

Section 7.28 Agritourism

A. Definitions: For the purpose of this Section, the following terms and phrases shall have the corresponding definitions.

1. **Attendees:** Those persons attending an event including persons delivering attendees to the event but who may not remain for the event themselves. "Attendees" shall not include persons providing support services for an event, such as catering services and parking area attendants.
2. **Special Event:** A planned occasion part of agritourism, such as a wedding, gatherings associated with the celebration of anniversaries, birthdays, reunions, and similar celebrations to which the general public is not invited, and company outings. A "special event" does not include activities held regularly and to which the general public is invited or otherwise permitted to attend such as seasonal pumpkin picking and corn mazes.

B. Supplemental Application Information: In addition to the information required by Articles 14 and 15 for a special land use application and accompanying site plan, the following additional information shall be included with an agritourism application:

1. The permitted maximum capacity of all buildings to comprise the agritourism facility, according to the building code or Fire Marshall and the basis for such calculations.
2. Proposed location of temporary toilet facilities as may be needed.
3. The planned frequency of activities and special events by event type, and the maximum number of attendees to be accommodated at any single event by activity and event type.
4. Months or seasons of operation if not a year-round facility, by activity and special event type.
5. Any proposed outdoor lighting and any existing outdoor lighting that is to be used in association with an activity or special event.
6. Clarification of all portions of the lot to be used for agritourism including parking areas, outdoor gathering and activity areas, and outdoor toilet facilities.
7. The extent of food preparation and serving facilities that are to be part of the agritourism, any permits required by the county health department, and the applicable county health department rules and other requirements, by rule and/or statute section references.
8. The intended availability of alcoholic beverages in association, the party to be responsible for the provision of such beverages, any permits required by the Michigan Liquor Control Commission, and the applicable Michigan Liquor Control Commission rules and other requirements, by rule and/or statute section references.

C. Compliance with Table 3-4: See Table 3-4 for standards pertaining to minimum lot area, width, frontage, and yard setbacks, and maximum building height and lot coverage, except as follows:

1. The minimum lot area for agritourism shall be twenty-five (25) acres and the minimum lot width shall be six hundred (600) feet.

D. Additional Standards and Requirements:

1. The lot shall have frontage on a paved public road and take its principal access from such road.

2. There shall be no sound amplification devices in association with outdoor areas.
3. There shall be no overnight sleeping of special event attendees.
4. A building to be used for agritourism shall undergo no exterior modifications, excluding general maintenance, except upon the Township Board finding that such modifications shall not undermine the fundamental character of the building or shall otherwise enhance the character of the building and its compatibility with surrounding conditions and/or local agricultural building architecture.
5. Exterior lighting shall be designed and installed so that the surface of the source of light shall be hooded or louvered to the greatest extent practical to ensure the following:
 - a. Emitted light shall be directed downward onto the lot upon which the light source is located.
 - b. Light sources shall not be visible from beyond lot lines and shall be so arranged to reflect light away from adjacent lots.
 - c. No lighting shall increase light levels on adjacent lots.
6. The following time restrictions shall apply:
 - a. No special event shall begin prior to 9:00 a.m. and no event shall continue past 11:00 p.m. This limitation shall not apply to set-up and take-down activities associated with an event and the arrival and departure of attendees.
 - b. No temporary toilet facilities shall be located or stored within view of a public road and within two hundred (200) feet of any lot line.
7. All outdoor areas devoted to eating areas, entertainment areas and other places where invitees or members of the public may gather, shall be set back a minimum of one-hundred fifty (150) feet from all lot lines and shall comply with the separation distance standards of subsection (9) below.
 - a. The Township Board may lessen the standards of subsection (7) in the case where the proximity between lot lines and existing building(s) to house indoor activities is limited and the specified setback distances would result in considerable practical difficulties maintaining a logical relationship between such buildings and outdoor use areas, provided the Township Board finds adequate measures are to be in place to mitigate negative impacts upon surrounding properties and the visual character of nearby public road corridors.
8. Parking shall be provided as follows:
 - a. Parking areas shall be of a grass and/or gravel surface, except that a maximum of fifty (50) spaces may be of a paved surface. The Township Board may waive this limitation upon finding that the additional paved area will be adequately screened from neighboring properties and public roads.
 - b. The minimum number of parking spaces to be provided shall be equal to seventy-five percent (75%) of the approved maximum capacity of any indoor facilities comprising the agritourism facility, in addition to any additional spaces required for employees, catering services and other support service providers.
 - c. All parking areas shall be clearly defined by gravel, mowed lawn, roped boundaries, or other visible markings.

- d. No parking shall occur within one hundred (100) feet of a public road right-of-way and any lot line. "No-parking" signs shall be posted as necessary to ensure compliance with this requirement.
 - e. Access drives shall be set back a minimum distance of seventy-five (75) feet from side and rear lot lines.
9. Special events shall be limited in frequency based on the maximum number of attendees, according to the table below and the "Special Provisions" following the table:

Maximum Number of Event Attendees	Maximum Frequency of Events Based on Number of Event Attendees	Separation Distance Between an Event Area and a Dwelling on Another Lot Not Owned by the Applicant.
No more than 75	2 events per 1 calendar week	Minimum 150'
More than 75 but no more than 150	2 events per 1 calendar week	Minimum 250'
More than 150 but no more than 300	1 event per 1 calendar week	Minimum 350'

Special Provisions:

- a. No special event shall exceed three-hundred (300) attendees.
- b. In no case shall more than ten (10) special events be held during any one (1) calendar month, irrespective of the number of attendees at each event.
- c. The separation distance standards of the above table shall apply to all buildings and outdoor areas used in association with the holding of special events including temporary restroom facilities, parking areas, eating areas, entertainment areas and other places where event attendees may gather. The Township Board may lessen these standards in the case where the proximity between lot lines and existing building(s) to house indoor events is limited and the specified separation distances would result in considerable practical difficulties maintaining a logical relationship between such existing buildings and outdoor use areas, provided the Township Board finds adequate measures are to be in place to mitigate negative impacts upon surrounding properties and the visual character of nearby public road corridors.