



**Michigan
Agricultural
Tourism
Advisory
Commission**

**Agricultural Tourism
Local Zoning Guidebook
and
Model Zoning Ordinance Provisions
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Prepared for Governor Jennifer M. Granholm
and the Michigan Legislature

Michigan Agricultural Tourism Local Zoning Guidebook and Model Zoning Ordinance Provisions

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Supporting Partners:

Michigan Department of Agriculture

Michigan Townships Association

Michigan Farm Bureau

Land Information Access Association

Michigan Farm Marketing and Agri-Tourism Association

Michigan Land Use Institute

Michigan Municipal League

Michigan State University –

Land Policy Program

Planning and Zoning Center

Michigan Agricultural Tourism Advisory Commission

The Michigan Agricultural Tourism Advisory Commission was created by PA 46 of 2005, effective June 16, 2005. The nine-member commission was created under the Michigan Department of Agriculture (MDA) and appointed by MDA Director Mitch Irwin. Four of the members represent agricultural tourism enterprises, and two represent local government. The remaining commission is comprised of one member each from Travel Michigan; MDA; and a convention bureau, visitors' bureau, or chamber of commerce in a rural area.

The primary purpose of the commission was to study the impact of local zoning on agricultural tourism businesses. In many instances, local ordinances can restrict the activities taking place on the farm, the location of a farm market, or the location of crucial signage directing visitors to the businesses. These zoning restrictions may become more apparent as agricultural tourism operations expand and develop in more urbanized areas with conflicting land uses.

In addition to local zoning issues, the commission addressed ways farmers can expand into agricultural tourism opportunities to help sustain the profitability of farm operations and preserve farmland and open space in the state. A final report by the commission identified the obstacles, risks and benefits of agricultural tourism, and provided suggestions for expanding the industry in Michigan through promotional opportunities.

As a result, the commission, along with various partners, has developed this guidebook and model zoning ordinance provisions to promote agricultural tourism and detail some of the issues associated with agricultural tourism.

This booklet was created under the leadership of the Michigan Agricultural Tourism Advisory Commission, as directed by Section 4 a. (ii) of P.A. 46 of 2005. The intent of this publication is to highlight the importance of agricultural tourism businesses to the communities in which they reside, and to

help create an atmosphere in which they can thrive. Agricultural tourism operations are very diverse in nature and each township, village or city has its own unique identity. The goal is to develop some uniformity in zoning across townships while keeping local control of zoning issues intact and preserving the local flavor and agricultural heritage of rural communities.

Introduction

Michigan is home to 83 counties that are divided into 1,240 townships and 630 cities of varying size and population. Each community is governed by its own set of ordinances through the City and Village or the Township Zoning Act that gives the local authorities broad powers to enact and enforce ordinances.

Zoning is a vital part to any community and its development. Zoning regulates the use of land and the density of that land use, and aids in development site planning. Zoning can support the goals of the township or municipality along with its vision of future land use and, in turn, its identity.

Agricultural zoning is an important part of the local zoning mix as it provides the community with balance. Agricultural zoning designates a portion of the land to farming and some of its related activities. The definition of farming generally includes a parcel of land that is of minimum acreage and used for the production of plants or animals for use by humans. This allows, but is not limited to, sod crops; grains and feed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, goats, sheep, swine, exotic animals like emus, llamas and rheas, and horses, with the breeding and grazing of any or all of these animals; bees and apiary products; fur animals; trees and forest products; all fruits, including tree-fruits, grapes, nuts and berries; vegetables; and nursery, floral, ornamental and greenhouse products.

In most agriculturally zoned areas, garages, machine sheds and barns are considered as-of-right use and are permitted. The activities such as planting, spraying, harvesting and storing or raising of livestock are also considered acceptable farming practices under agricultural zoning.

However, there are a number of practices that are often critical to the farm's survival that fall under conditions that are prohibited or are subject to limitations or require special permissions. These tourism activities allow the general public onto the farm through such means as roadside stands or U-pick operations. As well, local zoning rules often state that farmers need to apply for variances or special use permits to expand their business with new buildings or agricultural-related activities. This becomes time consuming, costly and often the efforts are unsuccessful. When the land is kept under agricultural zoning, such permits may not be needed as these activities are permitted under said law. As such, the definition of farming needs to be expanded to include "the direct sale of such goods to consumers on the farm's location and farm-related activities."

In doing so, this will allow farmers to offer their products directly to individuals, and provide for business growth and continued farming. Local citizens often desire the benefits of local farms in viable agricultural districts because agricultural uses often perpetuate the character of the community, retain desired open space, enhance tourism, create business for others, maintain cost-effective land uses and contain development pressures in serviceable districts. Farming maintains agricultural heritage, gives a rural (assumed desirable) character and keep supporting industries in operation. In this age of homeland security, agricultural businesses that sell directly to the consumer provide a secure venue in which to purchase safe, fresh, local foods.

Agriculture is also a significant part of the economic sphere. Not only does it create commerce on its own, but it also contributes to related businesses such as feed supplies,

equipment manufacturers and dealers, processing plants, packagers, transporters and distributors. Agricultural tourism businesses help to boost the local economy, not only with these direct relationships but also through cross promotions with restaurants, local shops and hotels.

As the overall economic landscape evolves, so does agriculture. There is a need to provide for opportunities for farming operations to evolve and enhance economic viability to meet the needs of the consumer. For agriculture to maintain its profitability, raw commodities need to be processed into value-added products. At the same time, consumers are looking for agricultural related entertainment. The trend of going to a farm and picking apples or cutting down a Christmas tree is undeniably rising and in a study from Brentwood, California (www.ci.brentwood.ca.us), agricultural tourism works best in scenic farming communities close to urban areas.

It is especially important that local zoning boards in communities with agricultural activity address the issues surrounding agricultural tourism. Those issues include the rights of the business to grow and become more profitable while supporting the overall vision of the community. In turn, it is the responsibility of members of the agricultural community to be involved in local government and planning not only as advocates but also as educators. To achieve harmony among the viability of development and the viability of local agriculture a cooperative and comprehensive local zoning ordinance is needed. Compatibility between the two is key.

Related Programs

Farmland and Open Space Preservation Program

Although the Farmland and Open Space Preservation Program does not ensure the right to agricultural tourism, it does allow a venue for protection of agricultural land in general. The Michigan Department of Agriculture administers the Farmland and Open Space Preservation Program. The Act, PA 116, under which the program was established, enables a

farm owner to enter into a development rights agreement with the State. The agreement is designed to ensure that the land remains in an agricultural use for a minimum of 10 years and ensures that the land is not developed in a non-agricultural use. In return for maintaining the land in an agricultural use, the landowner may be entitled to certain income tax benefits, and the land is not subject to special assessments for sanitary sewer, water, lights or non-farm drain projects. To be eligible for the program, the farmland must meet size and income requirements. There are five methods for preserving farmland and open space: Farmland Development Rights Agreements, Purchase of Development Rights, Agricultural Preservation Fund, Local Open Space Easement, and Designated Open Space Easement.

Michigan's Right to Farm Program

Another program that can be helpful, although it does not directly protect the right to agricultural tourism, is Michigan's Right to Farm Act. The Michigan Right to Farm Act, P.A. 93, was enacted in 1981 to provide farmers with protection from nuisance lawsuits. This state statute authorizes the Michigan Commission of Agriculture to develop and adopt Generally Accepted Agricultural and Management Practices (GAAMPs) for farms and farm operations in Michigan. These voluntary practices are based on available technology and scientific research to promote sound environmental stewardship and help maintain a farmer's right to farm. The protective measures are effective up to the point of harvest of crops or livestock ready to be processed. Once any processing is done, the right to farm act is no longer applicable.

Michigan Agriculture Environmental Assurance Program

The Michigan Agriculture Environmental Assurance Program (MAEAP) enables a producer to voluntarily engage in a comprehensive and proactive program that helps prevent or minimize agricultural pollution risks on farms of all sizes and all commodities. Producers who have completed program requirements may display a sign of their "environmental

stewardship”, assuring non-farm residents and visitors to the area that farmers are working to protect the environment and have addressed soil and water resource concerns at their location. MAEAP uses a “systems” approach to help farmers select the areas of focus that are appropriate for their particular farm – Livestock, Farmstead and Cropping. MAEAP teaches producers how to recognize and prevent environmental risks and comply with state and federal environmental regulations. Those who successfully complete the educational components and work with skilled professionals for technical assistance are ready for MAEAP verification, performed by the Michigan Department of Agriculture (MDA). MDA verifies that the educational and risk assessment components are complete and that appropriate practices are in place to protect the environment. Farming practices must also be in conformance with Right to Farm Generally Accepted Agricultural and Management Practices (GAAMPs) and in compliance with state and federal environmental laws specific to the program requirements. MAEAP farms require MDA verification every three years to maintain their MAEAP status.

Right to Processing

The Michigan Agricultural Processing Act protects food processing operations from lawsuits claiming that the activities or conditions of a processor are a nuisance. The activities or conditions protected under the act are those that are normal output for the type of operation. Although there are no GAAMPs for processing at this time, they are under development.

Special Use Permit

A special use permit or conditional use permit allows another use for the area that was not originally intended in the zoning conditions without special conditions and review to assure acceptability and compatibility. A general stipulation to the special use permit is that the use enhances the area and does not degrade the value of surrounding properties.

Planned Unit Development

Planned Unit Development (PUD) zoning allows a degree of flexible development in a specifically zoned area. A variety of uses that do not fit or comply with the requirements of the usual zoning classifications may be located on a PUD zoning location. The PUD should maintain the natural land features and open space and show substantial community benefit in exchange for varying the underlying zoning.

Agricultural Tourism Defined

"*Agricultural Tourism*", "*ag-tourism*", and/or "*agri-tourism*" means the practice of visiting an agribusiness, horticultural, or agricultural operation, including, but not limited to, a farm, orchard, winery, a companion animal or livestock show, for the purpose of purchase, recreation, education, or active involvement in the operation, other than as a contractor or employee of the operation.

More specifically, the farm must be actively producing agricultural products for purchase and sale. It may include any farm marketing or agricultural tourism endeavor such as farm markets, farm direct marketing, farm stays, farm visits, roadside markets or stands, U-Pick operations, rent-a-tree operations, community supported agriculture, rural tourism, farm museums, corn mazes, cider mills, pumpkin patches, petting farms, on-farm retail meat shops, on-farm retail dairies and creameries, on-farm woolen goods shops, maple syrup farms, wineries, Christmas tree farms, multi-farmers' markets, on-farm retail nurseries, on-farm gift shops, on-farm flowers, herbs and spices stores, on-farm bakeries, and on-farm restaurants or cafes.

Benefits of Agricultural Tourism

As a value-added marketing opportunity, agricultural tourism is considered increasingly important to Michigan's economic health and diversification. Agriculture and tourism are recognized as Michigan's second and third leading industries. When they are combined, they enhance Michigan's farm gate value-added economy, and help create economic stability in our food and agriculture industry. Opening up farms to visitors is increasingly becoming a way for Michigan growers to create a dependable source of revenue to ride out the uncertainties of weather, disease and crop prices. By offering fresh farm commodities directly to customers the producers can trade on local flavor and freshness, which can lead to new product development and more efficient farm and marketing practices. The farm also becomes a desired destination when the sale of fresh, locally grown products is connected to a recreational or educational opportunity.

Other benefits of agricultural tourism include: keeping the family farm in the family, allowing for continued farming; keeping a farm viable, generating additional income or off-season income, capitalizing on a hobby or special interest, increasing and diversifying a market, responding to a need or opportunity in the market (specialty product), and interacting with and educating customers/visitors about farming.

Definitions

(a) "*Agricultural Tourism*", "*ag-tourism*" and/or "*agri-tourism*" means the practice of visiting an agribusiness, horticultural, or agricultural operation, including, but not limited to, a farm, orchard, winery, greenhouse, hunting preserve, a companion animal or livestock show, for the purpose of recreation, education, or active involvement in the operation, other than as a contractor or employee of the operation.

(b) "*Value-added agricultural product*," means the enhancement or improvement of the overall value of an agricultural commodity or of an animal or plant product to a higher value. The enhancement or improvement includes, but is not limited to, marketing, agricultural processing, transforming, packaging, and educational presentation, activities and tours that relate to agriculture or agricultural products.

(c) "*Agricultural products*" includes but is not limited to, crops (corn, wheat, hay, potatoes); fruit (apples, peaches, grapes, cherries, berries, etc.); cider; vegetables (sweet corn, pumpkins, tomatoes, etc.); floriculture; herbs; forestry; husbandry; livestock and livestock products (cattle, sheep, hogs, horses, poultry, ostriches, emus, farmed deer, farmed buffalo, milk, eggs, and fur, etc.); aquaculture products (fish, fish products, water plants and shellfish); horticultural specialties (nursery stock, ornamental shrubs, flowers and Christmas trees); maple sap, etc.

(d) "*Agriculturally related products*" means items sold at a farm market to attract customers and promote the sale of agricultural products. Such items include, but are not limited to, all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream based desserts and beverages, jams, honey, gift items, food stuffs, clothing and other items promoting the farm and agriculture in Michigan, and value-added agricultural products and on-site production .

(e) “*Non-agriculturally related products*” means those items not connected to farming or the farm operation, such as novelty t-shirts or other clothing, crafts and knick-knacks imported from other states or countries, etc.

(f) “*Agriculturally related uses*” means those activities that predominantly use agricultural products, buildings or equipment, such as pony rides, corn mazes, pumpkin rolling, barn dances, sleigh/hay rides, and educational events, such as farming and food preserving classes, etc.

(g) “*Non-agriculturally related uses*” means activities that are part of an agricultural tourism operation’s total offerings but not tied to farming or the farm’s buildings, equipment, fields, etc. Such non-agriculturally related uses include amusement rides, concerts, etc. and are subject to special use permit.

(h) “*Farm Market/ On-farm market/Roadside stand*” means the sale of agricultural products or value-added agricultural products, directly to the consumer from a site on a working farm or any agricultural, horticultural or agribusiness operation or agricultural land.

(i) “*U-Pick*” means a fruit or vegetable-growing farm that provides the opportunity for customers to pick their own fruits or vegetables directly from the plant.

(j) “*Shooting preserve*” and “*game farming*,” means the intensive, small pasture production of wild animals for the purpose of hunting, on agricultural land, for a fee, over an extended period of time, in conformance with state and federal game laws.

(k) “*Winery*” means the retail and/or manufacturing premises of a small winemaker or winemaker licensee as defined by the Michigan Liquor Control Commission.

(l) “*Seasonal*” means a recurrent period characterized by certain occurrences, festivities, or crops; harvest, when crops are ready; not all year round.

(m) “*Seasonal sign*” means a sign erected for a limited period of time during the year when retailing activities for a particular farm product is available to the public.

Agricultural Tourism Businesses

Agricultural tourism businesses are often difficult to define as they vary in commodity, operational process and seasonal activities. The following are Michigan’s major agricultural tourism businesses with some of the specific considerations to those businesses. This list is not the limit of types of agricultural tourism businesses in Michigan nor is it the limit of activities or needs of the business. Some agricultural tourism operations may be a combination of two or more types.

The following lists in no way detail all of the activities or offerings of any one type of agricultural tourism operation. These are meant to be a guide to the sorts of products that certain agricultural tourism operations offer.

Cider Mill

Definition: A cider mill consists of a facility where apples are processed into cider. Although the cider is the main focus of the business, there are related activities that keep the customer entertained. Pasteurization may or may not be part of the process. Apples may be from the farm or bought from area farmers.

Associated Entertainment:

Inflatable play areas
Petting farm, goat walks
Haunted houses
Corn mazes, straw mountains
Bonfires
Corporate picnics
Tours
Birthday parties
General children’s playground equipment –
slides, swings, climbers

Retail:

The retail area sells in-season fruits and vegetables grown on the farm and from other local growers. Locally made maple syrup, honey, jams and jellies are also sold in farm markets. Local crafters and artisans will sell their pieces in farm markets. Bakery items are also a part of the retail business.

Food concessions:

Kitchen and dining facilities can serve food and bakery items. All food franchises and products are strictly prohibited. The kitchen shall comply with other applicable zoning ordinances and any local and state agency regulations and inspections.

Christmas Tree Farm

Definition: A Christmas tree farm is one that grows coniferous trees such as Scotch, White and Austrian Pine; Douglas, Fraser, Canaan, Concolor and Balsam Fir; Blue, Norway and White Spruce for the purpose of landscape or Christmas holiday decoration, either pre-cut or for the consumer to cut.

Associated Entertainment:

Wagon ride – either tractor or horse-drawn to Christmas tree lot
Petting farm
Bonfire
Tree drilling, baling

Retail:

Pre-cut Christmas trees
Wreaths, grave blankets and garland
Christmas ornaments and decorations
Stands

Food Concessions:

Hot chocolate, coffee, cider
Bakery items – donuts
Kitchen and dining facilities for limited service of items such as hot chocolate, cider, doughnuts and other bakery items. All food franchises and products are strictly prohibited. The kitchen must comply with other applicable zoning ordinances and any local and state agency regulations and inspections.

Dairy Farm

Definition: A working farm where dairy animals and products are produced.

Associated Entertainment:

Tours and hayrides
Petting farm and animal feeding
Picnic
Festivals
Corporate meetings

Retail:

Dairy products
Meat products
Gift shop

Food Concessions:

Ice cream shop
Snack shop

Other Considerations:

Storage

Shooting/Hunting Preserve

Definition: Shooting preserve or game farming means the intensive, small pasture production of wild animals for the purpose of hunting on agricultural land, for a fee, over an extended period of time, in conformance with state and federal game laws.

Associated Entertainment:

Competitions

Food Concessions:

Boxed lunches
Snack shop
Dining facilities

Other Considerations:

Bird cleaning facilities

Overnight camping
Bed and breakfast
Dog kennels

U-Pick

Definition: U-Pick means a fruit or vegetable-growing farm that provides the opportunity for customers to pick their own fruits or vegetables directly from the plant.

Associated Entertainment:

Wagon rides
Festivals and contests
Picnic areas
Children's play area

Retail:

In season produce from own farm or other Michigan farms

Food Concessions:

Snack shop

Winery

Definition: The retail and/or manufacturing premises of a small winemaker or winemaker licensee as defined by the Michigan Liquor Control Commission.

According to the Michigan Liquor Control Commission (MLCC), a winemaker "means any person licensed by the commission to manufacture and sell, at wholesale or retail, wine manufactured by that person." A small winemaker is a "winemaker manufacturing or bottling not more than 50,000 gallons in 1 calendar year." Wine is defined as "the product made by normal alcoholic fermentation of the juice of sound ripe grapes, or any other fruit with the usual cellar treatment, and containing not more than 21 percent of the alcohol by volume, including fermented fruit juices other than grapes and mixed wine drinks." A MLCC Rule that impacts winery zoning - even though the winemaker license gives the business permission to sell wine, it is subject to the following restriction: R 436.1003 *Building and health laws, rules, and ordinances.*

Rule 3: A licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee.

Associated Entertainment:

Special events involving wine, food, arts and cultural entertainment

Vineyard and winery tours

Retail:

Tasting room for sampling of wine or other beverage made by the winery

Bottles of wine

Wine related items – glasses, corkscrews, and coolers

Business related items –t-shirts, bags, caps, wine books

Arts and crafts

Food Concessions:

Full service restaurants – as allowable under MLCC regulations

Breads, cheese, bakery

Other Considerations:

Overnight Accommodations – bed and breakfast

Agricultural Tourism Local Zoning Examples

There are many proactive communities around the nation that have adopted zoning regulations that promote agricultural tourism. Below are a few examples:

1. *Snohomish County, Washington*
[www1.co.snohomish.wa.us/County_Services/
Focus_on_Farming/](http://www1.co.snohomish.wa.us/County_Services/Focus_on_Farming/)
2. *Woodford County, Kentucky*
[www.woodfordcountyplanningandzoning.com/Zoning/
ZoningOrdinances.htm](http://www.woodfordcountyplanningandzoning.com/Zoning/ZoningOrdinances.htm)
3. *State of Hawaii*
[www.capitol.hawaii.gov/sessioncurrent/bills/
HB2145_cd1_.htm](http://www.capitol.hawaii.gov/sessioncurrent/bills/HB2145_cd1_.htm)
4. *Gray, Maine*
[www.graymaine.org/Public_Documents/
GrayME_RegCodes/GrayME_ZoneOrds/article5](http://www.graymaine.org/Public_Documents/GrayME_RegCodes/GrayME_ZoneOrds/article5)
5. *Lake County, California*
[www.lake.ca.us/countygovernment/
communitydevelopment/zoningord/article5.pdf](http://www.lake.ca.us/countygovernment/communitydevelopment/zoningord/article5.pdf)

Michigan Agricultural Tourism Advisory Commission

Model Zoning Ordinance Provisions

Introduction

These model zoning ordinance provisions, along with the information provided at the front of this guidebook, were created under the leadership of the Michigan Agricultural Tourism Advisory Commission, as directed by Section 4 a. (ii) of P.A. 46 of 2005. The intent of this publication is to highlight the importance of agricultural tourism businesses to the communities in which they reside, and to help create an atmosphere in which they can thrive. Agricultural tourism operations are very diverse in nature and each township, village or city has its own unique identity. The goal is to develop some uniformity in zoning across townships while keeping local control of zoning issues intact and preserving the local flavor and agricultural heritage of rural communities.

Agricultural tourism can easily be incorporated into local zoning ordinances by adding some or all of the following recommended language within an existing zoning code. These provisions are meant to be guidelines for local zoning officials to pick and choose as needed in each respective community, with an effort toward establishing some consistency in zoning regulations among local governments across the state.

In general, definitions related to agricultural tourism would be added to the general definitions sections of the zoning code. Uses permitted by right would be added to the use by right section of the community agricultural zoning district. This district will often times be called “Agricultural District” or in some cases “Rural Residential”. Special uses can be added to the special use or conditional use section of the agricultural district. Parking regulations and sign regulations associated with agricultural tourism operations may be placed in the parking requirements and signage requirements section of the zoning code.

The recommended language that follows is meant to be broad and all encompassing of possible agricultural tourism uses.

The type and number of uses listed in a particular community's use by right and use by special use permit section will vary depending on the size of the community, the type of agriculture present in the community and the degree to which the community wishes to encourage agricultural tourism.

Intent, Goals and Purpose

The intent of these zoning provisions is:

- To promote and maintain local farming. The activities that are described have become necessary for the sustainability of farms.

The goals of these provisions are:

- To maintain and promote agriculture and its related activities, such as agricultural tourism.
- To preserve open space and farmland
- To maintain both an agricultural heritage and a rural character.
- To increase community benefits by having fresh, local produce for sale and working classrooms for school children's and urban residents' education
- To increase positive growing businesses that contributes to the general economic conditions and cycle of the area and State.

The purposes of these provisions are:

- To provide standard definitions related to agricultural tourism operations.
- To provide a list of permitted activities under an agricultural tourism operation.
- To provide a list of activities that needs a special permit to guide and regulate agricultural tourism businesses on agriculturally zoned land.

- To provide for a clear understanding of the expectations for agricultural tourism businesses for operators, local residents, other businesses and local officials.

Recommended Definitions

(a) "*Agricultural Tourism*", "*ag-tourism*" and/or "*agri-tourism*" means the practice of visiting an agribusiness, horticultural, or agricultural operation, including, but not limited to, a farm, orchard, winery, greenhouse, hunting preserve, a companion animal or livestock show, for the purpose of recreation, education, or active involvement in the operation, other than as a contractor or employee of the operation.

(b) "*Value-added agricultural product*," means the enhancement or improvement of the overall value of an agricultural commodity or of an animal or plant product to a higher value. The enhancement or improvement includes, but is not limited to marketing, agricultural processing, transforming, or packaging, education presentation, activities and tours.

(c) "*Agricultural products*" includes, but is not limited to, crops (corn, wheat, hay, potatoes); fruit (apples, peaches, grapes, cherries, berries, etc.); cider; vegetables (sweet corn, pumpkins, tomatoes, etc.); floriculture; herbs; forestry; husbandry; livestock and livestock products (cattle, sheep, hogs, horses, poultry, ostriches, emus, farmed deer, farmed buffalo, milk, eggs, and fur, etc.); aquaculture products (fish, fish products, water plants and shellfish); horticultural specialties (nursery stock, ornamental shrubs, flowers and Christmas trees); maple sap, etc.

(d) "*Agriculturally related products*" means items sold at a farm market to attract customers and promote the sale of agricultural products. Such items include, but are not limited to all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream based desserts and beverages, jams, honey, gift items, food stuffs, clothing and

other items promoting the farm and agriculture in Michigan and value-added agricultural products and production on site.

(e) “*Non-agriculturally related products*” means those items not connected to farming or the farm operation, such as novelty t-shirts or other clothing, crafts and knick-knacks imported from other states or countries, etc.

(f) “*Agriculturally related uses*” means those activities that predominantly use agricultural products, buildings or equipment, such as pony rides, corn mazes, pumpkin rolling, barn dances, sleigh/hay rides, and educational events, such as farming and food preserving classes, etc.

(g) “*Non-agriculturally related uses*” means activities that are part of an agri tourism operation’s total offerings but not tied to farming or the farm’s buildings, equipment, fields, etc. Such non-agriculturally related uses include amusement rides, concerts, etc., and are subject to special use permit.

(h) “*Farm Market/ On-farm market/roadside stand*” means the sale of agricultural products or value-added agricultural products, directly to the consumer from a site on a working farm or any agricultural, horticultural or agribusiness operation or agricultural land.

(i) “*Seasonal*” means a recurrent period characterized by certain occurrences, festivities, or crops; *harvest, when crops are ready*; not all year round.

(j) “*Seasonal sign*” means a sign erected for a limited period of time during the year when retailing activities for a particular farm product is available to the public.

Uses Permitted By Right

1. General and specialized farming of agricultural products and agricultural activities, including the raising or growing of crops, livestock, poultry, bees and other farm animals, products and foodstuffs. Any building or structure may be located thereon and used for the day-to-day operation of such activities, for the storage or

preservation of said crops or animals, products and collection, distribution, or processing, and for the incidental sale of crops, products and foodstuffs raised or grown on said parcel or in said building or structure.

2. Storage, retail or wholesale marketing, or processing of agricultural products into a value-added agricultural product is a permitted use in a farming operation if more than 50 percent of the stored, processed, or merchandised products are produced by the farm operator for at least 3 of the immediately preceding 5 years.
3. Cider mills or wineries selling product, in a tasting room, derived from crops grown primarily on site for at least 3 of the immediately preceding 5 years.
4. Direct marketing of produce in a farm market, on-farm market or roadside stand no greater than "X" square feet in building area.
5. Seasonal U-pick fruits and vegetables operations.
6. Seasonal outdoors mazes of agricultural origin such as straw bales or corn.
7. Food sales/processing, processing any fruits/produce.
8. Uses 3 through 7 listed above may include any or all of the following ancillary agriculturally related uses and some non-agriculturally related uses so long as the general agricultural character of the farm is maintained and the income from these activities represents less than 50 percent of the gross receipts from the farm.
 - a. Value-added agricultural products or activities such as education tours or processing facilities, etc.
 - b. Bakeries selling baked goods containing produce grown primarily on site (e.g., minimum 50 percent).
 - c. Playgrounds or equipment typical of a school playground, such as slides, swings, etc. (not including motorized vehicles or rides).

- d. Petting farms, animal display, and pony rides.
- e. Wagon, sleigh and hayrides.
- f. Nature trails.
- g. Open air or covered picnic area with restrooms.
- h. Educational classes, lectures, seminars.
- i. Historical agricultural exhibits.
- j. Kitchen facilities, processing/cooking items for sale.
- k. Gift shops for the sale of agricultural products and agriculturally related products.
- l. Gifts shops for the sale of non-agriculturally related products such as antiques or crafts, limited to 25 percent of gross sales.

Uses Permitted By Special Use Permit

- 1. Bed and Breakfast.
- 2. Direct marketing of produce, farm market, on-farm market or roadside stand if the sales area is greater than "X" square feet in building area.
- 3. Restaurant operations related to the agricultural use on the site.
- 4. Non-agriculturally related uses listed as permitted uses in the zone but which include any of the following ancillary uses may require a special use permit.
 - a. Small-scale entertainment (e.g., music concert, car show, art fair).
 - b. Family oriented animated barns (e.g., fun houses, haunted houses, or similar) and small mechanical rides.
 - c. Organized meeting space for use by weddings, birthday parties, and corporate picnics.
 - d. Designated, permanent parking for more than 20 vehicles.

Parking

Agricultural Tourism and Seasonal Agricultural Uses

1. For agricultural tourism and seasonal agriculturally related uses one space for each “X” square feet of retail area and one space for every “X” square feet of outdoor related activities such as agricultural mazes, petting farms, outdoor play equipment, etc.
2. For uses permitted by right under the agricultural district, parking facilities may be located on a grass or gravel area for seasonal uses such as road side stands, u-pick operations and agricultural mazes. All parking areas shall be defined by either gravel, cut lawn, sand or other visible marking.
3. For uses permitted by special use permit parking may be either gravel or paved as determined by the Planning Commission, based on applicant estimates for seasonal parking and the intensity of the use. Overflow parking areas may be required by the Planning Commission to accommodate seasonal peak demand.
4. All parking areas shall be located in such a manner to avoid traffic hazards associated with entering and exiting the public roadway.
5. Unpaved parking areas shall not be located in required side and rear parking setback areas. Paved parking areas must meet all design, landscape screening and setback requirements set forth in this zoning ordinance.

Signs

Agricultural Tourism and Seasonal Agricultural Uses

Seasonal signs may be erected for a limited period of time during the year when retailing activities for a particular farm product is available to the public.

Michigan



**Department of
AGRICULTURE**

Michigan Department of Agriculture

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