

VERGENNES TOWNSHIP, KENT COUNTY, MICHIGAN
ZONING ORDINANCE AMENDMENT
2006-2
Agritourism and Bed & Breakfast

An ordinance to amend certain portions of Chapter 2, Definitions, and Chapter 3, Zoning Districts, of the Vergennes Township Zoning Ordinance.

The Township of Vergennes hereby ordains:

Section 1. Amend Chapter 2, Section 2.02 of the Township Zoning Ordinance, to add the following defined terms to be inserted in alphabetical order:

Agritourism Business: A farm enterprise operated for the enjoyment and education of the public that may also generate additional farm income by promoting farm products and whose proprietor resides on the site in a single-family dwelling unit; and which may include educational and/or outdoor recreational programs; a public accommodation use; farm tours; horseback riding; and similar activities.

Bed and Breakfast: An owner-occupied residential building wherein up to six (6) rooms or suites are offered, for compensation, as overnight lodging for transient guests and which may provide one or more meals per day primarily for overnight guests only.

Section 2. Amend Chapter 3, Section 3.04, C of the Township Zoning Ordinance, to add the following paragraph:

14. Agritourism Business, subject to the following standards:

- A. The parcel or parcels on which the use is located shall be owner-occupied.
- B. The business shall not be incompatible with other allowed uses in the vicinity, as determined by the Township Board.
- C. Bedrooms in the dwelling unit may be offered for rental as sleeping rooms, subject to the following:
 1. The establishment shall be the principal dwelling unit on the property and shall be owner-occupied at all times.
 2. The accommodation use shall be limited to five (5) or fewer sleeping rooms.
 3. The rental sleeping rooms shall have a minimum size of one-hundred and twenty (120) square feet for one (1) or two (2) occupants with an additional fifty (50) square feet for each occupant to a maximum of four (4) occupants per room.
 4. A site plan shall include a floor plan layout of the proposed structure drawn to a scale of not less than 1"=8' that shows the specific layout of the proposed facility in accord with the provisions of this Zoning Ordinance.

5. The accommodation use shall employ no more than three (3) persons in addition to the owners and their immediate family, including spouses, siblings and children.
 6. The business shall maintain a smoke detector in proper working order in every sleeping room and a fire extinguisher in proper working order on every floor in the immediate vicinity of the sleeping rooms.
 7. Any food preparation areas shall be licensed and approved by the Health Department, as applicable.
- D. Sleeping tents may be permitted on the site, provided:
1. The site shall not provide more than ten (10) total sleeping units, including rental sleeping rooms and sleeping tents.
 2. Sleeping tents shall only be offered to guests generally from April to September, unless the Township Board determines that adequate heat facilities will be provided.
- E. Markets for the sale of products grown or produced upon the premises together with incidental products related thereto not grown or produced upon the premises but which are an unsubstantial part of the business are permitted.
- F. The Township shall establish a capacity for meetings, training or educational events which shall be appropriate to the site and facilities in terms of safe capacity in buildings, parking area and sanitation limitations of the site.
- G. All buildings and structures on the site shall conform to the minimum setback requirements of the R-A, Rural-Agricultural District.
- H. Minimum parking requirements shall be as follows: two (2) off-street spaces for the use of the proprietor; one (1) off-street space per rental sleeping room or rental sleeping tent, as applicable; and, one (1) off-street space per additional employee, as applicable. If additional, seasonal or future activities are anticipated to occur on the site, the applicant shall demonstrate to the Township Board that the proposed parking area, or any future parking area, would meet the demand generated by the use.
- I. Section 4.03, D, (b) shall govern signage on the site.
- J. Accessory buildings shall comply with Section 4.02 and may include, but are not limited to: nature centers; pavilions; picnic facilities; and restroom facilities.
- K. Where livestock or poultry feeding operations or similar activities are proposed, animal population numbers shall comply with Section 3.04, C, 2.
- L. Any refuse containers on site shall be enclosed on four (4) sides with an opaque fence equipped with a lockable gate and shall not be visible from lot lines.
- M. The establishment shall be located and designed such that no objectionable noise, or odor or fumes, shall be carried onto adjoining property.

- N. The accommodation use shall not alter the residential character of the building or structure, and shall not alter the agricultural character of the site, as determined by the Township Board.
- O. The permit holder shall secure and maintain all required state and local permits.
- P. Where off-site activities or tours are proposed, the Township Board shall identify and approve travel routes.
- Q. The Township Board may establish hours of operation for agritourism business uses, or specific elements thereof, consistent with the character of the land uses in the vicinity.
- R. An application for an Agritourism Business shall include a complete description of the proposed use, the services to be provided, hours of operation, activities to be conducted and any other information necessary to properly convey the nature of the facility proposed.

Section 3. Amend Chapter 3, Section 3.04, C of the Township Zoning Ordinance, to add the following paragraph:

15. Bed and Breakfast, subject to the following:

- A. The use is not incompatible with other allowed uses in the vicinity.
- B. The impact of the establishment is no greater than that of a private home with houseguests.
- C. The establishment shall be the principal dwelling unit on the property and shall be owner-occupied at all times.
- D. A bed and breakfast shall maintain a smoke detector in proper working order in every sleeping room and a fire extinguisher in proper working order on every floor in the immediate vicinity of the sleeping rooms.
- E. Signs shall be in accordance with Section 4.03, D, (b).
- F. Two (2) off-street parking spaces shall be provided for the use of the owner/occupant and one (1) off-street space per rental sleeping room. Parking shall be located within two hundred (200) feet of the building.
- G. The parcel or parcels on which the use is located shall be owned and operated by a single proprietor.
- H. The establishment shall have at least two (2) exits to the outdoors.
- I. The Bed and Breakfast shall not alter the residential character of the building or structure.
- J. The rental sleeping rooms shall have a minimum size of one hundred-twenty (120) square feet for one (1) or two (2) occupants with an additional fifty (50) square feet for each occupant to a maximum of four (4) occupants per room.
- K. Special Exception Use approval shall not be granted if the essential character of the lot or structure in terms of traffic generation or appearance will be changed substantially.

- L. A site plan shall include a floor plan layout of the proposed structure drawn to a scale of not less than 1"=8' that shows the specific layout of the proposed facility in accord with the provisions of this Zoning Ordinance.
- M. The permit holder shall secure and maintain all required state and local permits. Any food preparation areas shall be licensed and approved by the Health Department, as applicable.
- N. No conference/meeting room facilities will be permitted.
- O. The Bed and Breakfast shall employ no more than three (3) persons in addition to the owners and their immediate family, including spouses, siblings and children.
- P. Any dumpsters on site shall be enclosed on four (4) sides with an opaque fence equipped with a lockable gate and shall not be visible from lot lines.

Section 4. Amend Chapter 3, Section 3.05, C of the Township Zoning Ordinance, to add the following paragraph:

8. Bed and Breakfast, subject to the following:

- A. The use is not incompatible with other allowed uses in the vicinity.
- B. The impact of the establishment is no greater than that of a private home with houseguests.
- C. The establishment shall be the principal dwelling unit on the property and shall be owner-occupied at all times.
- D. A bed and breakfast shall maintain a smoke detector in proper working order in every sleeping room and a fire extinguisher in proper working order on every floor in the immediate vicinity of the sleeping rooms.
- E. Signs shall be in accordance with Section 4.03, D, (b).
- F. Two (2) off-street parking spaces shall be provided for the use of the owner/occupant and one (1) off-street space per rental sleeping room. Parking shall be located within two hundred (200) feet of the building.
- G. The parcel or parcels on which the use is located shall be owned and operated by a single proprietor.
- H. The establishment shall have at least two (2) exits to the outdoors.
- I. The Bed and Breakfast shall not alter the residential character of the building or structure.
- J. The rental sleeping rooms shall have a minimum size of one hundred-twenty (120) square feet for one (1) or two (2) occupants with an additional fifty (50) square feet for each occupant to a maximum of four (4) occupants per room.
- K. Special Exception Use approval shall not be granted if the essential character of the lot or structure in terms of traffic generation or appearance will be changed substantially.

- L. A site plan shall include a floor plan layout of the proposed structure drawn to a scale of not less than 1"=8' that shows the specific layout of the proposed facility in accord with the provisions of this Zoning Ordinance.
- M. The permit holder shall secure and maintain all required state and local permits. Any food preparation areas shall be licensed and approved by the Health Department, as applicable.
- N. No conference/meeting room facilities will be permitted.
- O. The Bed and Breakfast shall employ no more than three (3) persons in addition to the owners and their immediate family, including spouses, siblings and children.
- P. Any dumpsters on site shall be enclosed on four (4) sides with an opaque fence equipped with a lockable gate and shall not be visible from lot lines.

Section 5. Conflicts. If any provision of the Vergennes Township Zoning Ordinance conflicts with this amendment to the Zoning Ordinance, the most restrictive provision shall be applied.

Section 6. Severability. Should any section or part of this ordinance be declared unconstitutional, null or void by a court of competent jurisdiction, such declaration shall not have any effect on the validity of the remaining sections or parts of this ordinance.

SECTION 6. Effective Date. This ordinance shall become effective eight (8) days after its publication in a newspaper of general circulation in the Township.

Certification

I, Mari C. Stone, Township Clerk of the Township of Vergennes, hereby certify that Ordinance 2006-2 was adopted at a regular meeting of the Vergennes Township Board on August 21, 2006, and the Ordinance or a summary of the ordinance was published in the Lowell Ledger, a newspaper of general circulation in the Township of Vergennes, on August 30, 2006.

Mari C. Stone
Vergennes Township Clerk