

Banks Township

Ordinance Number 2 of 2020

An Ordinance to amend the Banks Township Zoning Ordinance Articles III, VI, and VIII, pertaining to Agricultural Tourism and Agricultural Assembly Spaces.

THE TOWNSHIP OF BANKS HEREBY ORDAINS:

Section 1. Amendment of Article III

Article III: Definitions is hereby amended to add the following new definitions in their appropriate alphabetical locations:

Agricultural Tourism: A use that involves the visiting of an agribusiness, horticultural, or agricultural operation, including but not limited to, a farm, orchard, winery, greenhouse, hunting preserve, a companion animal or livestock show, for the purpose of recreation, education, or active involvement in the operation, other than as a contractor or employee of the operation. Also referred to as “ag-tourism” or “agri-tourism”.

Agricultural Assembly Space: An agricultural tourism use designed to provide an assembly space for small-scale entertainment, weddings, birthday parties, corporate picnics, and other similar events on property that is actively engaged in agricultural processes.

Section 2. Amendment of Article VI

Article VI: District Regulations, Section 6.01.2 Permitted Uses in the (A) Agricultural District is hereby amended as follows.

1. Single-family dwellings.
2. Child or adult daycare facilities serving six (6) or fewer clients.
3. Agriculture, including both general and specialized farming, tree farms and forestry.
4. Roadside stands for the sale of farm product, provided that not less than fifty (50) percent of the goods offered for sale shall have been produced on the premises; and provided further, that the facilities for entry to and exit from the premises and adequate off-street parking are available.
4. Agricultural warehouses and non-animal agricultural processing plants.
5. Plant nurseries and greenhouses.
6. Home occupations conducted completely inside the residence, subject to the provisions of Section 4.12.1 Home Business.
7. Agricultural Tourism.
8. Accessory buildings and uses customarily incidental to the above permitted uses.
9. Child or adult daycare facilities serving more than six (6) clients.
10. Economy Efficiency Units

Article VI: District Regulations, Section 6.01.3 Uses Subject to Special Approval in the (A) Agricultural District is hereby amended to read as follows.

17. Commercial Wind Turbine Generator and Anemometer 36 Towers, subject to the provisions of Section 8.03 Supplemental Site Development Standards.
18. Cottage industries conducted outside the residence in the yard, garage or accessory structure,

subject to the provisions of Section 4.12.2 Home Business.

19. Agricultural Assembly Space

20. Accessory buildings and uses customarily incidental to the above special approval uses.

21. Telecommunication Towers, subject to the provisions of Section 8.03 Supplemental Site Development Standards.

Article VI: District Regulations, Section 6.02.2 Permitted Uses in the (C/R) Conservation/Recreation District is hereby amended as follows.

6. Home occupations conducted completely inside the residence, subject to the provisions of Section 4.12.1 Home Business

7. Agricultural Tourism.

8. Accessory buildings and uses customarily incidental to the above permitted uses.

9. Economy Efficiency Units

Article VI: District Regulations, Section 6.02.3 Uses Subject to Special Approval in the (C/R) Conservation/Recreation District is hereby amended as follows.

11. Commercial Wind Turbine Generator and Anemometer Towers, subject to the provisions of Section 8.03 Supplemental Site Development Standards.

12. Cottage industries conducted outside the residence in the yard, garage or accessory structure, subject to the provisions of Section 4.12.2 Home Business.

13. Agricultural Assembly Space

14. Accessory buildings and uses customarily incidental to the above special approval uses.

15. Child or adult daycare facilities serving more than six (6) clients.

16. Telecommunication Towers, subject to the provisions of Section 8.03 Supplemental Site Development Standards.

Section 3. Amendment of Article VIII

Article VIII: Uses Subject to Special Approval and Supplemental Site Development Standards, Section 8.03 Supplemental Site Development Standards is hereby amended to add item 15 and 16 as follows.

15. Agricultural Assembly Spaces

a. The minimum lot size shall be twenty (20) acres

b. The property must be actively engaged in agricultural operations that comprise at least sixty percent (60%) of the lot.

c. Noise levels shall not exceed 65 decibels at any lot boundary or road right-of-way.

d. Hours of operation and estimated number of events allowed per year shall be subject to Planning Commission review and approval.

16. Agricultural Tourism

a. The minimum lot size shall be ten (10) acres.

b. The property must be actively engaged in agricultural 75 operations that comprise at least sixty percent (60%) of the lot.

c. The following agricultural or agriculturally-related uses and activities constitute agricultural tourism:

i. Seasonal "U-Pick" fruit and vegetable operations.

ii. Roadside market stands

iii. Outdoor mazes of agricultural origin such as straw bales or corn.

iv. Value-added agricultural products or activities such as education tours, classes, lectures, seminars, or processing demonstrations.

v. Bakeries selling baked goods containing produce grown primarily on site.

vi. Playground equipment and other passive outdoor recreation activities, not

- including motorized vehicles and rides, except those stated.
- vii. Petting farms, animal displays and pony rides.
- viii. Wagon, sleigh and hayrides.
- ix. Nature trails.
- x. Open air or covered picnic area with restrooms.
- xi. Historical agricultural exhibits.
- xii. Kitchen facilities processing/cooking items for sale on or off premises.
- xiii. Gift shops for agricultural or agriculturally related products.
- xiv. Gift shops for non-agricultural products such as antiques and crafts.

Article VIII: Uses Subject to Special Approval and Supplemental Site Development Standards, Section 8.04.2 Minimum Number of Parking Spaces per Unit is hereby amended as follows.

Section 8.04.2 Minimum Number of Parking Spaces per Unit

Establishment Type Requirement

- 1) Agricultural tourism or agricultural events: One (1) space for every three (3) attendees or workers and attendees at peak capacity, whichever is greater.
- 2) Banks, business offices, studios and professional offices of architects, lawyers, etc.: Three (3) parking spaces; plus one (1) additional parking space for each three hundred (300) square feet of floor area.

Section 4. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the Township, unless later date is specified.

Township of Banks

By: _____
Thomas P. Mann, Supervisor

By: _____
Donna L. Heeres, Clerk

Adoption date: August 17, 2020

Effective date: September 4, 2020