

## ARTICLE 13.00

# CA, CONSERVATION AGRICULTURAL DISTRICT

### Section 13.01 Intent

The intent of the "CA" Conservation Agricultural District is broad in scope but specific in purpose: to protect vital natural resources (for example, high quality water supplies, flood-prone areas, stable soils, significant stands of vegetative cover, substantial wetlands) and to protect lands best suited to agricultural use from the encroachment of incompatible uses which would cause such land to be taken out of production prematurely, while designating an area appropriate to low density single family residential development that does not alter the general rural character of the District.

The standards in this district are intended to assure that permitted uses peacefully coexist in a low density setting, while preserving the rural-like features and character of certain portions of the Township. Low density residential development is further intended to protect the public health in areas where it is not likely that public water and sewer services will be provided.

It is further the intent of this District to permit a limited range of residentially-related uses, and to prohibit multiple family, office, business, commercial, industrial and other uses that would interfere with the quality of residential life in this district. This District is intended to correspond to the *Estate Residential* future land use category of the Comprehensive Plan.

In the "CA" Conservation-Agriculture Districts the following provisions, regulations and restrictions shall apply:

### Section 13.02 Permitted Principal Uses

In all areas zoned CA, Conservation Agriculture, 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:

- A. Agriculture, farming and other activities related to the definition of "Farm" in Section 2.02, (See also Section 13.05 "Right to Farm" herein, Section 3.25, for the raising of animals and poultry, and Section 10.02.Q).
- B. Essential public services, provided there is no building or outdoor storage yard.
- C. Forests, forestry.
- D. Game preserve
- E. Single family detached dwellings that meet the requirements of Section 3.05.

- F. Wildlife refuge.
- G. Township owned and operated water, sewer and storm drain systems.
- H. Public park and recreation area. (Subject to Section 10.02.DD)
- I. State licensed residential facilities that provide care for up to six (6) individuals, including child day care and adult foster care facilities.
- J. Private stables when located on a site of not less than five (5) acres (Subject to Section 10.02.GG).

### **Section 13.03 Uses Permitted by Special Approval**

- A. Campgrounds and youth camps (subject to Section 10.02.DD.) .
- B. Cemetery (Subject to Section 10.02.I.)
- C. Adult care and child care facilities that provide care for seven (7) to twelve (12) individuals (Subject to Section 10.02.B.).
- D. Churches and religious institutions (Subject to Section 10.02.J.)
- E. Convalescent homes, nursing home, rest home or orphanage (Subject to Section 10.02.M).
- F. Duplex or two family dwelling for farm family only, in conjunction with a farm operation.
- G. Essential public service buildings, structures and equipment when operating requirements necessitate the location of said buildings at the specific site within the district to serve the immediate vicinity (excluding storage yards) (Subject to Section 10.02.Q).
- H. Forestry clearcut operation which encompasses thirty (30) or more acres over a three (3) year period or ten (10) or more acres during one year.
- I. Golf courses, and country clubs (Subject to Section 10.02.T.).
- J. Kennel (Subject to Section 10.02.W).
- K. Sand, gravel or mineral extraction (Subject to Section 3.12) .
- L. Public, private and parochial, elementary, intermediate or high schools licensed by the State of Michigan to offer courses in general education (Subject to Section 10.02.FF).
- M. Specialized animal raising and care, providing it meets the animal density requirements specified in Section 3.25 and is located on at least five (5) acres.
- N. Public stables or riding arenas (Subject to Section 10.02.GG).

- O. Radio, telephone and television transmitting and receiving towers (Subject to Section 10.02.CC.).
- P. Landscape nursery, if located on at least ten (10) acres (Subject to Section 10.02.BB).
- Q. Veterinary clinics (Subject to Section 10.02.HH.).
- R. Private park and recreation areas (Subject to Section 10.02.DD.).
- S. Bed and breakfast facilities (Subject to Section 10.02.H ).
- T. Farm markets, cider mills, and you-pick operations on a farm as defined in this Ordinance.
- U. Other uses of the same nature or class as other uses listed in this district as either a Permitted Principal Use or a Special Land Use in this district, as determined appropriate and reasonable by the Planning Commission.

## **Section 13.04 Permitted Accessory Uses**

- A. Accessory uses, buildings and structures customarily incidental to any of the above-named permitted uses (Subject to Section 3.03 ).
- B. Home occupations (Subject to Section 3.06 ).
- C. Living quarters for persons employed on the premises and not rented or used for some other purpose.
- D. Temporary or seasonal roadside stand for sale of agricultural goods produced on the premises and located outside of the road right-of-way. (Subject to Section 10.02.EE)
- E. Seed and feed dealership provided there is no showroom or other commercial activities included.
- F. Land extensive recreation activities, including hunting, fishing, snowmobiling, cross country skiing and nature study.

## **Section 13.05 Right to Farm**

The right to farm is recognized to exist as a natural right and is a permitted use. The phrase "right to farm" as used herein includes the use of irrigation pumps and equipment, aerial and ground seeding and spraying, large tractors, farm laborers and application of natural and/or chemical fertilizers, insecticides and herbicides; all for the purpose of producing from the land agricultural products such as (but not limited to) vegetables, grains, hay, fruits, fibers, wood, trees, plants, shrubs, flowers and seeds, dairy products, fowl or livestock. The foregoing uses and activities included in the right to farm, when reasonable and necessary for the particular farming, livestock or fowl production, and when conducted in accordance with generally accepted agricultural and management practices, may occur on holidays, Sundays and weekdays, at night and in the day, and the noise, odors, dust and fumes that are specifically permitted as part of the exercise to this right.

It is expressly found that whatever nuisance may be caused to others by such uses and activities so conducted is more than offset by the benefits from farming to the neighborhood, community, and society in general.

## Section 13.06 Development Standards and Requirements

### A. Site Plan Review

Site plan review and approval is required for all uses except detached one family residential and farm uses, in accordance with Section 33.02.

### B. Area, Height, Bulk, and Placement Regulations

Buildings and uses in the Conservation Agriculture District are subject to the area, height, bulk, and placement requirements in Article 32.00, Schedule of Regulations.

### C. Single Family Development Option

Single family development in the CA, Conservation Agriculture may be developed in accordance with the Rural Open Space option in Section 10.03.

### D. Traffic Impact Assessment

Any proposed development otherwise permitted, that would generate in excess of seven hundred and fifty (750) trips per day shall file a Traffic Impact Assessment with the Planning Commission prior to site plan approval. The Traffic Impact Assessment shall describe the potential impact that additional traffic generated by the development will have on existing conditions, and the possible methods to be used in mitigating any potentially adverse impacts identified.

### E. Pathway

All developments in the “CA” Conservation Agricultural District that include land which is part of the proposed Township pathway system detailed in The Hartland Township Comprehensive Plan shall provide a public easement appropriate to future development as part of that pathway system.

### F. Paved Access

All roads in a subdivision or condominium development shall be hard surfaced. All access routes shall connect with publicly dedicated hard surfaced roads.

### G. Other Provisions

All applicable provisions of this Zoning Ordinance shall be complied with, including Articles 2.0, 3.0, 4.0, 5.0, 6.0, 7.0, 8.0, 10.0, 11.0, and 33.0.