, or employee(s) of the farm.
4. Idle cropland, provided that such land is maintained so as to prevent the erosion of soil.
5. Raising and growing of plants, trees, shrubs, and nursery stock, including any buildings or structures used for such activities.

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6. The growing, stripping, and removal of sod, provided that all stripped land shall be reseeded by the fall of the year in which it was stripped so as to prevent the erosion of soil by wind or water.
7. Forestry and forest management.
8. Riding arenas or boarding stables, subject to the provisions in Section 8.02, sub-section CC.
9. One roadside stand for the sale of agricultural products raised on the farm, subject to the provisions in Section 8.02, sub-section BB.
10. Home occupations subject to the provisions in Section 2.06.
11. Residential care facilities that provide care for up to six (6) individuals.
12. Housing for migrant farm laborers, subject to the requirements for Agricultural Labor Camps in Part 124 of the Michigan Environmental Health Code.
13. The Township may permit a second single family dwelling unit on a parcel used and occupied as a bona fide farm in addition to the principal dwelling unit permitted in Section 18.02(A), where the additional unit is for use by those engaged in the farm operation, including owners/operators, partners, or laborers on the farm, and their families, subject to the following conditions: *(revised 7/6/04)*
 - a. The applicant shall submit a plot plan that illustrates the location of the proposed dwelling unit in relation to property lines and existing buildings on the parcel. The proposed dwelling shall be set back a sufficient distance from other buildings and property lines so that it could eventually be split off on a separate parcel in conformance with the standards in the Rural Residential district. If the dwelling is split off on a separate parcel, the parent parcel must comply with all of the standards in the Commercial Agricultural district.
 - b. In the event that the additional dwelling ceases to be used by persons associated with the farm operation, then it shall be split off on a separate parcel in conformance with the standards in the Rural Residential district.
 - c. Only one such second dwelling unit shall be permitted on a parcel. If such a dwelling is split off on a separate parcel, another dwelling unit shall not be permitted on the parent parcel.
 - d. Proposals to place a second dwelling unit on a parcel shall be subject to approval by the Planning Commission, who shall be responsible for determining if the additional unit will be used by those engaged in the farm operation.
14. Essential services, subject to the provisions in Section 2.16.
15. Uses and structures accessory to the above, subject to the provisions in Section 2.03.

B. Special Uses

The following uses may be permitted by the Township Board, subject to the conditions specified for each use; review and approval of the site plan by the Planning Commission and Township Board; any special conditions imposed by the Planning Commission or Township Board that are necessary to fulfill the purposes of this Ordinance; and, the procedures and requirements set forth in Section 27.03.

1. Commercial agricultural service establishments whose principal function is performing agricultural or horticultural services on a fee or contract basis, including but not limited to:

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- a. Agricultural produce milling and processing, including but not limited to corn shelling, hay baling and threshing, grain cleaning, and similar operations.
- b. Sorting, grading, and packing fruits and vegetables.
- c. Crop dusting and spraying.
- d. Contract farm services such as harvesting and plowing.
- e. Farm equipment sales, service and repair.
- f. Veterinary clinics, subject to the provisions in Section 8.02, sub-section FF.
- g. Bulk feed, seed or fertilizer sales, storage or mixing.
- h. Auction sales barns.

Special approval shall not be required for farms and agricultural activities that are permitted principal uses and that provide one or more of the services listed in this sub-item 1 to other farms on a fee or contract basis, provided that such fee or contract services do not become the principal use of the site.

2. Commercial egg production.
3. Retail sales of ornamental trees, shrubs, and nursery stock that is grown on the premises.
4. "U-pick" agricultural operations, provided that sufficient parking is provided.
5. Game preserves.
6. Gun clubs.
7. Sand, gravel or mineral extraction, subject to the provisions in Section 2.13.
8. Commercial kennels, subject to the provisions in Section 8.02, sub-section R.
9. Municipal buildings and uses.
10. Public, parochial, and other private elementary, intermediate, or high schools licensed by the State of Michigan to offer courses in general education.
11. Residential care facilities that provide care for seven (7) or more individuals, subject to the requirements in Section 8.02, sub-section AA.
12. Cemeteries, subject to the provisions in Section 8.02, sub-section G.
13. Religious institutions, subject to the provisions in Section 8.02, sub-section Z.
14. Public or private golf courses, including country clubs and driving ranges, subject to the provisions in section 8.02, sub-section P.
15. Radio and television transmitting and receiving towers, subject to the provisions in Section 8.02, sub-section X.
16. Oil and gas processing facilities, subject to the provisions in Section 8.02, sub-section V.
17. Feedlots and commercial livestock operations that meet the threshold levels in Section 8.02, sub-section N(5).

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18. Wireless communications facilities on monopoles, subject to the standards and conditions in Section 8.02(X). *(revised 6/3/97)*
19. Airports for public use, landing areas for other than personal use, and related accessory uses, subject to the provisions in Section 8.02, sub-section B. *(added 7/1/97)*
20. Landscape contractor's operation, subject to the provisions in Section 8.02, sub-section HH. *(revised 12/1/98)*
21. Outdoor events, including outdoor events in the Williamstown Township Park, subject to the provisions in Section 8.02, sub-section II. *(revised 12/1/98)*
22. Nature Centers, demonstration farms, and similar uses, subject to the provisions in Section 8.02, sub-section JJ. *(added 6/29/99)*

C. Option to Permit a Lot Split for an Existing Dwelling *(this sub-section C revised 10/1/96)*

In addition to conventional methods of land division permitted by this or other ordinances or laws, every farm which contains a single family dwelling at the time of adoption of these regulations shall be allowed to split one (1) lot from the main farm acreage to create a new lot for the existing dwelling. This new lot shall comply with the lot size requirements in this sub-section C unless additional land is needed to meet the setback requirements. The purpose of these standards is to permit division and sale of lots for residential use while providing the opportunity for continued farming or open space preservation.

1. Compliance with Subdivision Control Act

No lot split shall be permitted where the split would be in violation of the lot split provisions in the Subdivision Control Act (Michigan Public Act 288 of 1967, as amended).

2. Minimum Lot Dimensions

Lot splits permitted by this sub-section shall comply with the following dimensional standards:

- **Lot Area:** Lots created pursuant to the regulations in this sub-section shall be at least two (2) acres and no larger than five (5) acres in size, plus-or-minus five percent (5%), unless a larger lot area is required to accommodate a septic system as required by the Ingham County Health Department.
- **Minimum Lot Width:** 240 feet
- **Minimum Setbacks for Principal and Accessory Buildings:** As specified for single family lots in the RR district. *(revised 2/3/98)*

3. Septic System

Each lot shall contain one (1) replacement drain field approved by the Ingham County Health Department prior to issuance of a building permit. The location of the field shall be illustrated on building plans submitted to the Building Inspector. A building, structure, or impervious surface shall not be placed or constructed over any active, proposed, or replacement drain field area.

4. Conforming Status of New Lots

Both lots legally created using the procedures outlined herein shall be considered conforming with respect to minimum lot size.

D. Accessory Special Land Uses *(this sub-section D added 7/1/97)*

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The following uses and structures may be permitted in the AG-C District provided that such uses and structures shall be accessory to permitted principal uses and structures, and subject to the provisions in Section 2.03, the conditions specified for each use, review and approval by the Planning Commission and Township Board, and the procedures and requirements in Section 27.03:

1. A landing area or airport for personal aircraft use, subject to the provisions in Section 8.02, sub-section B.

E. Option to Permit Lot Splits for Non-Farm Dwellings *(this sub-section E added 6/29/99)*

In addition to conventional methods of land division permitted by this or other ordinances or laws, lots splits for non-farm dwellings shall be permitted by right in AG-C districts, subject to the guidelines in this sub-section. The purpose of these standards is to permit division and sale of lots for residential use while providing the opportunity for continued farming or open space preservation.

1. Maximum Number of Lot Splits

Unless otherwise permitted in conjunction with Rural Open Space Development or another permitted development option, the maximum number of lots that may be created for non-farm dwelling units in addition to the existing parcel shall be based on the density that would be permitted if the parcel was zoned AG-SF (Agricultural Small Farms), which is the district that allows the next highest residential density. Accordingly, the maximum number of lot splits permitted shall be based on the following formula (provided that all other requirements are met, such as minimum lot width, minimum road frontage, and shared driveway limitations):

$$\text{Total acreage of parcel divided by 10} = \text{Maximum number of lot splits}$$

When the above calculation results in a fractional number, any fraction of less than one-half (0.5) shall be disregarded, while a fraction of one-half (0.5) or more shall be counted as one lot. *(Revised 4/10/01)*

2. Additional Lot Split for Existing Dwelling

In addition to the lot splits permitted by the calculation in sub-item 1, every farm which contains a single family dwelling shall be allowed to split one (1) lot from the main farm acreage and create a new lot for the existing dwelling. This new lot shall comply with the lot size requirements in this sub-section E unless additional land is needed to meet the setback requirements.

3. Compliance with Land Division Act

No lot split shall be permitted where the split would be in violation of the lot split provisions in the Land Division Act (Michigan Public Act 288 of 1967, as amended).

4. Minimum Lot Dimensions

Lot splits permitted subject to the standards in this sub-section shall comply with the following dimensional standards:

Lot Area: Lots created pursuant to the regulations in this sub-section shall be at least two (2) acres and no larger than five (5) acres in size, plus-or-minus five percent (5%), unless a larger lot area is required to accommodate a septic system as required by the Ingham County Health Department.

Minimum Lot Width: 240 feet

Lot Dimensions with Shared Driveways: Notwithstanding the above requirements, lots served by a common driveway pursuant to the following sub-section (E)(5) shall comply with the following standards:

Minimum Lot Area: 40,000 sq.ft.

Minimum Lot Width: 120 ft.

Minimum Frontage on a Public Road: 120 ft.**

Minimum Setbacks:

Front: 65 feet

Side: 30 feet

Rear: 35 feet

** The Planning Commission may waive the requirement for 120 ft. of frontage on a public road for no more than four (4) lots served by a shared driveway upon finding that:

a. The proposal to create up to four (4) lots lacking public road frontage would be superior (compared to one with public road frontage) for one or more of the following reasons:

- (1) It would maintain the Township's rural character and image by allowing houses in locations where they are fully or substantially screened from view from the public road.
- (2) It would allow development on the parts of the parent parcel that are best suited, because of suitability of soils for septic systems, least disruption to sensitive environmental areas, and similar considerations.
- (3) It would allow development that is compatible with surrounding land use.

b. The shared driveway meets all of the requirements of the following sub-section 5.

c. The shared driveway would provide adequate emergency access. Where the shared driveway is longer than 660 feet in length, one or more of the following options shall be considered:

- (1) Providing a separate emergency access route from another direction, which route should be protected by an easement;
- (2) Providing a separate alternate route on the same parcel as the main shared access driveway;
- (3) Widening the main shared driveway to eighteen (18) feet in width at 660 ft. intervals (maximum separation) to allow vehicles to pass each other; or
- (4) Providing a circular turnaround at the end of the shared driveway with a minimum radius of 60 feet to accommodate fire trucks. (*Revised 4/10/01*)

5. Shared Driveway Option

Vehicular access to lots created pursuant to this sub-section E may be provided by a shared driveway, subject to the following requirements (see illustration):

a. A shared driveway may provide access to no more than four (4) parcels.

b. Prior to issuance of a building permit for any parcel served by a shared driveway, proof shall be submitted that the easement and an easement maintenance agreement have been executed and recorded.

b. The driveway easement shall provide for unrestricted access for emergency and public vehicles and normal ingress and egress for property

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owners served by the driveway, their families, guests, invitees, tradespeople and others traveling to or leaving properties served by the driveway.

- c. The driveway maintenance agreement shall provide for ongoing maintenance and a means of funding such maintenance.
- d. Shared driveways shall comply with the standards in Section 2.10, sub-section D, of the Zoning Ordinance. Furthermore, such driveways shall provide sufficient horizontal and vertical clearance to allow the free passage and maneuvering of fire apparatus, subject to review by the Fire Chief. There shall be a minimum of 12 feet horizontal and vertical clearance.

8. Buffer Zone

A buffer zone at least one hundred (100) feet in width shall be required along the fronts of the newly-created lots, which shall be densely planted with native shrubs and trees. The Planning Commission may reduce the 100-ft. width where the applicant demonstrates that proposed and existing trees and other vegetation will be sufficient to obscure vision through the buffer zone, but in no case shall the buffer zone be less than fifty (50) feet.

7. Development of Remainder of Parcel

The development rights on the remainder of the parcel that is not included in the newly created lots shall be conveyed to the Township or to an approved open space or agricultural preservation trust such that the remaining land may be used only for agriculture or left as open space in perpetuity. The legal instrument by which the development rights are conveyed shall be subject to review and approval by the Township Attorney.

The ownership of the remaining land may be retained by the property owner who initiates the lot splits, or the ownership may be conveyed to the owners of the newly created lots, the open space or agricultural preservation trust, or to a another owner. If the permitted number of lot splits are not completed all at once, then the conveyance may provide for additional future splits, provided that the total number of splits shall not exceed the maximum specified in sub-item 1.

8. Septic System

Each lot shall contain one (1) replacement drainfield approved by the Ingham County Health Department prior to issuance of a building permit. The location of the field shall be illustrated on building plans submitted to the Building Inspector. A building, structure, or impervious surface shall not be placed or constructed over any active, proposed, or replacement septic drainfield area.

9. Conforming Status of New Lots

Lots legally created using the procedures outlined herein shall be considered conforming with respect to minimum lot size.

Section 18.03 -- DEVELOPMENT STANDARDS

A. Site Plan Review

Site plan review and approval is required for all uses except detached single family residential and farm uses, in accordance with Section 27.02.

B. Area, Height, Bulk, and Placement Requirements

Buildings and uses in the Commercial-Agricultural District are subject to the area, height, bulk, and placement requirements in Article 26.00, Schedule of Regulations.

The following chart summarizes the regulations in Article 26.00, but the user is cautioned to refer to Article 26.00 for more detailed information and explanatory notes, and exceptions.

Minimum Lot Area	40 acres ¹
Minimum Lot Width	330 ft.
Maximum Height	2 1/2 stories, 35 feet
Minimum Setbacks	
Front	50 ft.
Side	50 ft.
Rear	50 ft.
Minimum Usable Floor Area	900 sq. ft.
Maximum Building Coverage	10 percent

1. Creation of lots or parcels that are less than forty (40) acres may be permitted in the following instances:
 - a. When the lot or parcel that is less than forty (40) acres is an entire quarter-quarter section or a half of a half of a quarter section, or
 - b. When the land division creating the new lot or parcel would permit use of the land in accordance with the purposes of the Commercial Agricultural district (see Section 18.01) and with the Township Master Plan, and where the existing parent parcel being divided is between seventy-four (74) and eighty (80) acres. In this instance, a lot or parcel being created through land division may be as small as thirty-five (35) acres. *(this item added 10/7/97)*

C. Open Space Preservation Option

The Open Space Preservation Option is permitted in the AG-C District as a means of permitting residential use and preserving open space and agricultural lands, subject to the provisions in Section 8.03, sub-section C.