

CHAPTER VI
"R-A" - RURAL AGRICULTURAL ZONE

(Ord. No. 88-02; 1/3/89)
(Ord. 89-12; 9/05/89)
(Ord. 90-09; 6/18/90)
(Ord. 91-03; 8/26/91)
(Ord. 96-03; 5/02/96)
(Ord. 96-07; 9/07/96)
(Ord. 97-05; 8/29/97)

(Ord. 00-04; 06/02/00)
(Ord. 02-06; 09/05/02)
(Ord. 03-05; 09/15/03)
(Ord. 04-04; 08/23/04)
(Ord. No. 09-01; 3/31/09)
(Ord. No. 09-03; 11/3/09)

SECTION 6.01 DESCRIPTION AND PURPOSE. This district is intended to provide for residential development in a rural setting close to agricultural land use areas and zoning districts. With a density of one dwelling unit per one and one half (1-1/2) acres, this zoning district will permit general and specialized farming activities but on a much smaller scale than the Agricultural Zoning District.

The large lots and agricultural activities permitted in the R-A District are intended to satisfy a demand for a semi-rural life style without using up prime agricultural land.

The R-A Zone is also intended to serve as a transition or buffer zone between the Agricultural zone and more intense land uses and divert development pressure away from the large areas of unique farmland in Alpine Township. In order to prolong the capacity of the R-A Zone and thereby preserve the integrity of the Agricultural zoned areas, subdivision projects, whether platted or unplatted, shall require special approval use as recommended by the Alpine Township Master Plan. (Ord. No. 91-3; 8/26/91)

SECTION 6.02 USE REGULATIONS. Land in the R-A Zone may only be used for the following purposes:

- (a) One single-family dwelling on each lot.
- (b) Farms.
- (c) Commercial agriculture.
- (d) Dairy farms.
- (e) Tree and sod farms or other similar uses but not including retail sales on the premises.
- (f) Roadside stands for sale of produce of which at least fifty (50) percent is grown on the same lot. Such use is permitted only if it is incidental to the primary use of farming on the lot, and such buildings or structures may be

- the principal building on the lot. Roadside stands shall be set back at least forty (40) feet from the road right-of-way and have at least five (5) off-street parking spaces. Such off-street parking spaces need not be paved with asphalt or concrete. (Ord. 09-03; 11/3/09)
- (g) Private stables subject to the following regulations:
- (1) There shall be at least one acre of land for each horse kept on the premises.
 - (2) The area on which the horses are kept shall be completely enclosed by a fence or similar barrier to prevent trespass on adjoining property or roadways.
 - (3) The premises shall be kept in a sanitary condition and the keeping of horses shall not result in objectionable odors which would pose a nuisance to nearby residents.
- (h) Storing, packaging and processing of farm produce provided such activities are done on a farm consisting of a lot of at least forty (40) acres and that such storage, packaging or processing includes farm products grown on that lot. Buildings or structures in which such uses occur on a lot without any other building or structure, shall be considered the principal building on the lot for purposes of this Ordinance. Canning and freezing activities are prohibited. (Ord. 09-03; 11/3/09)
- (i) Home occupations as per Section 2.40 herein. (Ord. No. 90-9; 6/18/90)
- (j) Uses customarily incidental to the permitted principal use.
- (k) Antennas and towers not exceeding 35 feet in height subject to Section 2.42 herein.(Ord. 96-03; 5/2/96)
- (l) Child and adult daycare facilities that care for no more than six (6). (Ord. No. 03-05; 07/31/03)
- (m) Any On-Site Use Wind Energy System, including Structure-Mounted Wind Energy Systems, which is 65 feet or less in total height subject to Section 2.46 herein. (Ord. No. 09-01; 3/31/09)
- (n) Accessory buildings, structures and uses customarily incidental to the principal use and regulated by Section 2.01 herein. (Ord. 09-03; 11/3/09)

SECTION 6.03 (RESERVED) (Ord. 09-03; 11/3/09)

SECTION 6.04 HEIGHT REGULATION. Buildings shall not exceed thirty-five (35) feet in height.

SECTION 6.05 AREA REGULATIONS. Buildings and structures shall not be erected or enlarged unless the following requirements are provided and maintained.

- (a) **FRONT YARD** - There shall be a front setback of not less than sixty (60) feet, said distance to be determined according to the procedure set forth in Section 2.13 of this Zoning Ordinance.
- (b) **SIDE YARD** - For all buildings, there shall be maintained minimum side yards of fifteen (15) feet. Buildings on corner lots shall be set back a minimum of sixty (60) feet from the lot line adjacent to both streets.
- (c) **REAR YARD** - There shall be a rear yard of not less than one hundred (100) feet.
- (d) **LOT AREA** -
 - (1) There shall be a lot area of at least one and one half (1-1/2) acres, excluding public road right-of-ways or streets and private easements used for access to a public street by a different parcel of property, for any single family dwelling.
 - (2) There shall be a minimum lot area of two (2) acres, excluding public road right-of-ways or streets and private easements used for access to a public street by a different parcel of property, for all other permitted principal uses unless otherwise specified.
 - (3) Any parcel existing as of January 3, 1989, which becomes nonconforming in area as a result of the lot size requirements of this section, may be used provided all other regulations of this section are met.
- (e) **LOT WIDTH** - Every lot shall have a minimum lot width of forty (40) feet at the front lot line. The lot width at the required minimum setback line shall be at least one hundred sixty-five (165) feet. This width shall apply to the remainder of the parcel, provided that any lot existing as of May 23, 1977 may have a minimum lot width throughout the entire parcel of not less than one hundred (100) feet.
- (f) **SEPTIC SYSTEM** - Each lot with a dwelling unit shall contain one (1) replacement septic drain field area approved by the Kent County Health Department prior to a building permit being issued. This area shall be illustrated on building plans submitted to the Building Inspector. No

building, structure, or impervious surface shall be placed or constructed on any active, proposed or replacement septic drain field.

SECTION 6.06 MINIMUM FLOOR AREA. Single family dwellings in the R-A Zone shall comply with the minimum floor area provisions contained in Section 7.06 herein.

SECTION 6.07 SPECIAL USES.

(a) The following uses may be permitted as a special land use when approval is obtained from the Planning Commission. Such uses are subject to the provisions of Section 21.02 herein.

- (1) Churches
- (2) Commercial stables
- (3) Non-profit institutions for the treatment of the mentally, physically, or emotionally impaired or similar rehabilitative uses
- (4) Golf courses
- (5) Country clubs
- (6) Governmental or educational administrative or service buildings per Section 2.26 herein

7) Extractive uses such as stripping of topsoil, sand, rock, gravel, lime, or other soil or mineral resources, including gravel pits and quarries per Section 21.04 herein.

8) Parks, playgrounds, nature preserves, or similar recreational facilities owned and operated by a government agency or non-profit group. (Ord. 12-89; 9/5/89)

- 9)
 - (i) Projects as regulated by the Alpine Township Unplatted Property Ordinance.
 - (ii) Subdivision projects as regulated by the Alpine Township Land Subdivision and Utility Extension Ordinance.

The uses listed in (9)(i) and (ii) above shall be exempt from the site development and approval standards contained in Sections 6.07 (b) and (c) herein but shall instead be subject to such standards contained in Section 21.05 herein. (Ord. No. 91-3; 8/26/91)

10) Antennas and towers exceeding a height of 35 feet as regulated by Section 21.07. (Ord. 96-03; 5/2/96)

11) Public and Private Schools (Ord. No. 96-07; 9/7/96)

- 12) Commercial wholesale greenhouses subject to the requirements of Section 21.02 and Section 5.02(n)(1) - (7). (Ord. No. 97-05; 8/29/97)
- 13) Private roads, as well as properties and developments utilizing private roads (Ord. No. 00-04; 6/2/00)
- 14) Child and adult daycare facilities that care for between seven (7) and twelve (12). (Ord. No. 03-05; 07/31/03)
- (b) SITE DEVELOPMENT STANDARDS - As per Section 5.07(b).
- (c) APPROVAL STANDARDS - As per Section 5.07(c).
- (d) CONDITIONS - As per Section 5.07(d).
- (e) PROCEDURES - As per Section 21.02.