



Generally Accepted Agricultural and Management Practices for Farm Markets

June 2020

Michigan Commission of Agriculture & Rural
Development
PO BO 30017
Lansing, MI 48909



In the event of an agricultural pollution emergency such as a chemical/fertilizer spill, manure lagoon breach, etc., the Michigan Department of Agriculture & Rural Development and/or Michigan Department of Environment, Great Lakes, and Energy should be contacted at the following emergency telephone numbers:

Michigan Department of Agriculture & Rural Development: 800-405-0101

Michigan Department of Environment, Great Lakes, and Energy: 800-292-4706

If there is not an emergency, but you have questions on the Michigan Right to Farm Act, or items concerning a farm operation, please contact the:

Michigan Department of Agriculture & Rural Development (MDARD)

Right to Farm Program (RTF)

P.O. Box 30017 Lansing, Michigan 48909517-284-5619

877-632-1783

517-335-3329 FAX

Table of Contents

PREFACE	iii
INTRODUCTION	1
DEFINITIONS	2
PHYSICAL CHARACTERISTICS OF A FARM MARKET	3
Use of space	3
Buildings	3
Parking and Driveways	3
Vehicle Ingress and Egress	3
Signage	3
REFERENCES	4
ADVISORY COMMITTEE	5

PREFACE

The Michigan legislature passed into law the Michigan Right to Farm Act (Act 93 of 1981, as amended) which requires the establishment of Generally Accepted Agricultural and Management Practices (GAAMPs). These practices are written to provide uniform, statewide standards and acceptable management practices based on sound science. These practices can serve producers in the various sectors of the industry to compare or improve their own managerial routines. New scientific discoveries and changing economic conditions may require necessary revision of the practices. The GAAMPs are reviewed annually and revised as considered necessary.

The GAAMPs that have been developed are as follows:

- 1) 1988 - Manure Management and Utilization
- 2) 1991 - Pesticide Utilization and Pest Control
- 3) 1993 - Nutrient Utilization
- 4) 1995 - Care of Farm Animals
- 5) 1996 - Cranberry Production
- 6) 2000 - Site Selection and Odor Control for New and Expanding Livestock Facilities
- 7) 2003 - Irrigation Water Use
- 8) 2010 - Farm Markets

These practices were developed with industry, university, and multi-governmental agency input. As agricultural operations continue to change, new practices may be developed to address the concerns of the neighboring community. Agricultural producers who voluntarily follow these practices are provided protection from public or private nuisance litigation under the Right to Farm Act.

The Web site for the GAAMPs is <http://www.michigan.gov/righttofarm>.

INTRODUCTION

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 consumer 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. These activities have far-reaching economic impacts. Many regions have capitalized on the growth of farm markets by developing regional farm market and culinary trails, and tourism promotion based on authentic culinary experiences offered by local farm markets. Farm markets provide the opportunity for visitors to meet a farmer, learn about modern agricultural practices, and gain access to fresh, local, nutritious food. Finally, farm markets and the associated farm, help maintain green space adding to the quality of life. Thriving farmland enhances the beauty of communities, retains residents and attracts visitors. As farm operations engage in direct sales and on-farm activities, conflicts have arisen regarding oversight of these businesses.

Michigan is a Right to Farm (RTF) state and the RTF Act defines a “farm operation” as meaning the operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of farm products. This definition includes, but is not limited to, marketing produce at roadside stands or farm markets. Farm markets offer farm related experiences and farm products through a variety of agritourism activities. The experience in turn promotes sale of more farm products and provides an added income stream to support the farm business, the farm family, and surrounding communities; and keeps farmland in production.

Although the RTF Act includes farm markets in the definition of a farm operation, this definition does not define a farm market or describe specific marketing activities. These GAAMPs for Farm Markets were developed to provide guidance as to what constitutes an on-farm market and farm market activities.

DEFINITIONS

Affiliated – “Affiliated” means a farm under the same ownership or control (e.g. leased) as the farm and does not need to be on the same parcel of land.

Expanding Farm Market – An addition to an existing farm market that increases the square footage of the farm market.

Farm – A “farm” means the land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products.

Farm Market – A farm market is a year-round or seasonal location where transactions and marketing activities between farm market operators and customers take place. While the location must take place on property controlled by the affiliated farm, it does not have to be a physical structure such as a building. Fresh products as well as processed products may be sold at the farm market. At least 50% of the products offered must be produced on and by the affiliated farm measured by retail floor space during peak production season, or 50% of the average gross sales for up to the previous 5 years or as outlined in a business plan. Processed products will be considered as produced on and by the farm if at least 50% of the product’s primary or namesake ingredient was produced on and by the farm, such as apples used in apple pie, maple sap in maple syrup, strawberries in strawberry jam, etc.

Farm Product – A “farm product” means those plants and animals useful to humans produced by agriculture and includes, but is not limited to, forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae, livestock (including breeding and grazing), equine, fish and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, trees and tree products, mushrooms and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur as determined by the Michigan Commission of Agriculture & Rural Development.

Marketing – Promotional and educational activities at the farm market incidental to farm products with the intention of selling more farm products. These activities include, but are not limited to, farm tours (walking or motorized), demonstrations, cooking and other classes utilizing farm products, and farm-to-table dinners.

Processed – A farm product or commodity that has been converted into a product for direct sales. Processing may include, but is not limited to, packing, washing, cleaning, grading, sorting, pitting, pressing, fermenting, distilling, packaging, cutting, cooling, storage, canning, drying, freezing, or otherwise preparing the product for sale.

PHYSICAL CHARACTERISTICS OF A FARM MARKET

Use of space

A farm market may be a physical structure such as a building or tent, or simply an area where a transaction between a customer and a farmer is made. The farm market must be located on property owned or controlled (e.g. leased) by the producer of the products offered for sale at the market. A new or expanding farm market greater than 120 square feet must meet a minimum setback of 165 feet from all non-farm residences and all new or expanding farm markets are not authorized under this GAAMP on platted lots within a subdivision created under the Michigan Land Division Act (Act 288 of 1967, MCL 560.101, *et seq.*) or preceding statutes and on condominium units within a condominium (sometimes referred to as “site-condos”) created under the Michigan Condominium Act (Act 59 of 1978, MCL 559.101, *et seq.*); however, farm markets are permitted in such areas if authorized by association rules or pursuant to a local ordinance designed for that purpose, unless prohibited by association rules. A farm market should have a written site plan for potential MDARD review that preempts local government regulations.

Buildings

If the farm market is housed in a physical structure as defined and regulated by the Stille-Derossett-Hale Single State Construction Code Act (Act 230 of 1972), the structure must comply with the Stille-Derossett-Hale Single State Construction Code Act (Act 230 of 1972), including road right-of-way areas and ingress and egress points.

Parking and Driveways

Parking and driveway surfaces may be vegetative, ground, pavement, or other suitable material. However, other parking and driveway requirements must comply with all applicable regulations.

Vehicle Ingress and Egress

Any farm market and affiliated parking operating along a public road must obtain all appropriate ingress and egress permits.

Signage

The operator of the farm market must comply with all applicable state and federal regulations for signs. A minimum of one roadside sign is allowed pursuant to local sign ordinance setbacks, lighting, height and size requirements.

For further information concerning this GAAMP you may contact the Michigan Department of Agriculture and Rural Development or Michigan State University Extension.

REFERENCES

State of Michigan. *Report of Recommendations*. Report of the Michigan Agricultural Tourism Advisory Commission. Commission report of Governor Granholm. January, 2007.

State of Michigan. *Agricultural Tourism Local Zoning Guidebook and Model Zoning Ordinance Provisions*. Report of the Michigan Agricultural Tourism Advisory Commission. Commission report of Governor Granholm. January, 2007.

Michigan Commission of Agriculture & Rural Development. *Final Report to the Michigan Commission of Agriculture & Rural Development*. Report of the Michigan Farm Market Task Force. Task Force report to the Michigan Commission of Agriculture & Rural Development. September, 2008.

State of Michigan. Michigan Department of Transportation. Directory of Offices by Region.
http://www.michigan.gov/mdot/0,1607,7-151-9623_26662_26679_27267_48606-182161--_00.html.

ADVISORY COMMITTEE

Listed below are the advisory committee members for the Generally Accepted Agricultural and Management Practices for Farm Markets.

Dr. Ron Goldy, Chair
MSU Extension
1791 Hillandale Road
Benton Harbor, MI 49022
269-208-1651 - Cell
goldy@msu.edu

Robert Beckon
Michigan Dept. of Transportation
517-335-2211
beckonr2@michigan.gov

John Behrens
Farmhaus Cider
5025 Stanton Street
Hudsonville, MI 49426
616-723-7087 – Cell
john@farmhauscider.com

Janice Benson, Ex. Dir.
Michigan Agritourism Assoc.
P.O. Box 303
Traverse City, MI 49685
616-952-1151
executivedirector@michiganfarmfun.com

Lori Buchan
Buchan's Blueberry Hill
1472 Nelson Road
Traverse City, MI 49686
231-649-0844
lbuc246@aol.com

Ryan Coffey Hoag
MSU Extension
5479 W. 72nd Street, Suite 206
Fremont, MI 49412
231-924-9677
coffeyry@msu.edu

Mandy Cooley
South Region Food Supervisor,
MDARD
517-749-5192
cooleya@michigan.gov

Kyle Harris
Commissioner, Saginaw County
P.O. Box 222
St. Charles, MI 48655
989-666-6504 - Cell
kharris@saginawcounty.com

Jeanne Hausler
MDARD
Food and Dairy Communications
P.O. Box 30017
Lansing, MI 48909
517-256-8614
hauslerj@michigan.gov

Matt Kapp
Michigan Farm Bureau
Government Relations Specialist
7373 West Saginaw Highway
Lansing, MI 48917
517-679-5338
mkapp@michfb.com

Natalie Klackle
Michigan Agritourism Association
PO Box 303
Traverse City, MI 49685
616-952-1151
president@michiganfarmfun.com

Jay Korson
MDARD
Right to Farm Program
517-285-1918
korsonj@michigan.gov
Vikki Papesh
Walnut Hill Farm
54180 Dequindre Road
Shelby Chtr. Township, MI 48316
farmer@walnuthillfarmmi.com

Janene Rawlinson
Shades of Lavender Farm
47222 24th Street
Mattawan, MI 49071
269-668-5267
shadesoflavenderfarm@gmail.com

Shannon Rowe
Spicer Orchards
10750 Clyde Road
Fenton, MI 48430
Phone 810-569-5758
shannonrowe@spicerorchards.com

Ben Tirrell
Manager, Right to Farm Program
517-284-5618
517-256-8899 – Cell
tirrellb@michigan.gov

Bob Tritten
District Fruit Educator
MSU Extension
605 N. Saginaw St. Suite 1A
Flint, MI 48502
810-244-8555
810-516-3800 - Cell
tritten@msu.edu

Garrett Ziegler
MSU Extension
109 Logan Street SW, Suit B102
Grand Rapids, MI 49503
616-608-7436
zieglerg@msu.edu