

**CASCO TOWNSHIP
ALLEGAN COUNTY, MICHIGAN**

Ordinance No: 01182022-1

Approved Date: 1-18-22

Effective Date: 2-7-22

AN ORDINANCE TO AMEND THE CASCO TOWNSHIP ZONING ORDINANCE; AMEND SECTION 2.02 AND 2.05, AMEND SECTION 3.07, ADD SECTION 3.08 (*RENUMBER*) AMEND SECTION 3.20 ADD TO SECTION 3.20, ADD TO SECTION 3.30, ADD SECTIONS 3.44 AND 3.45, AMEND SECTION 15.03E, AMEND SECTION 15.03J, AMEND SECTION 15.03O.

CASCO TOWNSHIP, ALLEGAN COUNTY, MICHIGAN HEREBY ORDAINS:

Section 1. Amend Chapter 2 Definitions. Add to Section 2.02 "A" (after Agriculture). Amendment to the Zoning Ordinance to read as follows:

Alcohol Production Facility means a facility for processing, bottling and selling of the product(s) made by the normal alcoholic fermentation of, including but not limited to, fruit, mead or honey, hops. Also known as winery, meadery, brewery, distillery.

Section 2. Amend Chapter 2 Definitions. Add to Section 2.05 "D" (after Day care facility means: A) amendment to the Zoning Ordinance to read as follows:

Commercial child care facility means a facility, other than a private residence, receiving 1 or more children under 13 years of age for care periods of less than 24 hours a day, where parents or guardians are not immediately available to the child. Child care center includes a facility that provides care for not less than 2 consecutive weeks, regardless of the number of hours of care per day. Child care facility is allowed to be in a church.

Section 3. Amend Chapter 3 General Provisions. Section 3.07 Accessory buildings and uses. Amendment to the Zoning Ordinance to add to read as follows:

- A. In any zoning district, accessory uses, incidental only to a permitted use, when located on the same property as the principal use, subject to the conditions of the ordinance.
- B. Remove
Renumber

Section 4. Amend Chapter 3 General Provisions. Add Section 3.08 Residential storage buildings. Amendment to the Zoning Ordinance to add to read as follows:

Sec. 3.08 Residential storage buildings

A. Residential storage buildings are allowed on properties without a principal dwelling in any zoning district.

B. Total area for all buildings shall not exceed 1,200 square feet for properties of 0-1 acre and 1.1 acres and up 1,200 square feet plus 225 square feet per ¼ acre.

C. Buildings not to exceed allowed lot coverage per district.

D. Building shall meet the front required setback of the district. Side and rear setback subject per 3.07G chart.

- E. No building shall include sleeping quarters. Finished space and a bathroom is permitted.
- F. Building side walls not to exceed 16 feet.
- G. Building not to be used for dwelling or commercial purposes.

renumber

Section 5. Amend Chapter 3 General Provisions. Amend Section 3.20 Minimum requirements for principal dwellings outside of manufactured housing communities; D. Add O. Amendment to the Zoning Ordinance to add to read as follows:

D. Construction standards shall be in conformance with the laws and regulations of the State of Michigan as from time to time amended.

O. In order to protect adjacent properties, during all phases of construction, the grade shall be designed and landscaped such that storm water run off is managed in a manner which does not create or add additional damage on adjacent properties for all earth moving activities after the effective date of this amendment in LR-A, LR-B, LDR, MDR zoning districts.

Section 6. Amend Chapter 3 General Provisions. Add B to Section 3.30 Excavations. Amendment to the Zoning Ordinance to add to read as follows:

B. In order to protect adjacent properties, during all phases of construction, the grade shall be designed and landscaped such that storm water run off is managed in a manner which does not create or add additional damage on adjacent properties for all earth moving activities after the effective date of this amendment in LR-A, LR-B, LDR, MDR zoning districts.

Section 7. Amend Chapter 3 General Provisions. Add 3.44 Farm Markets. Amendment to the Zoning Ordinance to add to read as follows:

3.44 Farm markets

As farmers look for ways to keep their businesses economically viable, many have chosen to shift their operations from a farmer-to-processor to a direct market business model. This includes selling raw and value-added products directly to the consumers through on-farm establishments, farmers markets, and other agricultural outlets. This allows farms to take advantage of consumer interest in agritourism, the “buy local” movement, and a desire for a connection with farmers and food production.

1. A zoning compliance permit for Farm Markets shall be required from the Zoning Administrator.
2. Farm markets shall be subject to the Generally Accepted Agricultural and Management Practices (GAAMP), as amended.
3. Farm Markets are allowed in the Agricultural and Rural Residential zoning districts and must be located on property owned or leased by the producer of products.
4. A single-family dwelling may be located on the property.

5. Ancillary farm market activities may include but not necessarily limited to, cider processing, donut making, pumpkin carving, hayrides, corn maze, petting farm, tree cutting, deli, bakery. No activity shall be within 50 feet of any property line.
6. Structures over 120 square feet must meet a minimum setback of 165 feet from all non-farm residences or 50 feet from property line.
7. No parking shall be located within 50 feet of any property line.
7. The Allegan County Road Commission shall approve the driveway(s) and location.
8. Hours of operation shall be limited between the hours of 7:00 a.m. and 10:00 p.m.
9. Signs shall meet the requirements of Chapter 19.
10. Subject to all other local, county, federal agency approvals.

Section 8. Amend Chapter 3 General Provisions. Add 3.45 Alcohol Production Facility. Amendment to the Zoning Ordinance to add to read as follows:

3.45 Alcohol Production Facility

1. Minimum lot size for the facility shall be 3 acres and located in the Agricultural or Rural Residential districts.
2. Structures over 120 square feet must meet a minimum setback of 165 feet from all non-farm residences and 50 feet from property line.
3. No parking shall be located within 50 feet of any property line. The number of parking spaces shall comply with Article 18 for retail.
4. Signage shall comply with Article 19.
5. No more than 5,000 sq ft shall be devoted to tasting room and retail sales.
6. Hours of operation shall be limited to 7:00am-10:00pm
7. Entertainment functions are subject to an additional special use Special Events Venue and shall comply with the special land use provisions.

Section 9. Amend Chapter 15 Specific Use Regulations. Amend 15.03 Specific standard; E. Campgrounds and recreational vehicle parks. Amendment to the Zoning Ordinance to add to read as follows:

5. No commercial enterprise shall be permitted to operate on the project, except that a convenience shopping facility may be provided within a project containing 5-59 sites the store floor area not to exceed 1,000 square feet. Project containing 60 and over sites the store floor area not to exceed 2,500 square feet. Excluding laundry and similar ancillary uses.

Section 10. Amend Chapter 15 Specific Use Regulations. Amend 15.03 Specific standard; J. Day care centers. Amendment to the Zoning Ordinance to add to read as follows:

J. Child Care Facility (rename)

Add 8. A facility is permitted in an existing church without planning commission approval, provided proper licenses are obtained.

Section 11. Amend Chapter 15 Specific Use Regulations.

moved 15.03 Specific standard O. Farm markets to new added 3.44 Farm Markets (see Section 7 above) Amendment to the Zoning Ordinance to add to read as follows:

remove O. Farm Markets
re-letter

Section 12. Severability.

Should any section, clause or provision of this Ordinance be declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, then and in that event such portion thereof shall not be deemed to affect the validity of any other part or portion of this Ordinance.

Section 13. Effective Date. The foregoing amendment to the Casco Township Zoning Ordinance was approved and adopted by the Township Board of Casco Township, Allegan County, Michigan on Jan 18, 2022, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended. This Ordinance shall be effective on Feb 7 2022, which date is eight days after publication of the Ordinance as is required by Section 401 of Act 110, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

Allan Overhiser,
Township Supervisor

Cheryl Brenner,
Township Clerk

CERTIFICATE

I, Cheryl Brenner, the Clerk for the Township of Casco, Allegan County, Michigan, certify that the foregoing Casco Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on _____, 2022. The following members of the Township Board were present at that meeting: _____
_____. The following members of the Township Board were absent: _____. The Ordinance was adopted by the Township Board with members of the Board _____ voting in favor and members of the Board _____ voting in opposition. A copy of the Ordinance or a summary was published in the ___South Haven Tribune _____ on _____, 2022.

Cheryl Brenner, Clerk
Casco Township