

MONTEREY TOWNSHIP, ALLEGAN COUNTY, MICHIGAN

AMENDMENTS TO THE MONTEREY TOWNSHIP ZONING ORDINANCE

Ordinance No. 18-06

Adopted: X

Effective: 10-19-18

AN ORDINANCE TO AMEND THE FOLLOWING SECTIONS OF THE MONTEREY TOWNSHIP ZONING ORDINANCE FOR THE PURPOSE OF CLARIFYING PERMITTED USES WITHIN THE AGRICULTURAL DISTRICT

MONTEREY TOWNSHIP, ALLEGAN COUNTY, MICHIGAN, ORDAINS:

At a regular meeting of the Township Board for the Township of Monterey, Allegan County, Michigan, held at the Township Hall on October 1, 2018 the following amendment to the Monterey Township Zoning Ordinance was offered for adoption by Township Board Member **Earl Collier** and seconded by Township Board Member **Eric Commons**.

Yeas: H Reinart, J Frank, L Commons, E Commons, E Collier

Nays:

Motion Passed X Failed

ARTICLE 1:

Adopt Chapter 5 in its entirety to read as presented on the attached pages.

ARTICLE II. SEVERABILITY:

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby and shall remain valid and in effect.

ARTICLE III. REPEAL AND EFFECTIVE DATE:

This Ordinance is ordered to take effect the eighth day following publication of notice of its adoption in accordance with the Michigan Public Act 110 of 2006 as amended. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Jennifer Frank

Date: 10-1-18

Jennifer Frank, Monterey Township Clerk

Publication date: 10-11-18

Effective date: 10-19-18

CHAPTER 5-AG-1 AGRICULTURAL DISTRICT

SECTION 5.01 DESCRIPTION AND PURPOSE

This zoning district is intended for large tracts of land used for farming, animal husbandry, dairying, horticultural, or other agricultural activities.

SECTION 5.02 USE REGULATIONS

Land buildings and structures in this zoning district may be used for the following purposes only:

- A. Farms for both general and specialized farming
- B. Roadside stands.
- C. Green houses, nurseries, orchards, vineyards, apiaries, chicken hatcheries, blueberry and poultry farms,
- D. Publicly owned athletic grounds, parks and cemeteries,
- E. Riding stables, where horses are boarded and/or rented.
- F. Signs subject to Section 10.12
- H. On Site Wind Energy Conversion Systems of 100 foot or less in height
- I. Single Family Dwellings on parcels under two acres or created in compliance with Section 5.05.D with frontage upon a public or private road right of way that is NOT designated as a Seasonal Road by the Allegan County Road Commission.
- J. Family day care and adult foster care facilities for up to six children/residents
- K. Class I Home Occupations in accordance with Section 10.43

SECTION 5.03 USES SUBJECT TO SPECIAL USE PERMIT

The following uses may be authorized by the Monterey Township Planning Commission, subject to the Standards for Special Use in Section 10.18C.

- A. Single family dwellings on parcels larger than two (2) acres or not created in compliance with Section 5.05.D or upon parcels with frontage upon a road designated as a "Seasonal Road" by the Allegan County Road Commission. In considering such authorization the Monterey Township Planning Commission shall consider the following standards:
 - (1) The location of said dwelling and lot in respect to whether the land is presently being utilized or is capable of being used for the production of agricultural crops.
 - (2) The location of said dwelling in respect to whether it would interfere with or substantially hinder any existing or potential future farming operation of activity within the immediate area.
 - (3) The present and future ability of the township, county and school district to provide adequate vehicular access, schools, public safety and other necessary public services to the proposed dwellings.
 - (4) Houses on parcels larger than two (2) acres shall be exempt from Special Use requirements if the property has been created in compliance with Section 5.05.D of this Ordinance.
- B. Class II Home occupations Subject to Section 10.43.
- C. Removal and processing of soil. Subject to section 10.46.
- D. Kennels, subject to Section 10.44
- E. Tourist home or bed and breakfast with no more than (6) bedrooms
- F. Farm implement sales and repairs.
- G. Feed and fertilizer sales.
- H. Churches, subject to Section 10.45C.
- I. Temporary housing in accordance with Section 10.26
- J. Septage waste systems subject to the requirements of Section 10.41.
- K. Adult foster care facilities for seven or more residents
- L. On site (Greater than 100 feet in height) or Utility Grid Wind Energy Conversion Systems.
- M. Agritourism subject to section 10.42.
- N. Veterinary Services
- O. Sawmills
- P. Commercial Composting

- Q. Airfields/Landing strips
- R. Outdoor recreational facilities such as golf courses, parks and archery ranges, excluding gun/rifle ranges and motorized vehicle facilities.
- S. Mini/self-storage warehouses and outside storage facilities

SECTION 5.04 HEIGHT REGULATIONS

No residential building or structure shall exceed thirty-five (35) feet in height. All other buildings and structures shall not exceed their usual and customary heights.

SECTION 5.05 AREA REGULATIONS

- A. Front yard- there shall be a front yard of not less than fifty (50) feet.
- B. Side yards- For residential buildings and structures, there shall be total side yards of not less than fifty (50) feet, provided, however, that no side yard shall be less than twenty (20) feet.
- C. Rear yard- There shall be a rear yard of not less than fifty (50) feet.
- D. Lot Area-
 - 1. Newly Created Parcels: The minimum required parcel width shall be two hundred (200) feet. The minimum building site or parcel area shall be one acre. The maximum building site or parcel area shall be two acres. The maximum parcel size may be increased if the Zoning Administrator finds it accomplishes one or both of the following purposes:
 - a. To encompass existing farmsteads and related accessory buildings and required setbacks.
 - b. To follow natural topography and/or barriers that would make farming impractical upon the remainder parcel.
 - 2. Remainder parcels: The minimum lot area shall be not less than three hundred thirty (330) feet in width.

SECTION 5.06 MINIMUM FLOOR AREA. Each dwelling unit, unless specified elsewhere, shall have a minimum of nine hundred (900) square feet of usable floor area.

SECTION 5.07: DIVIDING PARCELS WITHIN THE AGRICULTURAL DISTRICT:

- A. DIVISIONS PERMITTED: Each parcel shall be permitted the creation of one child parcel for each twenty acres in Land Area. The newly created parcels and remainders must meet the lot area requirements in Section 5.05.D. No redivision rights shall be granted or conveyed in an effort to preserve the large tracts of farming as is the intent of this Ordinance.
- B. EXAMPLES:

Parent Parcel Size	Number of new parcels permitted (must comply with Section 5.05.D)
Under 18 acres	0
18-39.99 acres	1
40-59.99 acres	2
60-79.99 acres	3
80-99.99 acres	4