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Section 6.7.2 Uses Permitted by Right:

(8) ~~Roadside Farm sStand~~: A Farm Stand is an accessory use to the Active Production of Farm Products by a Farm Operation, ~~selling regionally grown fresh and/or processed farm produce, raw forest products, cut flowers, potted plants, agricultural and forest products, but excluding items of a kind that are not grown regionally, and also excluding non-agricultural items and products the sale of which requires a permit from the Michigan Liquor Control Commission. A Roadside Farm sStand~~ ~~are is~~ subject to the following ~~terms and~~ conditions: **(REVISED BY AMENDMENT 95)**

Commented [p1]: Update definition

(a) ~~The Farm Stand shall be located on a parcel that is owned or controlled by the Farm Operation that produces the products offered for sale at the Farm Stand.~~

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(b) ~~One Farm Stand shall be allowed per parcel.~~

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(c) ~~The Farm Stand may be located on a parcel controlled by the Farm Operation that is not engaged in Active Production provided the Farm Operation controls another parcel(s) within Peninsula Township that is engaged in the Active Production of Farm Products.~~

(d) ~~The only items that may be offered for sale at a Farm Stand are Raw Produce and processed products as noted below.~~

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(e) ~~Processed products will be considered as produced by the Farm Operation if at least 50 percent of the product's primary or namesake ingredient was produced on and by the Farm Operation, such as apples used in apple pie, maple sap in maple syrup, strawberries in strawberry jam, etc.~~

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(f) ~~A minimum of 50 percent of all items offered for sale must be produced and/or processed by the Farm Operation that controls the Farm Stand measured by retail floor space during peak production season, or 50 percent of the average gross sales for up to the previous five years or as outlined in a business plan.~~

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(g) ~~No area may be formally designated for the on-site consumption of items purchased at the Farm Stand.~~

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(h) ~~No Farm Stand shall be located within a road right-of-way.~~

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(i) ~~All Farm Stands shall meet the setback requirements of Section 6.8.~~

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~~(j) No Farm Stand greater than 120 square feet in area shall be located closer than 165 feet from all existing non-farm residences.~~

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~~(k) If a tent or table is used as a Farm Stand it shall be properly staked or weighted to withstand wind and severe weather.~~

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~~(a)(l) The stand is not over 150 square feet in area. The 150 square foot area may be within a larger existing structure, so long as the larger structure meets all the setback requirements of the Agricultural District.~~

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~~(b) Awnings up to 4 feet projection from the stand structure may be used on three sides of the structure. In the event that the 150 square feet is part of a larger structure the awning is allowed only on the portion making up the 150 square feet.~~

~~(m) There shall be a ratio of 1 parking space per 25 square feet of structure to the maximum 150 square feet. Parking surfaces for Farm Stands may be vegetative, ground, pavement, or other suitable material. All other aspects of parking for Farm Stands shall meet the requirements of Section 7.6. There shall be a minimum of five (5) parking spaces available and clearly marked with adequate turn around, so that all vehicles are furnished parking off located outside of the public road right-of-way. For structures or areas greater than 150 square feet, there shall be a ratio of 1 additional parking space per 150 square feet. (As an example, a 300 square foot structure or area will require 6 parking spaces.)~~

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Commented [p2]: Increase square footage to allow greater flexibility for menu board style signage and so that they can be read at the posted speed limit.

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~~(n) Signage shall meet the requirements of Section 7.11.~~

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~~(o) Exterior lighting shall meet the requirements of Section 7.14.~~

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~~(p) A Land Use Permit is required for all Farm Stands.~~

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~~(q) Access permits may be required from the Grand Traverse County Road Commission (GTCRC) or the Michigan Department of Transportation (MDOT). Private Road Association approval may also be required.~~

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~~(r) Building, Electrical and Plumbing permits may also be required.
(e)~~

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~~(d)(s) No land use permit is required for a roadside stand if the structure is less than 25 square feet in area.~~

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~~(e) If the roadside stand is less than twenty five (25) square feet in area or is larger than twenty five (25) square feet but is only left in place seasonally, the roadside stand may be located adjacent to the front lot line rather than meeting the front setback required by Section 6.8.1.~~

~~(f) It is the intent of this section to provide only for the limited seasonal sale of agricultural and related products, but not to encourage the size of investment in equipment that would require a commercial zone. (REVISED BY AMENDMENT 86)~~