

Section 3.190 Outdoor Placement of Motor Homes, Boats, and Recreational Type Vehicles and Use of Recreational Vehicles for Temporary Living Purposes

a) **Purpose** - The following regulations are intended to restrict the placement of certain vehicles, trailers and related appurtenances in the front yard and in select locations of side and rear yards. The restrictions on the placement have been determined necessary and appropriate in order to:

1. Maintain the integrity of open space areas.
2. Prevent neighborhood blight and ensure the safety of residents.
3. Maintain property values.
4. Ensure access to light and air and fulfill the Purposes of this Ordinance as detailed under Section 1.20.

In implementing the regulations of this section, it is recognized that residents, and their vacationing guests, periodically desire opportunity to use certain recreational vehicles and/or tents for temporary living purposes. Accordingly, this Section also provides standards governing the temporary use and occupancy of recreational vehicles and tents. To ensure the health, safety, and welfare of those occupying a recreational vehicle or tent, as well as to protect neighboring residents, the regulations are intended to be more stringent than those addressing the placement of non-occupied recreational vehicles and tents.

b) **Regulations** - The outdoor placement of motor homes, boats, other recreational vehicles, recreational vehicle trailers, and utility trailers and appurtenances on any residential lot or parcel, shall be subject to the following regulations:

- 1) **Number** - Except for recreational vehicles identified as exempt under subsection d), following, the outdoor placement of the above recreational vehicles and trailers shall be limited to two (2) as based on the following equivalency table:

Vehicle Type		Equivalency
a.	One (1) boat on attendant trailer	1
b.	One (1) self-propelled motor home	1
c.	One (1) fifth wheel motor home	1
d.	One (1) travel trailer	1
e.	One (1) utility trailer	1
f.	One (1) snowmobile on one (1) trailer	1
g.	Multiple snowmobiles on one (1) trailer	1
h.	One (1) jet ski on one (1) trailer	1
i.	Multiple jet skis on one (1) trailer	1
j.	One (1) motorcycle (non-licensed) on one (1) trailer	1
k.	Multiple motorcycles on one trailer	1

Vehicle Type		Equivalency
l.	One (1) empty boat trailer/R.V. trailer	1
m.	Units comparable to the above	1

2) Boat Lifts. In addition to the allowed vehicles and trailers, one (1) boat lift is permitted on a waterfront lot where boats or jet skis are docked during the boating season, and shall not be counted toward the number of vehicles permitted. After boating season, if a boat lift is removed from the water it shall be stored in the waterfront yard, provided that no boat lift shall be stored less than five (5) feet from a side lot line.

3) **Placement Prohibition** - Except as provided for by this Section, there shall be no placement in the front yard.

4) **Side and Rear Yard Placement:**

a. The placement of all such vehicles, trailers and appurtenances in the side and rear yards shall be subject to the setback standards of other accessory buildings, structures, and uses as permitted and regulated, provided, however, in no instance shall the setback in a side yard be less than ten (10) feet (See Figure 3-10).

b. Setbacks greater than the above may be required if determined by the Zoning Administrator to be necessary for the health, safety, and welfare of the residents of the subject and neighboring properties. Similarly, the Zoning Administrator may authorize a reduction in a side yard setback, not less than three (3) feet from the property line, if the Administrator determines that a reduction is necessary to permit placement of a vehicle. In authorizing a reduction, the Zoning Administrator shall determine:

1. That placement of the vehicle as normally required is not possible due to a lack of space between the side lot line and adjoining structure;
2. That placement in another location on the site consistent with the standards of this Ordinance may not reasonably be achieved;
3. That the permitted reduction is limited to the minimum extent necessary to permit reasonable placement of the vehicle; and,
4. That the permitted reduction will not be detrimental to the health, safety, and welfare of adjacent property owners and residents.

A setback reduction shall only extend to the placement of vehicles regulated by the provisions of this Section. At any time the Zoning Administrator determines the conditions of an authorized reduction have been violated or that a reduction is

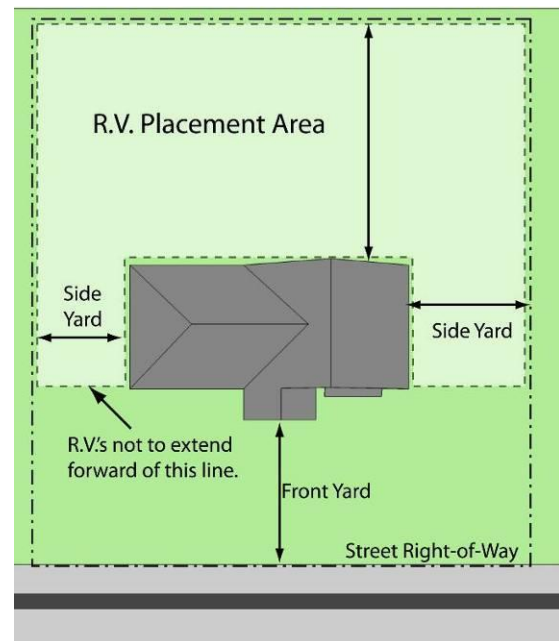


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no longer necessary to achieve compliance with the provisions of this Section, the Administrator shall cause the reduction to be rescinded.

- c. On a waterfront lot, the vehicle(s) may be stored in the front yard (between the street and the dwelling) only if fully screened, to a height of at least six (6) feet, by a garage, accessory structure, or a landscaped screen meeting the requirements of Section 3.130, g), 1). If located in the side or rear yard, the vehicle(s) shall meet the requirements of subparagraphs a and b above, but shall not be placed closer than 30 feet to the water line.

5) **Front Yard Placement – Exception.** Placement in the front yard of a non-waterfront lot shall be permitted only if the following are met:

- a. The vehicle shall be placed a minimum of two hundred (200) feet from the front lot line.
- b. The vehicle shall not encroach on a required side yard setback.
- c. The vehicle shall be positioned such that, where reasonably feasible, it shall be shielded from off-site view by natural vegetation or buildings existing on the site.
- d. The vehicle shall be at least thirty five (35) feet from any dwelling unit located on an adjacent lot.

Determination of compliance with the above shall be made by the Zoning Administrator.

6) A suitable covering in good condition shall be placed over all boats and other unenclosed recreational vehicles in order to deter vandalism or injury to the general public. The covering shall be properly secured to prevent unnecessary movement and/or noise caused by wind or other natural forces.

7) Except as noted in Paragraph e), following, all such vehicles and trailers shall be duly licensed as required by the State of Michigan to the residents of the parcel on which the vehicles and trailers are placed.

[Ordinance No. 265, 10/4/2010]

c) **Temporary Placement in the Front Yard** (Refer also to Paragraph e), following) - One (1) trailer, with attendant recreational vehicle(s) placed thereon, or one (1) recreational camping unit (e.g. R.V., pop-up camper, etc.) may be temporarily placed in a driveway subject to the following provisions:

- 1) No vehicle or trailer shall be placed in a location or manner that restricts the clear vision area of street intersections, driveway and street intersections, and alley and street intersections.
- 2) Vehicles and trailers shall be placed on the driveway serving the residential parcel.
- 3) No vehicle shall be placed in a public right-of-way unless the right-of-way legally authorizes it.
- 4) The vehicle shall be fully secured to deter unauthorized entry and/or vandalism.
- 5) The length of placement shall be limited to seven (7) consecutive days, provided, however, placement may occur at the rate of two (2) seven (7) day periods per month, but not to exceed six (6) periods per year.
- 6) The above temporary provisions shall not apply to parcels on which the vehicle is greater than two hundred (200) feet from the front lot line as regulated by this Ordinance.

d) **Temporary Placement In Front Yard Not Entitled To A Non-Conforming Status -** Temporary placement in the front yard as authorized under Paragraph c, above, shall be deemed a temporary condition and shall not receive a legal non-conforming status should this Ordinance be

amended such that the provisions of this Section no longer remain valid. Moreover, should the Zoning Administrator determine that placement of the vehicle as approved represents a threat to the local health, safety, or welfare of the occupants of the subject site or occupants of neighboring parcels, the Administrator may, after written notice to the property owner and the passage of a thirty (30) day period, require the vehicle to be moved to a fully conforming location.

e) **Use and Placement of Recreational Vehicles, Camping (Traveling) Trailers, and Tents for Temporary Living Purposes.**

- 1) **Authorization and Length of Temporary Use** - Recreational vehicles, camping trailers or tents may be used for temporary living purposes when accessory to single-family or two-family dwellings. Except as permitted under 2), below, the use shall only be permitted for a three (3) day period and for no more than one (1) period in any thirty (30) consecutive days.
- 2) **Placement** - While in use for temporary living purposes, recreational vehicles and tents shall be located according to the following:
 - a. **Recreational Vehicles and Camping Trailer** - Shall be located on the driveway of the lot or parcel of the dwelling to which the vehicle is accessory, and shall not encroach on a required front yard.
 - b. **Tent** - Shall be located in the rear yard of the lot or parcel of the dwelling to which the tent is accessory.
- 3) **Number of Temporary Dwelling Units** - Recreational vehicles, camping trailers, and tents used for temporary living purposes shall not exceed one (1) recreational vehicle or one (1) camping trailer, plus one (1) tent at any time. These amounts may be in addition to those provided for under Paragraph b), 1), of this section.
- 4) **Extension of Use** - Use of a recreational vehicle, camping trailer, or tent in excess of a three (3) day period may be permitted by the Zoning Administrator subject to the following:
 - a. **Application Form** - Application shall be made on a form supplied by the Zoning Administrator requesting the extension.
 - b. **Inspection and Sanitary Requirements** - The Zoning Administrator shall have the right to inspect the grounds upon which the temporary dwelling will be placed to ensure that adequate provisions have been made pursuant to potable water and sanitary needs.
 - c. **Extension Limit** - In no case shall the extended period exceed seven (7) days in any thirty (30) day period, nor shall the number of requests for extensions exceed two (2) in any one (1) year period.
- 5) **Licensing Requirements** - Recreational vehicles and camping trailers used for temporary dwelling purposes shall possess current license tags, which may include out-of-state tags.
- 6) **Conditions** - The Zoning Administrator reserves the right to place reasonable conditions on the request including, but not limited to, placement of the temporary dwelling, parking of associated vehicles, outside storage of camping and other equipment, noise abatement, trash collection, and other factors.

f) **Recreational Vehicles Exempt From Outside Placement Count** - Non-motorized recreational vehicles such as canoes, small sail boats, row boats, and paddle boats meeting all of the following standards shall not be counted as part of the maximum number of units that may be placed outdoors:

- 1) Shall not exceed fourteen (14) feet in length.
- 2) Shall not be located on a trailer.
- 3) Shall be located in the rear yard.
- 4) Shall be owned by the individuals residing in the premises upon which the exempt vehicles are placed.

Recreational vehicles stationed in the water shall also be exempt from the above count.

Section 3.200 Plat Violations

Where the Zoning Administrator determines that an area proposed for subdividing would violate the Subdivision Control Act, as amended by the Land Division Act; Site Condominium Act; or the Subdivision Regulations of the City of Ferrysburg, no permit for Zoning Compliance or building permit shall be issued.

Section 3.210 Restoring Unsafe Buildings

- a) **Repair of Unsafe Buildings** - Except as noted in Section b), following, nothing in this Ordinance shall prevent the strengthening or repair to a safe condition any part of a building or structure declared to be unsafe by the Building Inspector. Strengthening or repair shall not be interpreted as authorizing a use, or continuation of a use, not permitted by the underlying zone district.
- b) **Condemned Buildings** - A building which has been officially declared as condemned under the provisions of the City's building code shall not be repaired unless authorized by the Building Official. A building which has been officially authorized for demolition by the City Council shall not be repaired unless authorized by the Council. Provided, however, the requirements of this section shall not prevent the Building Official from authorizing building or site repairs or other modifications which, if left undone, would pose an imminent threat to the public health, safety, and welfare.

Section 3.220 Grade

- a) **Yards** - All yards shall be provided with adequate drainage and shall be graded so as to drain surface water away from foundation walls.
- b) **Exceptions to Grade Standards** - Exceptions to the above grading standards may be approved by the Zoning Administrator based on demonstrated evidence that the lot or parcel contains unique natural features that would be destroyed or significantly altered based on compliance with the above standards. In considering an exception to the above standards, the Zoning Administrator shall not be authorized to permit a change contrary to other local, state, or federal regulations or standards or, if approved, result in significant negative impact to adjoining properties. In approving an exception, the Zoning Administrator may attach conditions necessary to protect, and ensure compatibility with, adjoining properties.
- c) **Grade Modification Impacts** - A grade modification shall not result in negative impacts on surrounding properties. These impacts include, but shall not be limited to, increases in the off-site discharge of surface water, flooding, elimination of off-site or through views, and the like.
- d) **Specific Grade Requirements** - Prior to any permitting, the Zoning Administrator shall have authority to establish specific grades should it be determined the grades are necessary for

drainage purposes, utility and other infrastructure requirements, to achieve site design consistency among abutting projects, or for other purposes determined to be beneficial for the public health, safety, and welfare. Once established, a grade shall be used for all design and construction purposes and shall not be modified without Zoning Administrator approval.

Section 3.230 Trash Receptacles and Dumpsters - All Districts

Except for garbage cans (90 gallons or less) and similar residential trash containers, all trash receptacles, including dumpsters, shall comply with the following:

- a) All persons or businesses that accumulate more than ninety (90) gallons of garbage or rubbish per week shall place all garbage or rubbish in a dumpster.
- b) All trash receptacles, including the enclosure and surrounding ground area, shall be maintained in a neat and orderly condition, free from rubbish and other debris. No rubbish or other debris shall be allowed to accumulate on the grounds surrounding the receptacle.
- c) All trash receptacles shall have tight fitting lids which shall be kept completely closed at all times, except for times of filling and collection.
- d) All dumpsters and other trash receptacles shall be emptied as least once per week, and with sufficient frequency to prevent the unreasonable development of odors and attraction of rodents and other pests.
- e) Adequate vehicular access shall be provided to the containers for truck pick-up via a public alley or vehicular access aisle which does not conflict with the use of off-street parking areas or entrances to or exists from principal buildings nearby.
- f) No dumpster shall be located in a required yard unless approved by the Planning Commission as part of site plan review.
- g) A solid ornamental screen wall or fencing shall be provided around all sides of the trash container which shall be provided with a gate for access and be of sufficient height as to completely screen the container, the maximum height of which shall not exceed eight (8) feet, but shall always be at least one (1) foot above the height of the dumpster. The height requirement shall apply to all sides, including the gated side. For purposes of the above standard, screening materials may consist of any of the following:
 - 1) Wood, provided the wood is cedar, redwood or equivalent of at least 5/8" thickness or other types of comparable wood which have been treated with preservatives to ensure longevity.
 - 2) Decorative masonry wall.
 - 3) Evergreen shrubbery consisting of permanent living plant materials which shall be continually maintained in a sound, healthy, and vigorous growing condition, free of plant diseases and insect pests, and free of weeds, refuse, and debris. The shrubbery shall be of a size, and planted at a density, capable of achieving a continuous, visual, barrier comparable to that of a wood or masonry wall.
 - 4) Other materials as approved by the Planning Commission.
 - 5) At the request of the applicant, the Planning Commission may modify the screening requirements of this Ordinance pursuant to dumpsters provided the applicant satisfactorily demonstrates:
 - a. The modification will not have a negative impact on surrounding properties;

- b. Natural screening or other features exist which will provide screening comparable to that of Item g), above;
- c. The requested modification will be compatible with surrounding uses;
- d. The requested modification will not represent a threat to the public health, safety, and welfare; and,
- e. That the request will not provide the applicant with a benefit not made available to other businesses possessing similar site conditions.
- f. No person shall make unauthorized use of a dumpster.
- g. All commercial establishments providing food prepared for take-out shall provide and maintain convenient outside trash receptacles sufficient to contain rubbish and garbage that is generated by the customers of such establishments.
- h. It shall be the responsibility of the land owner and lessee of the premises upon which a dumpster is placed to empty the dumpster, maintain the dumpster and screen, and otherwise comply with the provisions of this Ordinance.
- i. This Ordinance is not intended to require the enclosure of any dumpster used on a temporary basis for less than sixty (60) days, or in connection with construction activity for which a bonafide building permit has been issued. When used in connection with construction activity, the dumpster shall be removed, or otherwise located in compliance with the enclosure provisions of this Ordinance, prior to issuance of a final certificate of building occupancy.

Section 3.240	Home Occupations
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A home occupation shall be permitted by right if it meets the below listed requirements. The home occupation:

- a) Shall not involve any activities that are discernible from the exterior and shall not result in the exterior of the home having other than a residential appearance, except for a wall sign as permitted by Article 7.
- b) No persons other than those who reside within the residence may be employed in the home occupation.
- c) Shall not involve the storage or use of any materials for which there is high risk of flammability or explosion.
- d) Shall not generate more than five (5) client trips to the home during the hours of 8:00 AM to 8:00 PM. Clients shall not be received during other hours.
- e) Shall not involve deliveries by trucks greater than normal U.S. Postal or similar parcel delivery service step-type vans.
- f) Shall not emit noise in violation of the City of Ferrysburg Anti-Noise and Public Nuisance Ordinance.
- g) The home in which the home occupation is proposed must be used principally for residential purposes. No more than twenty percent (20%) of the residential floor area may be dedicated to the home occupation.
- h) Shall conform to the sign requirements of Article 7.
- i) Shall comply with all applicable building and licensing requirements of the City.

- j) Instruction in a craft, music, or fine art within a dwelling, by a resident member of the family residing in the dwelling, shall be considered a home occupation and shall be subject to the requirements for a home occupation.
- k) The occupation of a registered caregiver pursuant to the Michigan Medical Marihuana Act shall be considered a home occupation and shall be subject to the requirements of home occupations and shall also comply with the following:
 - 1) The medical use of marihuana shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act and the administrative rules of the Department of Community Health.
 - 2) A registered caregiver must be located outside of a 1,000 foot radius from any school or library as defined by the Michigan Public Health Code to insure compliance with the Federal Drug Free School Zone requirements
 - 3) All medical marihuana shall be grown and contained within the main dwelling in an enclosed, locked facility inaccessible on all sides and equipped with locks or other security devices that permit access by the registered primary caregiver or registered qualifying patient. Marihuana plants may not be visible from the exterior of the building.
 - 4) All building, electrical, plumbing, and mechanical systems shall comply with applicable building and mechanical codes.
 - 5) If a room with windows is utilized as a growing location, any growing lights used in cultivation between sunset and sunrise shall employ shielding methods to prevent ambient light spillage that may intrude on adjacent residential properties.
 - 6) Notwithstanding the above, no sign advertising the business of a registered caregiver may be erected on the premises or be visible outside the premises.
 - 7) Not more than 1 primary caregiver shall be permitted to operate a home occupation in a single dwelling.
 - 8) Marihuana may not be consumed in an area visible to the public or occupants of adjacent properties.
 - 9) Not more than 1 qualifying patient who is not a resident in the home may consume medical marijuana in the home at any time.
 - 10) Nothing in this section shall be construed to encourage or condone violations of state or federal law.

[Ordinance No. 269, 2/7/2011]

The allowance of a home occupation by the City, subject to the regulations contained in this Ordinance, shall not in any way constitute an acceptance of, or give validity to, the introduction of non-residential uses into any residential zone district.

[Ordinance No. 265, 10/4/2010]

Section 3.250 Site Condominiums

Site condominiums shall be processed according to the following procedure:

- a) **Preliminary Review and Approval Stage.**
 - 1) **Planning Commission Review.** An application and site plan for preliminary review and approval shall be submitted to the Planning Commission for review and recommendation

based on compliance with the Site Plan Review Standards of Article V. The Planning Commission shall make a recommendation to the City Council to approve, approve with conditions, or deny the request. In making a recommendation, the Planning Commission shall provide the City Council with a statement supporting the reasons for the recommendation.

- 2) **City Council Review.** After receipt and review of a recommendation from the Planning Commission, the City Council shall review the application and site plan pursuant to the site plan review standards of Article V. The City Council may, at their discretion, conduct a public hearing on the proposed site condominium project for purpose of receiving public comment. The City Council may approve, approve with conditions, or deny the site condominium request based on a finding of compliance with the provisions of this section, Article V., and other applicable regulations.
- b) **Final Review and Approval Stage.** A final application and site plan shall be submitted to the City Council incorporating all conditions placed on the preliminary plan. The City Council shall review the plan for conformity with the approved preliminary plan and conditions, if any, attached thereto. The final application and site plan shall be approved based on a finding that all requirements attached to the preliminary plan have been complied with.
- c) **Additional Information for Preliminary and Final Review** - In addition to the information required by Article V, the following information shall also be included for preliminary and final review and approval:
 - 1) A condominium subdivision plan as required by Section 66 of the Condominium Act.
 - 2) Documented proof of review by other applicable agencies including the Ottawa County Road Commission, Drain Commissioner, Health Department, Michigan Department of Transportation, and the Michigan Department of Natural Resources/Environmental Quality.
- d) **Zoning Compliance** - A site condominium subdivision shall meet the minimum requirements of the district in which it is located, including minimum lot size, minimum setbacks, and minimum floor area.
- e) **Design and Construction Consistency with the Ferrysburg Subdivision Ordinance** - The design and construction of streets, alleys, sidewalks, curb and gutter, easements, street tree plantings, street signs, water, sanitary sewer, storm drainage, and other such systems and utilities shall equal or exceed the design and construction requirements of subdivisions as regulated by Chapter 155 of the City Code of the City of Ferrysburg.
- f) **Underground Placement of Utilities** - All utilities, including power lines and communication lines, shall be placed below ground.
- g) **Master Deed** - The Ferrysburg City Clerk shall be furnished with a copy of the recorded master deed. The master deed must ensure that the City of Ferrysburg will not be responsible for maintenance or liability of the non-dedicated portions of the site condominium and that all private roads will be properly maintained, that snow removal will be provided and that there is adequate access and turnaround capacity for emergency vehicles. Responsibility for the maintenance of stormwater retention areas, drainage easements, drainage structures, lawn cutting, and other general maintenance of common areas must be clearly stated.
- h) **As-Built Drawings** - As construction is completed, the Ferrysburg City Clerk shall be furnished with two (2) copies of all “as-built” drawings for review by the City Engineer or compliance with all City ordinances.

Section 3.260

Day Care and Group Homes

To promote the health, safety, and welfare of the occupants and residents of day care homes and group homes and to ensure compatibility with the surrounding neighborhood, all day care homes and group homes shall:

- a) Meet applicable state and federal regulatory requirements.
- b) Meet applicable local building and other safety codes.
- c) Demonstrate that adequate provisions have been made to secure the health, safety, and welfare of those occupying the day care or group home including, but not limited to, safety fencing around play areas, vehicular drop-off area out of the flow of traffic, and adequate off-street parking.
- d)

Section 3.270

Basis of Determining Front Yard Requirements and Averaging of Setback

(See Figure 3-11) The required front yard shall be measured from the right-of-way line to an imaginary line across the width of the lot which represents the minimum required front setback distance for that district, provided, however, that where an average setback line less than required has been established by existing buildings on the same side of the street and within two hundred (200) feet of the proposed building, the established setback shall apply. However, this reduction shall not exceed fifty percent (50%) of the required underlying zone district standard, nor permitted on streets or roads which have been identified by the City for future widening.

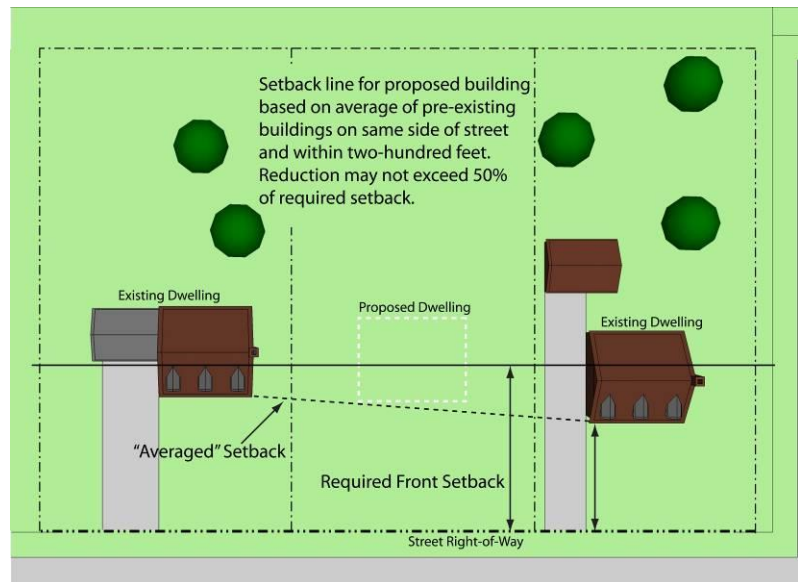


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Averaging of Front Yards

Section 3.280

Sales on Residentially Zoned Properties

- a) In any residential zoning district established by this Ordinance, outdoor display of items for sale on any portion of a lot or parcel shall be subject to the standards of this section. For purposes of this section, a residential lot or parcel shall consist of one (1) or more lots or parcels of record or one (1) or more metes and bounds descriptions, so long as the lots, parcels, or descriptions are contiguous and in common ownership. As used herein, the term “common ownership” shall refer to the ownership of two or more contiguous lots or parcels by the same person or persons, by spouses, whether jointly or severally; by parents and children; or by different corporations or partnership where a controlling interest in both entities is owned by the persons described above.
- b) **Vehicle Sales.**

- 1) A vehicle sale item shall be defined as any one (1) of the following:
 - a. car (automobile)
 - b. truck
 - c. recreational vehicle
 - d. motorcycle or motor scooter
 - e. any other type of motorized passenger vehicle designed and required to be licensed for operation on public roads
 - f. boat
 - g. trailer
 - h. boat on a trailer
 - i. recreational vehicle on a trailer
 - j. any other type of vehicle on a trailer
 - 2) An owner or occupant may display not more than one (1) vehicle for sale at any one (1) time. The vehicle displayed for sale need not be owned by the owner or occupant of the lot or parcel.
 - 3) The vehicle displayed for sale must be operational, and must not be in violation of the provisions of any other City ordinance or State law.
 - 4) Vehicle sales may not occur more than three (3) times per calendar year on any residential lot, nor more than ten (10) consecutive days per time displayed.
 - 5) A minimum of twenty-one (21) calendar days shall transpire between the end of display of one (1) vehicle for sale and the beginning of display of another vehicle for sale on the same lot.
 - 6) One (1) non-illuminated “for-sale” sign, not exceeding two (2) square feet in area, shall be attached to the vehicle displayed for sale. Any “for-sale” sign which is not attached to the vehicle displayed for sale is prohibited.
 - 7) No vehicle displayed for sale and no “for-sale” sign, as both are described in this section, shall be placed in, on, or over any public street right-of-way or any publicly owned property.
 - 8) Whenever a vehicle for sale is being displayed, except for the display of a car or a truck, the front yard placement of other recreational vehicles as permitted under Section 3.210 shall be prohibited.
- c) **Garage Sales, Estate and Auction Sales, or Outdoor Sales of Individual Items.** Any garage sale, estate, auction or other similar sale, or any outdoor sales of individual items of personal property, conducted on any property in a residential zoning district, shall comply with the following:
- 1) General requirements:
 - a. All personal property items to be sold on the site shall be owned, utilized, and maintained by a resident of the dwelling where the sale is to be conducted.
 - b. Garage sales, estate and auction sales and other similar outdoor sales of individual items are prohibited on vacant lots.
 - c. All merchandise sold and any unsold merchandise remaining on the site and not within an enclosed building at the conclusion of the sale must be removed from the site within twenty-four (24) hours of the conclusion of the sale.

- d. All displays of sale merchandise shall be limited to that portion of the front yard area which is at least five (5) feet back from any adjoining property line, and at least ten (10) feet back from any sidewalk.
 - e. The conduct of the sale shall not interfere with the orderly flow of pedestrian or vehicular traffic or restrict emergency vehicle access.
 - 2) Garage Sales and Estate and Auction Sales:
 - a. Up to three (3) sales at any given property shall be permitted during a one (1) year time period.
 - b. Garage sales and estate and auction sales are limited to forty-eight (48) consecutive hours.
 - c. No garage sale or estate or auction sale shall commence before 8:00 A.M. or continue after 7:00 P.M.
 - 3) Outdoor Sales of Individual Items. Outdoor sales of individual items of personal property, not including the sale of vehicles as regulated above, shall be subject to the following:
 - a. No item may be displayed for a period exceeding fourteen (14) consecutive days.
 - b. No more than two (2) items may be sold at any one time.
 - c. There may be no more than three (3) individual item sales events on any property during a one (1) year time period.
 - 4) The following are exempt from the time and frequency requirements of this section:
 - a. Sales conducted by places of religious worship, schools and other non-profit organizations, when held within an enclosed structure.
 - b. Persons selling goods pursuant to an order or process of a court of competent jurisdiction.
- d) **Small Scale Produce Sales.** The sales of produce, conducted on any property in a residential zoning district, shall comply with the following:
 - 1) General requirements:
 - a. All produce to be sold on such property shall be planted, grown and harvested on the same property. Sales of produced planted, grown or harvested off-site shall be prohibited.
 - b. Any temporary stand used as a part of this use, shall meet all setback requirements. A stand may only be viewable on this property during the dates for which approval has been granted for the sales of produce.
 - c. Adequate off-street parking shall be provided on-site. At a minimum 2 parking stalls shall be required. No parking shall be permitted on a public right-of-way. No parking shall be permitted off-site, unless that property is contiguous with the subject property and is under the same ownership.
 - d. One on-site sign shall be permitted, only during those hours for which produce is being sold. The sign shall be no larger than 16 square feet in size. The sign shall be setback from the right-of-way at minimum 15 feet. If mounted on a pole or other freestanding base, the sign height shall be no greater than 6 feet. The sign shall not be permitted to be illuminated.
 - 2) Approval process:

- a. Those wishing to engage in small scale produce sales pursuant to the above, shall submit to the Zoning Administrator an application for a zoning permit. Included as a part of that application shall be a letter describing what is to be sold, where the produce was grown, the dates and time of day for which sale will occur, how off-street parking will be provided and the size and location of any sign.
- b. Upon request of the Zoning Administrator a plan may be required to be submitted for review. This plan shall provide a graphic depiction of the general requirements of this section.
- c. The Zoning Administrator shall review the application based on the requirements of this section and any other applicable ordinance of the City of Ferrysburg and shall either approve, approve with conditions or deny the application. Approval of an application for small scale produce sales shall be for the period stated on the application. However, all requests for small scale produce sales shall be renewed annually.

[Ordinance No. 246, 12/01/08; No. 265, 10/4/2010, No. 280, 04/01/13]

Section 3.290	Temporary Uses
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Temporary uses are permitted in any zoning district with the approval of the City Council of the issuance of a temporary use permit by the Zoning Administrator. The following requirements shall apply:

- a) All applications for a temporary use permit shall be filed with the Zoning Administrator at least sixty (60) days prior to the proposed commencement date of the temporary use. This sixty (60) day period can, however, be shortened in the discretion of the Zoning Administrator or the City Council, for good cause shown by the applicant. No application shall be filed less than ten (10) days prior to the date of the City Council meeting at which a decision is requested.
- b) The City Council may authorize the Zoning Administrator to issue a temporary use permit if all of the requirements of Subsection C are satisfied.
- c) A temporary use permit shall not be approved by the City Council unless all of the following requirements are satisfied:
 - 1) Nuisance, hazardous features. The temporary use shall not result in any hazard or nuisance to adjacent lands or the uses thereof, nor otherwise be contrary to the public health, safety or welfare of the City.
 - 2) Traffic and circulation. The temporary use shall not create hazardous vehicle or pedestrian traffic conditions on or adjacent of the streets serving the property. A temporary use permit shall not be issued if the City Council determines that the proposed use will:
 - a. Unreasonably interfere with the use of a public or private street for vehicular travel;
 - b. Unreasonably interfere with the view of access to or use of property adjacent to the public or private street serving the proposed temporary use;
 - c. Cause a violation of any State laws or local ordinances;
 - d. Create any public nuisances related to noise, dust, traffic, or other related condition; or

- e. Reduce the effectiveness of or access to any utility pole, street lighting, sign or other traffic control device.
- 3) Public facilities and services. Adequate utilities, drainage, refuse management, and sanitary facilities shall be assured. Access to emergency services and other necessary facilities and services shall be available for the proposed temporary use.
- 4) Natural environment. The proposed temporary use shall not have a substantial adverse effect on the natural environment or possible flood hazards, or storm water runoff problems.
- 5) Suitability of the site. The site of the proposed temporary use shall be suitable for the temporary use, giving consideration to size of the site, vehicle and pedestrian access and circulation, parking, effects on adjacent land uses, and other related conditions.
- 6) Building, electrical and other codes. The temporary use and all associated temporary improvements, including, but not limited to tents, stands, temporary electrical systems, temporary heating systems, and temporary lighting systems shall comply with all applicable provisions of the City's Building Code, Electrical Code, and other applicable codes adopted or amended from time to time.
- d) A temporary use shall be permitted only the minimum necessary period of time, given all of the circumstances. In no case shall a temporary use permit be issued for a period in excess of thirty (30) days during any twelve (12) month period, nor shall any property be used for a temporary use in excess of thirty (30) days during any twelve (12) month period.
- e) The City may impose additional reasonable terms and conditions in connection with the approval of any temporary use.
- f) The City may revoke or suspend a temporary use permit at any time upon the failure of the owner or any operator of the use to comply with the requirements of this Ordinance, the conditions imposed upon the issuance of any temporary use permit, or any other applicable provisions of State law or local Ordinance. [Ordinance No. 220, 12/20/04]

Section 3.300	Private Streets
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- a) **Where Permitted.** Private streets are permitted in any zoning district within the City and are not permitted to serve fewer than three (3) lots.
- b) **Internal Drives Exempt.** These requirements shall not apply to internal driveways, internal access drives, parking areas, or other means of secondary access within an apartment complex, industrial park, business center, or similar unified development.
- c) **Site Condominium Developments.** Single-family site condominium developments shall be served by a public street, or by a private street meeting the requirements of this Section.
- d) **Site Plan Approval Required.** Private street applications shall be subject to final site plan approval in accordance with the requirements and procedures of Article 5. The private street plan shall contain the applicable information required for site plans by Article 5, including cross section drawings, which shall be drawn and sealed by a registered professional engineer.
- e) **Easement and Maintenance Agreement.** A private street easement and maintenance agreement shall be submitted in recordable form which meets the minimum standards:
 - 1) The City Attorney shall review and approve the easement and maintenance agreement for the street as submitted by the applicant. The responsibility for the ownership and maintenance of the street shall be of the property owner(s) served by the street. The

agreement shall include provisions for a performance guarantee, if required, in accordance with f) below.

- 2) The agreement shall contain a detailed legal description of the private street easement.
- 3) The agreement shall bind the benefiting lots, parcels, and owners to the required maintenance of the private street, including all succeeding owners.
- 4) Should the benefiting property owners fail to maintain and repair the private street, the agreement shall allow the City to make any repairs it deems necessary to ensure the street is in a condition suitable for travel, as determined by the City Public Works Supervisor, and passable for emergency vehicles, as determined by the City Fire Department, and charge the property owners served by the private street for the repairs. The City may collect unpaid charges via any method allowed by law.
- 5) After recording the easements and maintenance agreements, a copy of the recorded documents shall be submitted to the Zoning Administrator.

f) **General Requirements.** Private streets shall meet the following requirements:

- 1) Private streets shall be designed, constructed, and maintained in accordance with the provisions of this Section. No site plan, site condominium, land division, special land use, or other zoning approval shall be granted unless the private street meets the requirements of this Section.
- 2) The minimum width of traveled surface of a private street shall be at least eighteen (18) feet, unless otherwise recommended or required by the Planning Commission, City Fire Department, or City Engineer.
- 3) The maximum length of any private street cul-de-sac shall not exceed one thousand three hundred and twenty (1,320) feet, unless it intersects with another conforming private street with access to an improved public street, or to another improved public street.
- 4) All private streets shall be paved with either asphalt or concrete and constructed to according to Ottawa County Standards.
- 5) The private street easement shall not be less than sixty-six (66) feet in width. Below ground utilities shall be permitted to be located within the private street easement. All private streets shall be designed to form a safe and efficient street network.
- 6) Private streets shall be maintained in a condition suitable for travel, as determined by the City Public Works Supervisor, and passable for emergency vehicles, as determined by the City Fire Department.
- 7) Whenever possible, streets shall be designed to connect or be extended to planned or anticipated future developments.
- 8) No private street shall serve more than ten (10) lots, parcels, or dwelling units, unless a secondary means of access is provided to a public street.
- 9) The private street shall be given a name that is not the same or similar to any other street name in the City. A street sign meeting City standards as to design, location, and maintenance shall be erected and maintained wherever a private street intersects any other public or private street.

g) **Zoning District Requirements.**

- 1) Any lot created on a private street, along with accompanying buildings, shall comply with all site development standards applicable to the zoning district in which it is located.

- 2) All lots on a private street shall have the minimum required lot width on the private street, except cul-de-sac lots shall have a minimum of fifty (50) feet of street frontage, and shall meet the minimum lot width measured at the required front setback.
- 3) The easement for the private street shall not be included in the required minimum lot area or lot width calculation.
- h) **Performance Guarantee.** To assure completion and maintenance of a private street in accordance with the requirements set forth herein, the City may require the applicant to provide a performance guarantee in accordance with the requirements of Section 12.60.
- i) **As-Built Drawings.** Upon completion of the private street, the applicant shall submit to the City two (2) complete sets of “as built” drawings, certified by the applicant's engineer, for final acceptance.
- j) **Emergency Access.** Private streets may not be gated or otherwise be constructed so as to prevent or hinder access by emergency vehicles.
- k) **Existing Private Streets:**
 - 1) An existing private street that is nonconforming may not be extended to include additional lands not taking access from the private street as of the date of this Ordinance, unless the entire private street is upgraded to meet the requirements of this Section.
 - 2) A structure may be constructed upon a vacant lot of record that takes its primary access from an existing nonconforming private street, provided that the structure and all other development thereon meets the requirements of this Ordinance.
 - 3) Existing lots of record with their primary access on an existing nonconforming private street may be divided in accordance with the dimensional requirements of this Ordinance, the City of Ferrysburg land division requirements and the Land Division Act (PA 288 of 1967, as amended); however, no more than one (1) additional parcel may be created from any existing lot of record.
 - 4) Existing private streets which are nonconforming due to inadequate easement width may be improved without requiring the existing easement to be made conforming to the width requirements, provided that the pavement and any other improvements meet the requirements of this Section, and that the width of the easement is not further reduced.
 - 5) Plans to improve an existing private street shall be reviewed in the same manner as a new private street.

[Ordinance No. 242, 12/03/07]

Section 3.310	Wind Energy Conversion Systems
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- a) Purpose: This subsection establishes standards and procedures by which the installation and operation of an On-Site Service WECS shall be governed within the City of Ferrysburg.
- b) Definitions:
 - 1) Wind Energy Conversion System (WECS): Shall mean a combination of:
 - a. A surface area (typically a blade, rotor, or similar device), either variable or fixed, for utilizing the wind for electrical power; and
 - b. A shaft, gearing, belt, or coupling utilized to convert the rotation of the surface area into a form suitable for driving a generator, alternator, or other electricity-producing device; and

- c. The generator, alternator, or other device to convert the mechanical energy of the surface area into electrical energy, generally housed in a nacelle; and
 - d. The tower, pylon, building mount or other structure upon which any, all, or some combination of the above are mounted.
 - e. Other components not listed above but associated with the normal construction, operation, and maintenance of a WECS.
- 2) WECS Height: The distance measured between the ground (at normal grade) and the highest point of a WECS (for a horizontal axis WECS, the measurement shall be to the tip of the rotor blade when the blade is in the full vertical position).
 - 3) On-site Service WECS : A single WECS placed upon a lot or parcel with the primary intent to service the energy needs of only the structures and uses on the same lot or parcel.
- c) Only On-site Service WECS shall be allowed. A WECS with the primary purpose of providing power to the utility grid is not permitted.
 - d) On-site Service WECS General Requirements:
 - 1) Except as may otherwise be required by this Ordinance, an On-Site Service WECS shall be allowed as an accessory use in any zoning district, subject to the requirements of this Section.
 - 2) Review Requirements
 - a. For a WECS that does not exceed fifty (50) feet in height, review shall be according the Site Plan Review requirements of Article 5.
 - b. For any WECS exceeding fifty (50) feet in height, Article 4, Special Land Uses, shall apply.
 - 3) Power rating of the WECS turbine shall not be greater than 50 kW.
 - 4) The WECS shall provide energy only to the structures and uses on the same property upon which the tower is located and must be owned or leased by the owner of the same property; however, this does not prevent the distribution to the local utility company of any power that is generated beyond the needs of the structures or uses on the property. Except for the local utility company, power generated by the WECS may not be provided to any other property or entity.
 - 5) No sound attributed to the WECS in excess of 55 dB(A) shall be discernible at the property line.
 - 6) There shall be no signs on the WECS other than the name of the manufacturer, which may only be affixed to the base of the tower or to the nacelle. No sign shall exceed three (3) square feet in area.
 - 7) There shall be no lighting on or directed to the WECS, unless a beacon is required by the Federal Aviation Administration.
 - 8) The WECS shall be painted in a neutral matte color, such as gray or light blue, to blend into the background. A building mounted WECS may be painted in similar colors to those on the building.
 - 9) A WECS shall have an automatic braking, governing, or feathering system to prevent uncontrolled rotation or over speeding.
 - 10) A WECS shall not be installed in any location where its proximity to existing fixed broadcast, re-transmission or reception antenna for radio, television or wireless phone or

personal communication systems would produce electromagnetic interference with signal transmission or reception.

- 11) The applicant shall provide written evidence that the WECS complies with all applicable federal, state and county requirements, in addition to City ordinances.
 - 12) All WECS installations shall comply with applicable ANSI (American National Standards Institute) standards.
 - 13) A WECS shall be removed when the device or equipment is no longer operating or when it has been abandoned. A WECS shall be deemed abandoned when it has not produced electrical energy for twelve (12) consecutive months.
 - 14) An existing and approved WECS may be repaired and maintained; however, a WECS may only be replaced with a new WECS upon approval of the Zoning Administrator, provided that the new WECS is of the same height, rotor diameter, setback, etc. as the WECS it replaces. For the purposes of this paragraph, a “new or replacement WECS” shall mean all of the WECS, excluding the tower or support structure.
- e) Ground-Mounted On-Site Service WECS (see Figure 3-12)
- 1) The WECS shall be located on the property so that it is set back from all property lines a distance equal to the WECS height. The setback shall be measured from the property line (considered as a plane extending from the ground to the highest point of the WECS) to the closest extension of the rotor relative to the property line (see graphic). No part of a single WECS (including guy wire anchors) shall be located within or above any required setback.
 - 2) The WECS height shall be limited by available setbacks as required in paragraph 1) above; however, no WECS height shall exceed fifty (50) feet on a property less than 12,000 square feet in area; seventy-five (75) feet on a property at least 12,000 square feet but less than one (1) acre in area; or one hundred (100) feet on a property one (1) acre in area or greater. Any WECS over fifty (50) feet high is subject to Special Land Use review, regardless of lot size.
 - 3) The minimum rotor blade tip clearance from grade shall be twenty (20) feet.
 - 4) The minimum rotor blade tip clearance from any structure shall be twenty (20) feet.
 - 5) The diameter of the rotor shall be dependent upon maximum WECS height and rotor

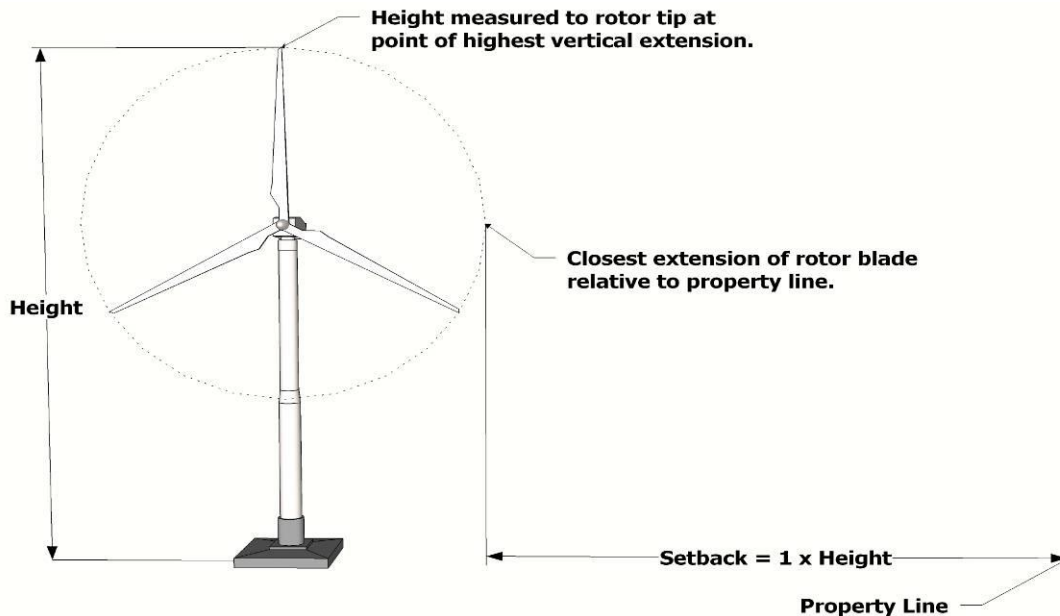


Figure **Error! No text of specified style in document.**-3: Ground Mounted On-Site Service WECS

blade tip clearance, but in no case shall it exceed fifty (50) feet.

- 6) The tower used to support a WECS shall be adequately anchored meeting ANSI standards, as certified by an engineer.
- f) Building Mounted On-Site Service WECS (see Figure 3-13)
- 1) The diameter of the rotor shall not exceed twenty (20) feet.
 - 2) The WECS height shall not exceed the maximum height for principal buildings in the district, plus fifteen (15) feet.
 - 3) The WECS shall be mounted so that it is set back from adjoining property lines a distance equal to the combined height of the WECS and the height of the portion of the structure on which it is mounted. The setback shall be measured from the property line (considered as a plane extending from the ground to the highest point of the WECS) to the closest extension of the rotor relative to the property line (see graphic).
 - 4) A building mounted WECS shall not be mounted to the vertical face of a gable end or dormer that is visible from the street.
 - 5) The mount and the structure used to support a building mounted WECS shall meet ANSI standards, as certified by an engineer.
- g) Review Procedure.
- 1) An application for a WECS that qualifies for site plan review shall be reviewed in accordance with the requirements of Article 5.
 - 2) An application for a WECS that requires Special Land Use approval shall be reviewed in accordance with the requirements of Article 4.
- h) Discretionary Conditions: The Planning Commission, or in the case of a Special Land Use, the City Council, may impose other terms and conditions regulating the construction, installation, use, maintenance, repair and removal of any WECS. Other terms and conditions may include, but are not limited to, the following:

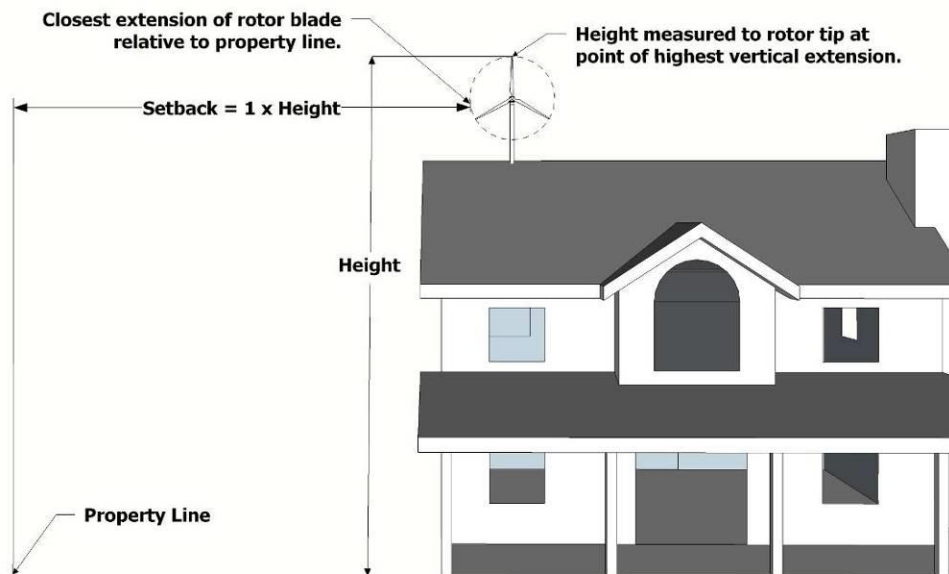


Figure **Error! No text of specified style in document.**-4: Building Mounted On-Site Service WECS

- 1) The preservation of existing trees and other existing vegetation not required to be removed for installation of a WECS.
- 2) The reasonable replacement of trees or other vegetation removed or destroyed during the construction or installation of a WECS.
- 3) Altering the location of the WECS to prevent impacts on neighboring properties, provided that all other requirements of this Section are met.
- 4) Requiring a performance bond or letter of credit, in favor of the City, and conditioned upon the timely and faithful performance of all required conditions of the special land use, including but not limited to the timely and complete removal of a WECS, regulated under the terms of the section, when required. The performance bond or letter of credit shall remain in effect during and after the operation of a WECS until its operations have ceased and it has been removed.

[Ordinance No. 250, 05/18/09]

Section 3.320	Certain Large Scale Residential Developments.
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Certain large scale residential developments, being those which include twelve (12) or more lots, parcels, site condominium units or multiple family dwelling units in the RD, RG-1, R-2 or RG-3 districts, shall be developed only as planned unit developments (“PUD”) in accordance with Article 8 of this Ordinance. The regulating of such development on a PUD basis will enable the City to control and moderate the size, scope and impact of the development, in accordance with the Master Plan and the purposes of the Ordinance. The requirements of this section shall apply whether the development involves simple land divisions, platted subdivisions, site condominium units or any other type of land division, conveyance or development resulting in twelve (12) or more lots, parcels, site condominium units or other land divisions, or any multiple family development resulting in twelve (12) or more dwelling units.

[Ordinance No. 258, 08/03/09]

Section 3.330	Reserved
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Section 3.340	Beekeeping
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Beekeeping on all properties in the City requires a permit and is subject to the requirements of this Section. Upon approval of a Beekeeping Permit Application, all property owners within 300’ will be notified of such by City Staff.

- a) Hive size shall not exceed 20 cubic feet.
- b) Hives must be set back 15 feet from all property lines and at least 25 feet from any dwelling on a neighboring property (Figure 3-14).
- c) A flyway barrier of at least six (6) feet in height shall shield any part of a property line that is within 25 feet of a hive (Figure 3-14). The flyway barrier shall consist of a wall, solid fence, dense vegetation or combination of these materials. Walls and fences are subject to the requirements of Section 3.90. Flyway barriers shall be established prior to the issuance of a beekeeping permit and shall be permanently maintained while actively beekeeping.

- d) An adequate and constant source of water, as temperatures allow, shall be placed within 20 feet of the location of bee hives prior to the issuance of a beekeeping permit and shall be permanently maintained while actively beekeeping.
- e) The number of hives that may be kept on a single lot or upon contiguous lots under the same ownership is limited by the maximums noted in following table:

Lot Size	Maximum Number of Hives
Up to 1/4 acre (1/4 acre = 10,890 sq. ft.)	2
More than 1/4 acre, less than 1/2 acre (1/2 acre = 21,780 sq. ft.)	4
More than 1/2 acre, less than 1 acre (1 acre = 43,560 sq. ft.)	6
1 acre or more	8
One additional hive is allowed for each additional whole acre of land over one (1) acre.	

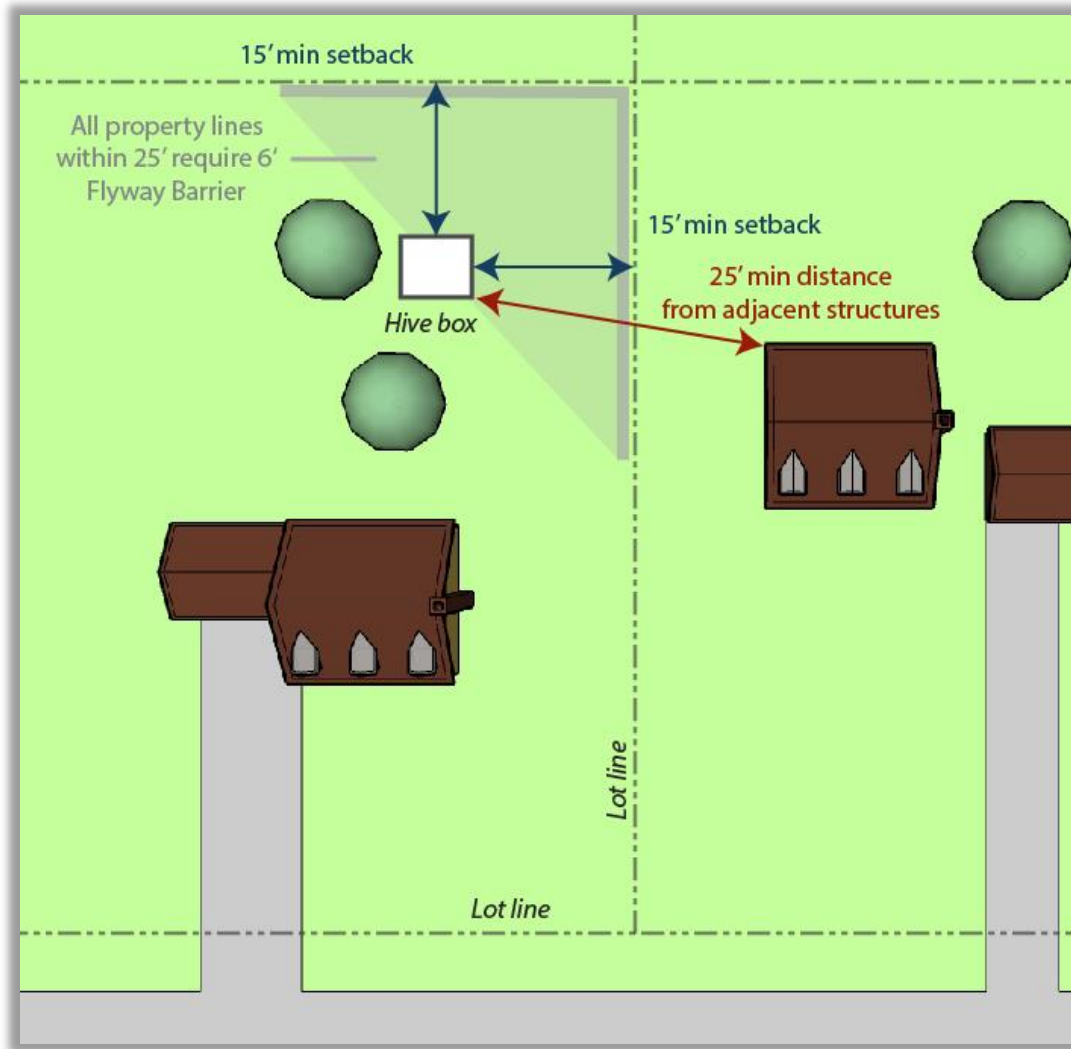


Figure *Error! No text of specified style in document.*-5: Dimensional Requirements for Beehives

[Ordinance No. 284, 1/19/15]

Section 3.350 Keeping of Farm Animals

- a) **Farms, farming and farm operations** – Farming in general is defined in Chapter 2 and is regulated by the State of Michigan Department of Agriculture and Rural Development. Farms are permitted on lands that are classified as Category 1, 2 or 3 and are not considered “primarily residential” as classified by the latest Generally Accepted Agricultural and Management Practices for Site Selection and Odor Control for New and Expanding Livestock Facilities manual.
- b) **Permitting** – Keeping of authorized species of farm animals on residential properties is allowed under certain circumstances and if conditions of this Section are met. Upon issuance of a permit to keep farm animals, the City shall inform all property owners within 300 feet of the subject property. The notice shall include the property address, summary of permitted activity and a copy of this Section.

- 1) New permit and renewal applications shall be submitted by the applicant in complete form to the Zoning Administrator.
 - 2) Landowner authorization shall be submitted in the event a tenant or occupant other than the landowner is the applicant.
 - 3) Permits are valid for one year (1) and shall be renewed annually.
 - 4) Permits shall be revoked for violations of this Section.
- c) **General Requirements –**
- 1) All waste, including manure, shall be managed so there are no unsanitary or unsafe conditions.
 - 2) Any proposed shelter on the site must be, at minimum, a rigid structure, designed to withstand normal wind and snow loads. Accessory buildings shall meet all applicable building codes.
 - 3) Keeping of animals within a plat of subdivision or site condominium will be governed by covenants and restrictions in addition to the Zoning Ordinance. In cases where both apply, the stricter rule shall apply.
- d) **Animals and Number –**
- 1) Goats, chickens and rabbits are permitted in the RD, RG1, RG2, RG3 Zoning Districts, subject to minimum acreages.
 - 2) Male chickens (roosters), peafowl, or guinea fowl, in any number, shall not be kept by any property owner or occupant on any property in the City.
 - 3) Wild animals shall not be kept by any property owner or occupant on any property in the City.
 - 4) The maximum number of animals allowed to be kept on a single parcel or lot or upon contiguous parcels under the same ownership is included in the following table:

Keeping of Farm Animals			
Type	Goats	Chickens	Rabbits
Zoning District	RG1	RD, RG1, RG2	RD, RG1, RG2, RG3
Minimum Acreage	1	1	1
Number permitted at minimum acreage	2	5	4
Addition for each whole acre over the minimum	1	5	4

Combinations of different farm animal types shall not be kept on the same parcel or upon contiguous parcels under the same ownership.

- 5) Newly born goats above the minimum requirements may be kept on a property for one (1) year, provided the number does not increase the permitted number of animals beyond the limitations by more than 50%. Rabbits or chickens less than six (6) months of age do not count against total count limitations.

e) **Confinement** –

- 1) Goats, chickens and rabbits must be completely enclosed in a fenced pasture or range area, pen, paddock, coop or other holding area that is of suitable height and construction to contain the animals. Fences are subject to Section 3.30, Fences, Walls, Gates, Screens, and Landscape- General Requirements and Intersection Visibility.
- 2) Electrical fences are prohibited.
- 3) Pens and holding areas may not be located within front or side yards.
- 4) Pasture and outdoor confinement setbacks are subject to the following table. Setbacks are measured from the outside limits of an area that an animal may roam to property lot lines and nearby dwellings.

Pasture and Outdoor Confinement Setbacks				
Adjacent District	RD	RG1	RG2	RG3/MHP
Setback (feet) from lot line (setbacks may vary with multiple adjacent zoning districts)	15	15	20	25
Setback (feet) from existing dwellings on nearby property	30	30	40	50

- f) **Manure** – Storage areas shall be a minimum of 50 feet from any wellhead, surface water feature, areas subject to flooding, 50 feet from any on-site dwelling, and 50 feet from all property lines and 150 feet from pre-existing off-site dwellings under separate ownership. The 50 foot buffer shall be a vegetated buffer. Manure shall be stockpiled on an impermeable pad with sides to prevent leachate and runoff.
- g) **Shelter** – Shelters are required for farm animals. Shelters, including sheds, coops, barns, or other buildings accommodating farm animals are subject to Section 3.130, Accessory Building, Structures and Uses.
- h) **Commercial Use** – Commercial use is prohibited. Farm animals may not kept or raised for breeding, sale, commercial or agricultural purposes. No person shall sell eggs or engage in fertilizer production for commercial purposes. The slaughtering of farm animals is not permitted.

[Ordinance No. 285, 5/4/2015]