

# Flat River Watershed Management Plan: Natural River Zoning Review

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# **Flat River Natural River Designation Zoning Review**

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The Flat River was designated as a natural river on November 9, 1979, under legislation now incorporated into the Michigan Natural Resources and Environmental Protection Act (Public Act 451 of 1994), Section 324, Part 305. This act provides the Michigan Department of Natural Resources (MDNR) the ability to “designate a river or portion of a river as a natural river area for the purpose of preserving and enhancing its values for water conservation, its free flowing condition, and its fish, wildlife, boating, scenic, aesthetic, floodplain, ecologic, historic, and recreational values and uses. The area shall include adjoining or related lands as appropriate to the purposes of the designation.” The natural river areas typically include a corridor along the mainstream of the river and significant tributaries.

While the Flat River may possess this state designation, its effective implementation relies on local adoption, education, and implementation of the natural river zoning requirements.

Considering the significance of the natural river zoning designation to the watershed, the Michigan Department of Environmental Quality, the Kent Conservation District, and other project partners determined that reviewing whether local municipalities within the designated area had incorporated the natural river zoning requirements into their local codes would provide useful information and serve as the basis for potential updates to local zoning ordinances.

The project team engaged Public Sector Consultants (PSC), a Lansing-based public policy consulting firm, to conduct the zoning review.

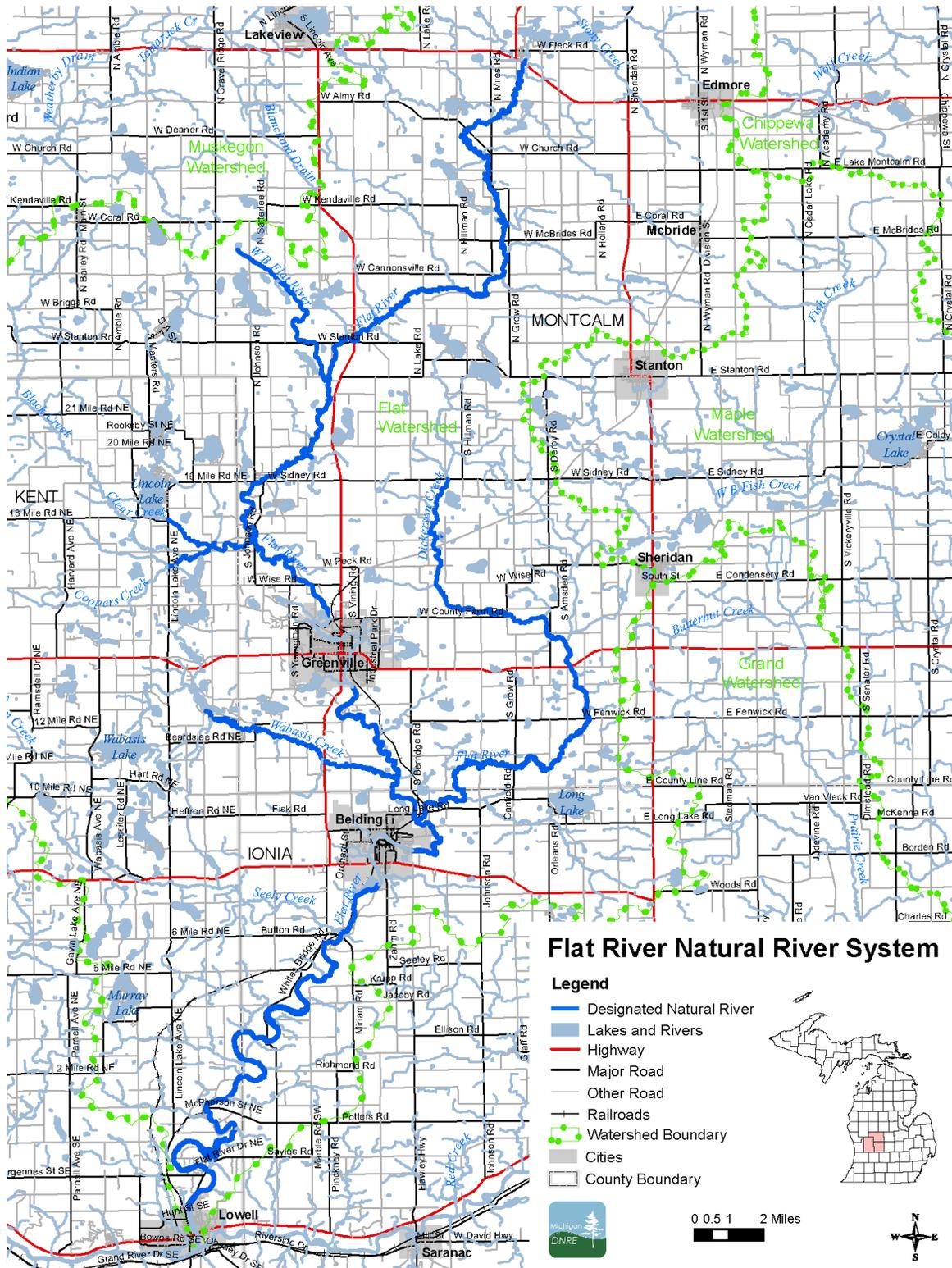
## **AREAS INCLUDED WITHIN THE NATURAL RIVER DESIGNATION**

The mainstream of the Flat River is designated as a natural river from the Six Lakes area in Montcalm County to the city of Lowell just before the Flat joins the Grand River. The designation also includes portions of West Branch Creek, Clear Creek, Coopers Creek, Wabasis Creek, and Dickerson Creek. The designated area includes a 400-foot corridor on each side of the river or creek and extends into portions of 13 townships within Ionia, Kent, and Montcalm Counties (see Exhibits 1 and 2). The designation does not apply to the portions of the river flowing through Greenville, Belding, and Lowell. The complete geographic description of the designated areas is (MDNR 2013):

### ***Geographic Extent***

- (a) “The mainstream of the Flat river from the M-46/M-66 bridge in Section 15, T12N, R7W to the northern limits of the city of Lowell in Section 35, T7N, R9W, excluding those portions that flow through the incorporated city limits of Greenville and Belding.
- (b) West Branch creek from its source in Section 18, T11N, R8W to its confluence with the Flat river.
- (c) Clear creek from Lincoln lake avenue in Section 27, T10N, R9W to its confluence with Coopers creek.
- (d) Coopers creek from Lincoln lake avenue, in Section 34, T10N, R9W to its confluence with the Flat river.
- (e) Wabasis creek from Mills avenue in Section 24, T9N, R9W to its confluence with the Flat river.
- (f) Dickerson creek from Sidney road Section 18, T10N, R7W to its confluence with the Flat river.
- (g) All lakes, ponds, impoundments or other surface water bodies not traditionally considered rivers, streams or creeks if they are a contiguous part of the stream segments listed in subdivisions (a) to (f) of this rule.
- (h) The lands lying within 400 feet of the river's edge as described in subdivisions (a) to (g) of this rule.”

# EXHIBIT 1. Map of the Flat River Natural River Designated Area



SOURCE: Michigan Department of Natural Resources (2015).

## EXHIBIT 2. Municipalities Included Within the Flat River Natural River Designation

Jurisdiction	County	Flat River Mainstream (Section a)	West Branch Creek (Section b)	Clear Creek (Section c)	Coopers Creek (Section d)	Wabasis Creek (Section e)	Dickerson Creek (Section f)
Keene Twp.	Ionia	●					
Orleans Twp.	Ionia						●
Otisco Twp.	Ionia	●					●
Oakfield Twp.	Kent					●	
Spencer Twp.	Kent			●	●		
Vergennes Twp.	Kent	●					
Belvidere Twp.	Montcalm	●					
Douglass Twp.	Montcalm	●					
Eureka Twp.	Montcalm	●				●	
Fairplain Twp.	Montcalm						●
Montcalm Twp.	Montcalm	●	●		●		●
Pine Twp.	Montcalm	●	●				
Sidney Twp.	Montcalm						●

SOURCE: PSC using information from the Department of Natural Resources, Fisheries Division, Natural River Zoning filed with the Secretary of State on September 19, 2013; and ESRI GIS data layers.

## NATURAL RIVER ZONING REQUIREMENTS

The natural river designation includes requirements for how land within the river corridor can be used. These requirements help protect and improve water quality, habitat for fish and wildlife, as well as the aesthetics and recreational value of the river. This is accomplished through zoning requirements that apply to properties within the river corridor (400 feet on both sides of the river).

The natural rivers zoning requirements are summarized below. These requirements apply to new development; a grandfather clause exists for land uses that were developed through previous versions of zoning code. The full state zoning requirements are available on the MDNR website (MDNR 2013).

### **Residential Requirements**

- **Residential use:** Residential land uses are allowed. Homes, garages, sheds, and other structures need to be set back 100 feet from the river or 25 feet from the 100-year floodplain.
- **Bluffs:** If the property includes a bluff, the look and grade cannot be changed. Residential buildings including homes, garages, sheds, and similar structures need to be set back 50 feet from the top of a bluff. Land between the top of the bluff and the 100-foot residential setback may not be altered.
- **Wetlands:** Buildings cannot be placed in wetland areas anywhere within the natural river designated area and wetlands may not be drained.
- **Home occupations:** Residents can work out of their homes as long as the business is the secondary use of the property and does not create a nuisance.
- **Boat docks:** Each property is allowed to have one boat dock. Docks must be no larger than 48 square feet and extend no more than four feet into the river.

- **River access stairways:** If the slope of the property is too steep, river access stairs may be permitted to allow safe access to the river. Stairs cannot be wider than four feet, should have a low profile, use natural building materials, and blend in with the natural surroundings.
- **Boardwalks:** If the property is too wet to access the river, a boardwalk may be built. The boardwalk can be up to three feet wide and one foot above the ground. It should be built using natural materials and blend in with the natural surroundings.

### ***Property Management***

- **Vegetation strip:** A 25-foot wide vegetative strip needs to be maintained on both sides of the river. Homeowners can trim the vegetation to create a filtered view of the river; poisonous, noxious, dead, and invasive species can be removed. Land within the strip may not be altered. Examples of alterations include things like bringing in fill material, or creating a connecting channel or boat slip.
- **Stream bank stabilization:** Measures to control erosion or stabilize stream banks are allowed if there is an identifiable need.
- **Fish habitat improvement:** Fish habitat can be created or improved if there is an identifiable need.

### ***Onsite Wastewater Treatment Systems***

- **Septic tanks:** Septic tanks and other onsite wastewater treatment systems are allowed as long as they meet the local health department rules.
- **Septic setback:** Septic tanks, and all component parts, need to be set back 100 feet from the river and may not be placed in the 100-year floodplain. If the house is set back further than 100 feet, the septic system needs to be placed closer to the house than the river.
- **Outhouses:** Outhouses and earthen privies need to be set back 100 feet from the river, and may not be placed in the 100-year floodplain, wetlands, or drains. When building an earthen privy, the bottom must be at least four feet above the high water table and needs to be permitted through the local health department.
- **Alternative systems:** Alternative onsite wastewater treatment systems, such as a pump and haul system, can be built within 50 to 100 feet of the river, when permitted by the local health department and no part of the system is located in a wetland or the 100-year floodplain.
- **Sludge disposal:** Septic sludge may not be disposed within the natural river district.

### ***Land Divisions***

- **Road access:** When splitting a parcel, all new parcels must have road access (public or private).
- **River frontage:** Parcels must have 100 feet of river access or be 100 feet wide if they are not directly adjacent to the river.
- **Parcel size:** New parcels must be at least 30,000 square feet (approximately 0.7 acres). Parcels more than 150 feet from the river may be smaller.
- **Buildable lots:** New parcels created through a land split need to have an area that a house could be built on, meeting all of the requirements of the natural river designation.
- **Grandfather clause:** Parcels that met zoning requirements before the Flat was designated as a natural river may not need to meet these requirements, but may not be split further.

### ***Other Rules***

- **Mining:** Extractive industries need to be set back at least 300 feet from the river.

- **Bridges:** The development of new bridges is restricted. Existing bridges may be replaced and upgraded. When replacing a bridge, best management practices must be incorporated.

## **MUNICIPAL ZONING ORDINANCE REVIEW SUMMARY**

PSC reviewed zoning ordinances of the 13 municipalities included in the natural river designated area. A detailed review for each township that compares local ordinances to each element of the natural river zoning requirements is included in Appendix A.

The 2013 updates to the natural river rule extended the designated area from 300 to 400 feet on each side of the Flat River and designated tributaries. Of the 13 townships, only two have updated their codes to reflect this change.

Through the review, commonalities emerged based on the extent of the designated waterways flowing through the jurisdiction, including (1) townships through which the mainstream flows; (2) townships with significant portions of designated tributaries; and (3) townships with relatively small portions of designated tributaries, which are summarized below.

### ***Flat River Mainstream***

The mainstream of the Flat River flows through eight townships, which, overall, have taken the greatest steps to incorporate the natural river zoning requirements. Four of these eight townships also have significant portions of designated tributaries that also flow through their jurisdiction. Townships included in this cohort are:

Ionia County: Keene and Otisco Townships

Kent County: Vergennes Township

Montcalm County: Belvidere, Douglass, Eureka, Montcalm, and Pine Townships

- Most townships (six out of eight) have established a natural river district or a zoning overlay that specifies the zoning requirements for portions along the designated river or tributary corridor.
  - A previous version of the natural river rule established the natural river district as extending 300 feet on each side of the river or tributary. The current rule extends the natural river district to 400 feet on each side of the river or tributary. Of the six townships that have established a natural river district, four extend the natural river zoning district by 300 feet; two extend the natural river zoning district by 400 feet.
- Most townships have incorporated the more important elements of the natural river zoning requirements into the local code.
- Most townships (six out of eight) have *not* incorporated all requirements. However, the differences vary by township.
- The most common requirements missing from the local zoning code are those pertaining to onsite wastewater treatment systems (or septic systems) that treat human waste.

### ***Townships with Significant Portions of Designated Tributaries***

Three townships have only significant portions of designated tributaries but do not include the mainstream of the Flat River. Townships included within this cohort are:

Kent County: Oakfield and Spencer Townships

Montcalm County: Fairplain Township

- Two of the townships have incorporated a natural river district or have similar zoning requirements that apply to all waterfront properties.
- Most of the major elements of the natural river zoning requirements have been incorporated into the codes of two of the townships.
- None of the townships have incorporated all requirements. However, the differences vary by township.

### ***Townships with Relatively Small Portions of Designated Tributaries***

Two townships have relatively small portions of the designated tributaries and do not include the mainstream of the Flat. Townships included within this cohort are:

Ionia County: Orleans Township

Montcalm County: Sidney Township

- Neither of the townships have taken steps to incorporate the natural river zoning requirements into local ordinances. Considering the relatively small geographic areas covered by the natural river designation, these may be considered a lower priority for updates to the local codes.

## **RECOMMENDATIONS**

The review indicates that each township within the designated area has the opportunity to update its zoning code to help protect water quality. Additionally, incorporating the state natural river zoning requirements into the local code helps ensure that residents, developers, local officials, and other stakeholders are aware of the existing requirements and help prevent potential conflicts that could occur if local codes allowed for development that was inconsistent with the natural river zoning rule.

General recommendations are organized in a stepwise manner of good, better, and best—reflecting a progression of actions that can be taken by each township. Following the general recommendations are more specific actions that each township can take.

### ***General Recommendations***

One of the most common elements that needs to be updated within the local codes are requirements regarding the placement of septic systems. In addition to working with township officials to update the local codes, project partners should coordinate with the county health departments to ensure that new septic systems are placed in a manner that meets the natural river zoning requirements.

#### *Good*

- At a minimum, each township should (if they haven't already):
  - Establish a 400-foot natural river zoning overlay district.
  - Include a section of the code that requires all permitted land uses to meet the requirements of the natural river zoning.
  - Work with community members to implement the natural river zoning requirements when development occurs.

#### *Better*

- Update local zoning ordinances to reflect the existing requirements of the natural river zoning requirements.

- Specifically include each requirement in the local code so residents, developers, planners, and others have all the rules in one place.
- Continue working with community members to implement the zoning code when development occurs.

*Best*

- Extend the natural river zoning requirements to all waterfront properties to better protect environmental health and water quality.
- Continue working with community members to implement the zoning code when development occurs.

***Township-specific Recommendations***

*Keene Township, Ionia County*

- Update the natural river district boundary from 300 feet to 400 feet on each side of the designated waterways.
- Requirements regarding bluffs are not incorporated into the local code. Local officials and other stakeholder groups should review whether there are areas along the watercourse that qualify as “bluffs.” If there are, then the zoning requirements pertaining to bluffs should be incorporated into the local code. If not, it may not be necessary to include in the local ordinance.
- The zoning code states that wetlands recognized by the MDNR are recognized by the township and that Public Act 203, of 1979, as amended, applies. The code could be strengthened by adding language from the natural river zoning designation pertaining to wetlands.
- Add provisions pertaining to boat docks within the natural river designated district.
- Add provisions pertaining to access stairways within the natural river designated district.
- Township requirements regarding minimum parcel size exceed the requirements of the natural river rule. However, the code could be improved by including the minimum parcel size within the natural river district to better account for potential changes in the future.

*Orleans Township, Ionia County*

- The Orleans Township clerk indicated that the township is an unzoned community. The township may want to reference the natural river zoning requirements through a city ordinance to better ensure that residents are aware of the existing state requirements. However, recognizing that a relatively small portion of the natural river designated area is included in the township, it may be a lower priority than updating zoning ordinances in other jurisdictions.

*Otisco Township, Ionia County*

- Update the natural river district boundary from 300 feet to 400 feet on each side of the designated waterways.
- Requirements regarding bluffs are not incorporated into the local code. Local officials and other stakeholder groups should review whether there are areas along the watercourse that qualify as “bluffs.” If there are, then the zoning requirements pertaining to bluffs should be incorporated into the local code. If not, it is not necessary to include in the local ordinance.
- Update provisions pertaining to boat docks. The township zoning code references state law applicable to all boat docks, but it is not specific to the requirements of the natural river district.
- Add provisions pertaining to access stairways within the natural river designated district.

- Update provisions pertaining to septic systems. The township code requires all developments to submit a statement from the health department that the proposed use has an adequate onsite wastewater treatment system. The code could be enhanced by specifically identifying the requirements for placement of onsite wastewater treatment systems within the natural river district.

#### *Oakfield Township, Kent County*

- Update the natural river district boundary by specifying a district of 400 feet on each side of the designated waterways.
- Update residential setback and accessory building requirements to clarify that structures may not be placed within 100 feet of the high water mark **or** 25 feet of the 100-year floodplain.
- Requirements regarding bluffs are not incorporated into the local code. Local officials and other stakeholder groups should review whether there are areas along the watercourse that qualify as “bluffs.” If there are, then the zoning requirements pertaining to bluffs should be incorporated into the local code. If not, it may not be necessary to include in the local ordinance.
- Add provisions that clarify that buildings and other structures may not be placed in wetlands.
- Add provisions pertaining to boat docks within the natural river designated district.
- Add provisions pertaining to access stairways within the natural river designated district.
- Update provisions pertaining to septic systems. The township code requires all developments be connected to public water and sewer or be permitted by the Kent County Health Department to install an onsite wastewater treatment system. The code could be enhanced by specifically identifying the requirements for placement of onsite wastewater treatment systems within the natural river district.
- Add a provision regarding the minimum parcel size.
- Add a provision that all new parcels within the natural river district must include a buildable area that meets all other requirements of the natural river rule.

#### *Spencer Township, Kent County*

- The township code includes some of the natural river zoning requirements within the lake residential district where Clear and Coopers Creeks are specifically identified. However, the majority of these areas are not zoned lake residential; they are zoned rural residential. Considering this, the requirements arguably do not apply. At a minimum, residents outside of the lake residential district would not be likely to seek information from a different zoning district causing them to be unaware of requirements.
- Establish a natural river district zoning overlay of 400 feet along the designated waterways.
- Since the township does not have an existing overlay, at minimum it should include a reference to the state natural river zoning requirements to ensure that residents are aware of the existing state requirements.
- To further inform residents of existing requirements; all elements of the natural river zoning requirements should be incorporated into the township code as individual sections.

#### *Vergennes Township, Kent County*

- Update the natural river district boundary from 300 feet to 400 feet on each side of the designated waterways.
- Update section on wetlands within the natural river district. The township code references restrictions to building within wetlands but it is not specifically addressed within the natural river district.
- Update section on bluffs within the natural river district. The code addresses the bluff setback requirement but does not address the bluff alteration or vegetative buffer requirements.

- Update section pertaining to onsite wastewater treatment systems. The existing code incorporates the majority of the elements from the natural rivers rule; however, the requirements that the system must be located closer to the house than the river and allowing for alternative treatment systems are not included in the township code.
- Township requirements regarding the minimum lot width meet or exceed the natural river zoning requirements. However, the code could be improved by including the minimum river frontage within the natural river district to better account for potential changes in the future.
- Township requirements regarding the minimum lot size exceed the natural river zoning requirements for residential-agricultural (RA); low density residential (R1); and industrial lots. Township requirements do not meet natural river zoning requirements for other residential and commercial districts. The zoning code could be updated to clarify the minimum lot size requirements within the natural river district to account for potential rezoning in the future.
- Add a provision that all new parcels within the natural river district must include a buildable area that meets all other requirements of the natural river rule.

#### *Belvidere Township, Montcalm County*

- Establish a natural river district zoning overlay of 400 feet along the designated waterways.
- Since the township does not have an existing overlay, at minimum it should include a reference to the state natural river zoning requirements to ensure that residents are aware of the existing state requirements.
- To further inform residents of existing requirements; all elements of the natural river zoning requirements should be incorporated into the township code as individual sections.
- Update building setback requirements. The current township requirements preclude construction within 60 feet of a waterbody, which does not conform to the state requirements of 100 feet from the high water mark or 25 feet from the 100-year floodplain (whichever is greater).
- The existing township requirements exceed the natural river zoning requirements for the vegetative filter strip, which could be maintained when updated the remainder of the code.

#### *Douglass Township, Montcalm County*

- Update the natural river district boundary from 300 feet to 400 feet on each side of the designated waterways.
- Requirements regarding bluffs are not incorporated into the local code. Local officials and other stakeholder groups should review whether there are areas along the watercourse that qualify as “bluffs.” If there are, then the zoning requirements pertaining to bluffs should be incorporated into the local code. If not, it may not be necessary to include in the local ordinance.
- Add provisions that clarify that buildings and other structures may not be placed in wetlands.
- Add provisions pertaining to boat docks within the natural river designated district.
- Add provisions pertaining to access stairways within the natural river designated district.
- Add provisions that require all new parcels created through a land split to have road access.
- Add a provision that requires all new parcels to have sufficient upland area that would allow a structure to be built that conforms to all other requirements within the natural river district.

#### *Eureka Township, Montcalm County*

- The code includes a reference to the natural river zoning requirement and requires all properties to meet those requirements. Some specific requirements have also been specifically written into the local code including the residential setback, the bluff setback, the wetlands requirements, septic system placement, lot width requirements, and the vegetative filter strip.

- To further inform residents of existing requirements; all elements of the natural river zoning requirements should be incorporated into the township code as individual sections.
  - Add provisions pertaining to boat docks within the natural river designated district.
  - Add provisions pertaining to access stairways within the natural river designated district.
  - Add provision clarifying the minimum parcel size.
  - Add a provision that requires all new parcels to have sufficient upland area that would allow a structure to be built that conforms to all other requirements within the natural river district.

*Fairplain Township, Montcalm County*

- Fairplain Township is an unzoned community; however, some natural river zoning requirements have been incorporated into township ordinance.
- Update the natural river district boundary from 300 feet to 400 feet on each side of the designated waterways.
- Update residential setback and accessory building requirements to clarify that structures may not be placed within 100 feet of the high water mark **or** 25 feet of the 100 year floodplain.
- Requirements regarding bluffs are not incorporated into the local code. Local officials and other stakeholder groups should review whether there are areas along the watercourse that qualify as “bluffs.” If there are, then the zoning requirements pertaining to bluffs should be incorporated into the local code. If not, it may not be necessary to include in the local ordinance.
- Add provisions that clarify that buildings and other structures may not be placed in wetlands.
- Update requirements regarding accessory buildings. Under the current township ordinance, structures under 90 square feet may be constructed—which are prohibited under the natural river zoning requirements.
- Add provisions pertaining to boat docks within the natural river designated district.
- Add provisions pertaining to access stairways within the natural river designated district.
- Update requirements regarding the minimum lot size to conform to natural river zoning requirements of a minimum 30,000 square feet. Current township requirements require 20,000 square feet outside of the floodplain—which may lead to the creation of parcels that do not meet existing state requirements.

*Montcalm Township, Montcalm County*

- Establish a natural river district zoning overlay of 400 feet along the designated waterways.
- Since the township does not have an existing overlay, at minimum it should include a reference to the state natural river zoning requirements to ensure that residents are aware of the existing state requirements.
- To further inform residents of existing requirements; all elements of the natural river zoning requirements should be incorporated into the township code as individual sections.
- Update building setback requirements. The current township requirements preclude construction within 50 feet of the 50-year floodplain or within 100 feet of the high water mark, whichever is greater. The state natural river zoning requirements require a setback of 100 feet from the high water mark or 25 feet from the 100-year floodplain. Floodplain lines are generally determined at the 100-year and 500-year mark. A 50-year floodplain line may be more difficult to determine because it is not a standard measurement on floodplain maps.
- Update septic system setback requirements. Septic systems require the same setbacks as residential buildings and should be updated meeting the same distances as described above.

- Township requirements regarding the minimum lot size and width meet or exceed the natural river zoning requirements for the majority of residential land uses (all but multifamily and high density residential). The zoning code could be updated to clarify the minimum lot size requirements within the natural river district to account for potential rezoning in the future.
- The existing township requirements meet the natural river zoning requirements for the vegetative filter strip, which could be maintained when updating the remainder of the code.

#### *Pine Township, Montcalm County*

- Update setback requirements. The setback requirement is unclear within the zoning code because two sections require different setback distances for dwellings, buildings, and septic systems. Section 11.04.C meets the natural river zoning requirements (minimum setback of 100 feet from the high water mark). Section 11.04.D establishes a minimum setback of 75 feet, which does not meet the natural river zoning requirements. Section 11.04.D should be removed.
- Update septic requirements. In addition to removing section 11.04.D, additional provisions requiring septic system placement closer to the house and above the high water table should be added.
- Update bluff requirements. The code includes the bluff setback requirements but does not address alterations to the face of bluffs or bluff vegetative buffer.
- Update boat dock requirements. The township code does not align with the natural river zoning requirements, which limit boat docks to one per parcel. The township code allows for one dock per 50 feet of shoreline. Considering that the minimum parcel width established by the natural river zoning code is 100 feet, the township code should be updated to limit one dock per parcel or per 100 feet of shoreline. Additionally, the township code does not address the size requirements of docks.
- Add provisions pertaining to access stairways within the natural river designated district.
- Add provisions regarding mining/extractive industries, which are prohibited through the natural river zoning requirements.
- Add minimum parcel size provision. The natural river designated area appears to be almost entirely within the agricultural preservation and low density residential districts, each of which requires a minimum lot size of one acre, which meets natural river zoning requirements. However, the zoning code could be updated within the natural river district section to ensure minimum lot size requirements are met to account for potential rezoning in the future and any areas not within the agricultural preservation or low density residential districts.
- Add an upland area provision. All new parcels should have a suitable building site that meets all requirements of the natural river zoning district.
- Add road access provision. Add a provision that requires all new parcels to have road access.
- Add boardwalk provision. Add a provision specifying requirements for boardwalks.

#### *Sidney Township, Montcalm County*

- The township should consider establishing a natural river overlay district.
- Update the zoning code to include a section that requires all permitted land uses to meet the requirements of the natural river zoning.
- However, recognizing that a relatively small portion of the natural river designated area is included in the township, it may be a lower priority that updating zoning ordinances in other jurisdictions.

## **References**

Michigan Department of Natural Resources, Fisheries Division. 2015. *Flat River Natural River System*. Available at: [http://www.michigan.gov/documents/dnr/natural\\_rivers\\_flat\\_map\\_338819\\_7.pdf](http://www.michigan.gov/documents/dnr/natural_rivers_flat_map_338819_7.pdf) (accessed 04/09/15)

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# **Appendix A: Municipal Zoning Reviews**

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# Flat River: Natural River Zoning Requirements

## *Municipal Zoning Review Worksheet*

The following worksheet compares natural river zoning requirements and local ordinances for communities within the natural river designated area. The table provides a summary version of the zoning requirements. The complete natural river zoning requirements are provided in the *Natural River Zoning Rules* (MDNR 2013). Municipal zoning ordinances are available at the respective municipal office.

**Municipality:** Keene Township

**County:** Ionia

**Zoning code adoption/revision date:** March 1, 2014.

**Is there an established natural rivers district in the municipal zoning code?** Yes

**Natural river sections in municipality:** Flat River Mainstream (Section A)

Principal Uses Allowed by Right with Issuance of a Zoning Permit			
Natural River Requirements		Municipal Requirements	
Residential Zoning Requirements			
1.a.i	Residential setback: 100 feet from high water mark or 25 feet from 100-year floodplain.	7.03.B	Front, side, and rear yards shall be set back at least 400 feet from all ordinary high water marks on streams. There shall be no parking or structures permitted in these yards, except required entrance drives those walls used to obscure the use from abutting residential lots and parcels.
1.a.ii	Bluff setback: 50 feet from top of bluff.		Not specifically addressed. However, section 7.03.B.4 states that all permitted uses shall meet all applicable requirements of the township zoning ordinance, and the requirements of the Flat River "Natural River Plan" as prepared by the Land and Water Management Division of the Michigan Department of Natural Resources (MDNR).

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.a.iii	Wetlands: Buildings may not be placed within wetland areas.	3.18	All wetlands in the township designated by the MDNR must meet provisions of the township ordinance and provisions of Public Act 203 of 1979, as amended.
		16.06	All areas designated as wetlands by the MDNR are recognized as wetlands by the township.
1.a.iv	Bluff alteration: Face and contour may not be altered.		Not specifically addressed. However, Section 7.03.B.4 states that all permitted uses shall meet all applicable requirements of the township zoning ordinance, and the requirements of the Flat River “Natural River Plan” as prepared by the Land and Water Management Division of the MDNR.
1.a.v	Bluff buffer: Land between the crest of the bluff and the minimum building setback may not be altered except for minor landscaping.		Not specifically addressed. However, Section 7.03.B.4 states that all permitted uses shall meet all applicable requirements of the township zoning ordinance, and the requirements of the Flat River “Natural River Plan” as prepared by the Land and Water Management Division of the MDNR.
<b>Property Amenities</b>			
1.b	Accessory buildings, such as sheds and garages, may be built if they meet other setback requirements.	7.04	Normal accessory uses to single family farmhouse or dwelling and existing agricultural uses are permitted.
1.c	Boat docks: Limit one per parcel and meeting Rule 281.57. Docks cannot be more than 48 square feet, with not more than four feet extending into the river. Docks should blend with natural surroundings.		Not specifically addressed. However, Section 7.03.B.4 states that all permitted uses shall meet all applicable requirements of the township zoning ordinance, and the requirements of the Flat River “Natural River Plan” as prepared by the Land and Water Management Division of the MDNR.
1.d	Access stairways: Limit one per parcel and meeting Rule 281.57.		Not specifically addressed. However, Section 7.03.B.4 states that all permitted uses shall meet all applicable requirements of the township zoning ordinance, and the requirements of the Flat River “Natural River Plan” as prepared by the Land and Water Management Division of the MDNR.
1.e.	Utility lines: Connections to houses are allowed.	15.17	Essential services shall be permitted as authorized and regulated by law and other ordinances.
<b>Onsite Wastewater Treatment Systems</b>			
1.f.1	Septic tanks: Allowed meeting local health department (LHD) requirements.	7.05.H	All septic tanks, drain fields, and other sanitary facilities shall meet Ionia County Health Department requirements.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
1.f.ii	Septic tank setback: 100 feet from high water mark, surface or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.	7.05.H	All septic tanks, drain fields, and other sanitary facilities shall be set back at least 100 feet from the ordinary high water mark or 25 feet from the 100-year floodplain line, whichever results in the greatest distance from the edge of the river. The bottom of the absorption field shall not be less than four feet above the ordinary high groundwater table.
1.f.iii	Septic tank placement: Must be located closer to house than river.	7.05.H	All septic tanks, drain fields, and other sanitary facilities shall be set back at least 100 feet from the ordinary high water mark or 25 feet from the 100-year floodplain line, whichever results in the greatest distance from the edge of the river.
1.f.iv	Outhouses: Pump and haul structure allowed—no placement within 100 feet from high water mark, surface or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.	7.05.H	All septic tanks, drain fields, and other sanitary facilities shall be set back at least 100 feet from the ordinary high water mark or 25 feet from the 100-year floodplain line, whichever results in the greatest distance from the edge of the river. The bottom of the absorption field shall not be less than four feet above the ordinary high groundwater table.
1.f.v	Dry wells/earthen privies: Not allowed unless permitted by the LHD and setback 100 feet from ordinary high water mark, pit bottom is at least four feet above seasonal high water table.	7.05.H	All septic tanks, drain fields, and other sanitary facilities shall meet Ionia County Health Department requirements. All septic tanks, drain fields, and other sanitary facilities shall be set back at least 100 feet from the ordinary high water mark or 25 feet from the 100-year floodplain line, whichever results in the greatest distance from the edge of the river. The bottom of the absorption field shall not be less than four feet above the ordinary high groundwater table.
1.f.vi	Alternative onsite wastewater treatment systems: Allowed if better treatment than traditional septic system, permitted by LHD, can be placed within 50 to 100 feet of high water mark.		Not specifically addressed. However, Section 7.03.B.4 states that all permitted uses shall meet all applicable requirements of the township zoning ordinance, and the requirements of the Flat River “Natural River Plan” as prepared by the Land and Water Management Division of the MDNR.
1.f.vii	Sludge disposal: Not allowed within natural river district (NRD).		Not specifically addressed. However, Section 12.26 addresses land application of septage waste. Additionally, section 7.03.B.4 states that all permitted uses shall meet all applicable requirements of the township zoning ordinance, and the requirements of the Flat River “Natural River Plan” as prepared by the Land and Water Management Division of the MDNR.
<b>Extractive Industries</b>			
1.g	Mining/extractive industries setback: 300 feet from high water mark.	7.06	No new mining operations will be permitted within the NRD.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
<b>Land Divisions (1.h):</b> Allowed if meeting the following criteria			
1.h.i	Accessibility: Parcels must have road access or legal easement.	7.03.B  15.42.04.C	The proposed site for any of the uses permitted herein shall have at least one property line abutting a road built to the standards of and maintained by the County Road Commission.  For land divisions, proposed parcels must have accessibility through a driveway or easement to an existing road or street.
1.h.ii	River frontage: Parcels must have 100 feet of river frontage or common access deeded through a conservation easement; if within the NRD but not on the river, the parcel must be 100 feet wide at the point closest to the river.	7.05.B	The lot width must be at least 200 feet at the building setback line and at the riverfront.
1.h.iii	Minimum parcel size: Parcels must have at least 30,000 square feet excluding common areas and bottom lands; parcels greater than 150 feet from the high water mark excluded from this requirement.	7.05.A	Nonfarm single family residential properties shall be at least 2.5 acres. Agricultural parcels shall have at least 20 contiguous acres.
1.h.iv	Upland area: Parcels must have adequate upland area to building setback requirements for the NRD.	15.42.04.F	All divisions shall result in “buildable” parcels containing sufficient “buildable areas outside of wetlands, floodplains, and other areas where buildings are prohibited, and with sufficient area to comply with all required zoning regulations, and onsite sewage disposal and water well locations where public water and service is not available.
1.h.v	Grandfather clause: Parcels existing before the 1984 rule may not be split below NRD requirements; lots created after 1984 rule must meet NRD requirements, except in Rule 281.56.	14	Nonconforming uses still that were lawful prior to the adoption of the current ordinance are lawful.
<b>Compliance with Other Rules</b>			
1.i	Home occupations subject to Rule 281.57. Allowed meeting other NRD requirements.	7.04.C	Customary home occupations meeting applicable requirements are permitted within the NRD.
1.j	Land alteration, subject to Rule 281.57. Allowed meeting other NRD requirements.		Not specifically addressed. However, Section 7.03.B.4 states that all permitted uses shall meet all applicable requirements of the township zoning ordinance, and the requirements of the Flat River “Natural River Plan” as prepared by the Land and Water Management Division of the MDNR.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.k	Bridges, subject to Rule 281.58. Existing bridges may be replaced meeting NRD standards.		Not specifically addressed. However, Section 7.03.B.4 states that all permitted uses shall meet all applicable requirements of the township zoning ordinance, and the requirements of the Flat River “Natural River Plan” as prepared by the Land and Water Management Division of the MDNR.
1.l	Forest management within the vegetation strip, subject to Rule 281.57. Limited forest management allowed.	7.05.G	Within the vegetation strip, removal of trees for commercial timber harvest, access, or woodlot improvement or to provide a filtered view of the river shall be allowed only upon specific approval of the local zoning administrator.
1.m	Boardwalk: Must meet building setback requirement and a boardwalk associated with a foot path to river’s edge, subject to Rule 281.57.  Boardwalks may be built in areas too wet to be traversed without significant disturbance and must meet size and material requirements.		Not specifically addressed. However, Section 7.03.B.4 states that all permitted uses shall meet all applicable requirements of the township zoning ordinance, and the requirements of the Flat River “Natural River Plan” as prepared by the Land and Water Management Division of the MDNR.
1.n	Bank stabilization and fisheries habitat improvement, subject to Rule 281.57. Allowed if fulfilling an identifiable need meeting NRD requirements.		Not specifically addressed. However, Section 7.03.B.4 states that all permitted uses shall meet all applicable requirements of the township zoning ordinance, and the requirements of the Flat River “Natural River Plan” as prepared by the Land and Water Management Division of the MDNR.
2	Vegetation strip: 25-foot vegetation strip required from high water mark; cutting within area is subject to Rule 281.57.	7.05.G	A strip 25 feet wide on each side of and parallel to the Flat River and tributaries shall be maintained in trees, vegetation, and shrubs in its natural state except that dead, diseased, unsafe, or felled trees as well as noxious plants may be removed.

SOURCE: Michigan Department of Natural Resources, Fisheries Division. 2013. *Natural River Zoning*. Available at: [www.michigan.gov/documents/dnr/2010-026\\_Natural\\_Rivers\\_Zoning\\_Rules\\_438073\\_7.pdf](http://www.michigan.gov/documents/dnr/2010-026_Natural_Rivers_Zoning_Rules_438073_7.pdf) (accessed 11/11/14)

# Flat River: Natural River Zoning Requirements

## *Municipal Zoning Review Worksheet*

The following worksheet compares natural river zoning requirements and local ordinances for communities within the natural river designated area. The table provides a summary version of the zoning requirements. The complete natural river zoning requirements are provided in the *Natural River Zoning Rules* (MDNR 2013). Municipal zoning ordinances are available at the respective municipal office.

**Municipality:** Orleans Township

**County:** Ionia

**Zoning code adoption/revision date:** The township is a nonzoned community

**Is there an established natural rivers district in the municipal zoning code?** No

**Natural river sections in municipality:** Dickerson Creek (Section F)

Principal Uses Allowed by Right with Issuance of a Zoning Permit			
Natural River Requirements		Municipal Requirements	
Residential Zoning Requirements			
1.a.i	Residential setback: 100 feet from high water mark or 25 feet from 100-year floodplain.		Not addressed.
1.a.ii	Bluff setback: 50 feet from top of bluff.		Not addressed.
1.a.iii	Wetlands: Buildings may not be placed within wetland areas.		Not addressed.
1.a.iv	Bluff alteration: Face and contour may not be altered.		Not addressed.
1.a.v	Bluff buffer: Land between the crest of the bluff and the minimum building setback may not be altered except for minor landscaping.		Not addressed.
Property Amenities			
1.b	Accessory buildings, such as sheds and garages, may be built if they meet other setback requirements.		Not addressed.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
1.c	Boat docks: Limit one per parcel and meeting Rule 281.57. Docks cannot be more than 48 square feet, with not more than four feet extending into the river. Docks should blend with natural surroundings.		Not addressed.
1.d	Access stairways: Limit one per parcel and meeting Rule 281.57.		Not addressed.
1.e.	Utility lines: Connections to houses are allowed.		Not addressed.
<b>Onsite Wastewater Treatment Systems</b>			
1.f.1	Septic tanks: Allowed meeting local health department (LHD) requirements.		Not addressed.
1.f.ii	Septic tank setback: 100 feet from high water mark, surface or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.		Not addressed.
1.f.iii	Septic tank placement: Must be located closer to house than river.		Not addressed.
1.f.iv	Outhouses: Pump and haul structure allowed—no placement within 100 feet from high water mark, surface or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.		Not addressed.
1.f.v	Dry wells/earthen privies: Not allowed unless permitted by the LHD and setback 100 feet from ordinary high water mark, pit bottom is at least four feet above seasonal high water table.		Not addressed.
1.f.vi	Alternative onsite wastewater treatment systems: allowed if better treatment than traditional septic system, permitted by LHD, can be placed within 50 to 100 feet of high water mark.		Not addressed.
1.f.vii	Sludge disposal: Not allowed within natural river district (NRD).		Not addressed.
<b>Extractive Industries</b>			
1.g	Mining/extractive industries setback: 300 feet from high water mark.		Not addressed.
<b>Land Divisions (1.h): Allowed if meeting the following criteria</b>			
1.h.i	Accessibility: Parcels must have road access or legal easement.		Not addressed.
1.h.ii	River frontage: Parcels must have 100 feet of river frontage or common access deeded through a conservation easement; if within the NRD but not on the river, the parcel must be 100 feet wide at the point closest to the river.		Not addressed.
1.h.iii	Minimum parcel size: Parcels must have at least 30,000 square feet excluding common areas and bottom lands; parcels greater than 150 feet from the high water mark are excluded from this requirement.		Not addressed.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.h.iv	Upland area: Parcels must have adequate upland area to building setback requirements for the NRD.		Not addressed.
1.h.v	Grandfather clause: Parcels existing before the 1984 rule may not be split below NRD requirements; lots created after 1984 rule must meet NRD requirements, except in Rule 281.56.		Not addressed.
<b>Compliance with Other Rules</b>			
1.i	Home occupations subject to Rule 281.57. Allowed meeting other NRD requirements.		Not addressed.
1.j	Land alteration, subject to Rule 281.57. Allowed meeting other NRD requirements.		Not addressed.
1.k	Bridges, subject to Rule 281.58. Existing bridges may be replaced meeting NRD standards.		Not addressed.
1.l	Forest management within the vegetation strip, subject to Rule 281.57. Limited forest management allowed.		Not addressed.
1.m	Boardwalk: Must meet building setback requirement and a boardwalk associated with a foot path to river's edge, subject to Rule 281.57.  Boardwalks may be built in areas too wet to be traversed without significant disturbance and must meet size and material requirements.		Not addressed.
1.n	Bank stabilization and fisheries habitat improvement, subject to Rule 281.57. Allowed if fulfilling an identifiable need meeting NRD requirements.		Not addressed.
2	Vegetation strip: 25-foot vegetation strip required from high water mark; cutting within area is subject to Rule 281.57.		Not addressed.

SOURCE: Michigan Department of Natural Resources, Fisheries Division. 2013. *Natural River Zoning*. Available at: [www.michigan.gov/documents/dnr/2010-026\\_Natural\\_Rivers\\_Zoning\\_Rules\\_438073\\_7.pdf](http://www.michigan.gov/documents/dnr/2010-026_Natural_Rivers_Zoning_Rules_438073_7.pdf) (accessed 11/11/14)

# Flat River: Natural River Zoning Requirements

## *Municipal Zoning Review Worksheet*

The following worksheet compares natural river zoning requirements and local ordinances for communities within the natural river designated area. The table provides a summary version of the zoning requirements. The complete natural river zoning requirements are provided in the *Natural River Zoning Rules* (MDNR 2013). Municipal zoning ordinances are available at the respective municipal office.

**Municipality:** Otisco Township

**County:** Ionia

**Zoning code adoption/revision date:** Effective June 1, 1986; as amended through August 1, 2013.

**Is there an established natural rivers district in the municipal zoning code?** Yes

**Natural river sections in municipality:** Flat River Mainstream (Section A), and Dickerson Creek (Section F)

Principal Uses Allowed by Right with Issuance of a Zoning Permit			
Natural River Requirements		Municipal Requirements	
Residential Zoning Requirements			
1.a.i	Residential setback: 100 feet from high water mark or 25 feet from 100-year floodplain.	1.532	The minimum setback for any building or accessory structure shall be 100 feet from the ordinary high water mark or 25 feet from the 100-year floodplain, whichever results in the greatest distance from the water.
1.a.ii	Bluff setback: 50 feet from top of bluff.		Not addressed.
1.a.iii	Wetlands: Buildings may not be placed within wetland areas.	1.9.5.2.C .1	Wetlands as defined by Michigan law are deemed as land that is not developed.
1.a.iv	Bluff alteration: Face and contour may not be altered.		Not addressed.
1.a.v	Bluff buffer: Land between the crest of the bluff and the minimum building setback may not be altered except for minor landscaping.		Not addressed.
Property Amenities			

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.b	Accessory buildings, such as sheds and garages, may be built if they meet other setback requirements.	1.324	Uses and structures which are customarily incidental to permitted principal uses, when located on the same lot or parcel as the principal use, are allowed.
1.c	Boat docks: Limit one per parcel and meeting Rule 281.57. Docks cannot be more than 48 square feet, with not more than four feet extending into the river. Docks should blend with natural surroundings.		Not addressed. However, Section 1.536 notes that construction of permanent structures, including docks, lying below the ordinary high water mark of the river are subject to the provisions of PA 346 of 1972, as amended. This act, however, has been incorporated into PA 451 of 1994 as Part 301, which requires a permit for permanent docks.
1.d	Access stairways: Limit one per parcel and meeting Rule 281.57.		Not addressed.
1.e.	Utility lines: Connections to houses are allowed.	1.441	Essential public services may be located in any zone subject to the approval of the township board. However, local distribution lines for gas and/or electric power, telephone lines, power poles, and telephone poles, do not require township approval.
<b>Onsite Wastewater Treatment Systems</b>			
1.f.1	Septic tanks: Allowed meeting local health department (LHD) requirements.	1.611.E	All application submissions for development must include a statement from the county health department certifying that the present or proposed on-site septic disposal system is adequate to meet the needs of the proposed use.
1.f.ii	Septic tank setback: 100 feet from high water mark, surface or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.		Not addressed.
1.f.iii	Septic tank placement: Must be located closer to house than river.		Not addressed.
1.f.iv	Outhouses: Pump and haul structure allowed—no placement within 100 feet from high water mark, surface or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.		Not addressed.
1.f.v	Dry wells/earthen privies: Not allowed unless permitted by the LHD and setback 100 feet from ordinary high water mark, pit bottom is at least four feet above seasonal high water table.		Not addressed.
1.f.vi	Alternative onsite wastewater treatment systems: allowed if better treatment than traditional septic system, permitted by LHD, can be placed within 50 to 100 feet of high water mark.		Not addressed.
1.f.vii	Sludge disposal: Not allowed within natural river district (NRD).		Not addressed.
<b>Extractive Industries</b>			

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.g	Mining/extractive industries setback: 300 feet from high water mark.	1.535	Commercial mining and extraction of topsoil or subsurface sand, gravel, or minerals is not permitted within 300 feet of the river's edge.
<b>Land Divisions (1.h):</b> Allowed if meeting the following criteria			
1.h.i	Accessibility: Parcels must have road access or legal easement.	1.550.F	All plats and lots not fronting on a public street must be accessible by a private drive. A private drive or street is required to have a minimum driveway right-of-way of 66 feet and must be either owned or established by a driveway easement granted by the adjacent property owners.
1.h.ii	River frontage: Parcels must have 100 feet of river frontage or common access deeded through a conservation easement; if within the NRD but not on the river, the parcel must be 100 feet wide at the point closest to the river.	1.420	Properties within the Waterfront Conservation District must have a minimum lot width of 150 feet.
1.h.iii	Minimum parcel size: Parcels must have at least 30,000 square feet excluding common areas and bottom lands; parcels greater than 150 feet from the high water mark are excluded from this requirement.	1.420	Properties within the Waterfront Conservation District have a minimum lot size of one acre.
1.h.iv	Upland area: Parcels must have adequate upland area to building setback requirements for the NRD.	1.436	All newly created lots shall have buildable area. The net buildable area of a lot shall be a continuous piece of land excluding land subject to flooding six months of the year, poor drainage, steep slopes, rock outcrops, and land encumbered by easements preventing the use of the land.
1.h.v	Grandfather clause: Parcels existing before the 1984 rule may not be split below NRD requirements; lots created after 1984 rule must meet NRD requirements, except in Rule 281.56.	1.451	Lawful nonconforming uses or structures may be continued but shall not be enlarged, extended, added to, or altered unless they conform to the provisions of the zoning ordinance.
<b>Compliance with Other Rules</b>			
1.i	Home occupations subject to Rule 281.57. Allowed meeting other NRD requirements.	1.323	Home occupations allowed by special use permit.
1.j	Land alteration, subject to Rule 281.57. Allowed meeting other NRD requirements.	1.535	All earth changes, including dredging, cutting, filling, and grading, within 500 feet of the river's edge shall be done in accordance with the requirements of a permit issued by the local soil erosion and sedimentation control enforcement agency pursuant to PA 347 of 1972, as amended.
1.k	Bridges, subject to Rule 281.58. Existing bridges may be replaced meeting NRD standards.		Not addressed.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
1.l	Forest management within the vegetation strip, subject to Rule 281.57. Limited forest management allowed.	1.533	Within the vegetation strip, trees, and shrubs may be selectively pruned or removed for a filtered view of the river upon approval of the MDNR. Dead, diseased, unsafe, or fallen trees and noxious plants and shrubs may be removed.
1.m	Boardwalk: Must meet building setback requirement and a boardwalk associated with a foot path to river's edge, subject to Rule 281.57.  Boardwalks may be built in areas too wet to be traversed without significant disturbance and must meet size and material requirements.	1.533	Any footpath to the river's edge shall be no greater than four feet in width and shall meander down to the river's edge in a manner that protects the soil and vegetation from erosion while also screening any structures from a direct river view.
1.n	Bank stabilization and fisheries habitat improvement, subject to Rule 281.57. Allowed if fulfilling an identifiable need meeting NRD requirements.		Not addressed.
2	Vegetation strip: 25-foot vegetation strip required from high water mark; cutting within area is subject to Rule 281.57.	1.533	A natural vegetation strip shall be maintained on each parcel or lot between the river's edge each point of which is 25 feet horizontal from and perpendicular to the river's edge. Within the vegetation strip, trees and shrubs may be selectively pruned or removed for a filtered view of the river upon approval of the MDNR. Dead, diseased, unsafe, or fallen trees and noxious plants and shrubs may be removed.

SOURCE: Michigan Department of Natural Resources, Fisheries Division. 2013. *Natural River Zoning*. Available at: [www.michigan.gov/documents/dnr/2010-026\\_Natural\\_Rivers\\_Zoning\\_Rules\\_438073\\_7.pdf](http://www.michigan.gov/documents/dnr/2010-026_Natural_Rivers_Zoning_Rules_438073_7.pdf) (accessed 11/11/14)

# Flat River: Natural River Zoning Requirements

## *Municipal Zoning Review Worksheet*

The following worksheet compares natural river zoning requirements and local ordinances for communities within the natural river designated area. The table provides a summary version of the zoning requirements. The complete natural river zoning requirements are provided in the *Natural River Zoning Rules* (MDNR 2013). Municipal zoning ordinances are available at the respective municipal office.

**Municipality:** Oakfield Township

**County:** Kent

**Zoning code adoption/revision date:** Adopted May 17, 1991; as amended through July 10, 2012.

**Is there an established natural rivers district in the municipal zoning code?** Yes

**Natural river sections in municipality:** Wabasis Creek (Section E)

Principal Uses Allowed by Right with Issuance of a Zoning Permit			
Natural River Requirements		Municipal Requirements	
Residential Zoning Requirements			
1.a.i	Residential setback: 100 feet from high water mark or 25 feet from 100-year floodplain.	3.24 (b)	No structure shall be located closer than 100 feet from the edge of the stream.
1.a.ii	Bluff setback: 50 feet from top of bluff.		Not addressed.
1.a.iii	Wetlands: Buildings may not be placed within wetland areas.		Not addressed.
1.a.iv	Bluff alteration: Face and contour may not be altered		Not addressed.
1.a.v	Bluff buffer: Land between the crest of the bluff and the minimum building setback may not be altered except for minor landscaping.		Not addressed.
Property Amenities			
1.b	Accessory buildings, such as sheds and garages, may be built if they meet other setback requirements.	3.24 (b)	No structure shall be located closer than 100 feet from the edge of the stream.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
1.c	Boat docks: Limit one per parcel and meeting Rule 281.57. Docks cannot be more than 48 square feet, with not more than four feet extending into the river. Docks should blend with natural surroundings.		Not addressed.
1.d	Access stairways: Limit one per parcel and meeting Rule 281.57.		Not addressed.
1.e.	Utility lines: Connections to houses are allowed.	3.12	The erection, construction, alteration, or maintenance by public utilities or governmental units of overhead or underground gas, electrical, communication, steam, water, sewer, distribution, transmission or collection systems and other similar equipment and structures in connection therewith are permitted in any zoning district.
<b>Onsite Wastewater Treatment Systems</b>			
1.f.1	Septic tanks: Allowed meeting local health department (LHD) requirements.	3.13	The dwelling shall be connected to a public sewer system and public water supply system or to such private sewer facilities as are approved by the Kent County Health Department or by other agencies with jurisdiction.
1.f.ii	Septic tank setback: 100 feet from high water mark, surface, or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.		Not addressed.
1.f.iii	Septic tank placement: Must be located closer to house than river.		Not addressed.
1.f.iv	Outhouses: Pump and haul structure allowed—no placement within 100 feet from high water mark, surface or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.		Not addressed.
1.f.v	Dry wells/earthen privies: Not allowed unless permitted by the LHD and setback 100 feet from ordinary high water mark, pit bottom is at least four feet above seasonal high water table.		Not addressed.
1.f.vi	Alternative onsite wastewater treatment systems: Allowed if better treatment than traditional septic system, permitted by LHD, can be placed within 50 to 100 feet of high water mark.		Not addressed.
1.f.vii	Sludge disposal: Not allowed within natural river district (NRD).	12.10	The land application of sewage sludge within the township, either to the surface or by injection below the surface, shall not be permitted unless approved by the Planning Commission as a special land use in accordance with the general requirements of Sections 12.1 through 12.6.  Special land use requirements do not specifically address the natural river district.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
<b>Extractive Industries</b>			
1.g	Mining/extractive industries setback: 300 feet from high water mark.		No mining or other extractive industry or activity shall be permitted within 300 feet of the stream.
<b>Land Divisions (1.h):</b> Allowed if meeting the following criteria			
1.h.i	Accessibility: Parcels must have road access or legal easement.	3.16	No building shall be erected unless the parcel has road access.
1.h.ii	River frontage: Parcels must have 100 feet of river frontage or common access deeded through a conservation easement; if within the NRD but not on the river, the parcel must be 100 feet wide at the point closest to the river.	3.24 (a)	Each lot or parcel shall have a minimum width of 150 feet.
1.h.iii	Minimum parcel size: Parcels must have at least 30,000 square feet excluding common areas and bottom lands; parcels greater than 150 feet from the high water mark excluded from this requirement.		Not addressed.
1.h.iv	Upland area: Parcels must have adequate upland area to building setback requirements for the NRD.		Not addressed.
1.h.v	Grandfather clause: Parcels existing before the 1984 rule may not be split below NRD requirements; lots created after 1984 rule must meet NRD requirements, except in Rule 281.56.		Not addressed.
<b>Compliance with Other Rules</b>			
1.i	Home occupations subject to Rule 281.57. Allowed meeting other NRD requirements.	3.14	Home occupations zoned under section 3.14. No special provisions for NRD.
1.j	Land alteration, subject to Rule 281.57. Allowed meeting other NRD requirements.		Not addressed.
1.k	Bridges, subject to Rule 281.58. Existing bridges may be replaced meeting NRD standards.		Not addressed.
1.l	Forest management within the vegetation strip, subject to Rule 281.57. Limited forest management allowed.	3.24 (d)	Trees and shrubs may be pruned in order to create a filtered view of the river, but clear-cutting is prohibited. Dead, diseased, unsafe, or fallen trees and noxious plants and shrubs may be removed without approval of the zoning administrator. Selective removal or trimming of trees for timber harvest, landscaping, or public utilities is permitted if approval is obtained from the zoning administrator.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.m	Boardwalk: Must meet building setback requirement and a boardwalk associated with a foot path to river's edge, subject to Rule 281.57.  Boardwalks may be built in areas too wet to be traversed without significant disturbance and must meet size and material requirements.		Not addressed.
1.n	Bank stabilization and fisheries habitat improvement, subject to Rule 281.57. Allowed if fulfilling an identifiable need meeting NRD requirements.		Not addressed.
2	Vegetation strip: 25-foot vegetation strip required from high water mark; cutting within area is subject to R281.57.	3.24 (c)	A 25-foot wide natural vegetation strip shall be maintained on both sides of the stream. Trees and shrubs may be pruned in order to create a filtered view of the river, but clear-cutting is prohibited. Dead, diseased, unsafe, or fallen trees and noxious plants and shrubs may be removed without approval of the zoning administrator. Selective removal or trimming of trees for timber harvest, landscaping, or public utilities is permitted if approval is obtained from the zoning administrator.

SOURCE: Michigan Department of Natural Resources, Fisheries Division. 2013. *Natural River Zoning*. Available at: [www.michigan.gov/documents/dnr/2010-026\\_Natural\\_Rivers\\_Zoning\\_Rules\\_438073\\_7.pdf](http://www.michigan.gov/documents/dnr/2010-026_Natural_Rivers_Zoning_Rules_438073_7.pdf) (accessed 11/11/14)

# Flat River: Natural River Zoning Requirements

## *Municipal Zoning Review Worksheet*

The following worksheet compares natural river zoning requirements and local ordinances for communities within the natural river designated area. The table provides a summary version of the zoning requirements. The complete natural river zoning requirements are provided in the *Natural River Zoning Rules* (MDNR 2013). Municipal zoning ordinances are available at the respective municipal office.

**Municipality:** Spencer Township

**County:** Kent County

**Zoning code adoption/revision date:** Adopted February 15, 2000; revised August 21, 2007.

**Is there an established natural rivers district in the municipal zoning code?** No

**Natural river sections in municipality:** Clear Creek (Section C) and Coopers Creek (Section D)

Principal Uses Allowed by Right with Issuance of a Zoning Permit			
Natural River Requirements		Municipal Requirements	
Residential Zoning Requirements			
1.a.i	Residential setback: 100 feet from high water mark or 25 feet from 100-year floodplain.	4.27	100-foot setback required from the high water mark for all "access property."
		8.04 (c)	For parcels within the Lake Residential District, the minimum front yard building setback shall be 100 feet from the shoreline. However the majority of the natural river designated area is zoned rural residential.
1.a.ii	Bluff setback: 50 feet from top of bluff.		Not addressed.
1.a.iii	Wetlands: Buildings may not be placed within wetland areas.	4.27 (b) 2	Not specifically addressed. However, wetlands may not be filled for the purposes of meeting lot size requirements.
1.a.iv	Bluff alteration: Face and contour may not be altered.		Not addressed.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.a.v	Bluff buffer: Land between the crest of the bluff and the minimum building setback may not be altered except for minor landscaping.		Not addressed.
<b>Property Amenities</b>			
1.b	Accessory buildings, such as sheds and garages, may be built if they meet other setback requirements.		Not addressed.
1.c	Boat docks: Limit one per parcel and meeting Rule 281.57. Docks cannot be more than 48 square feet, with not more than four feet extending into the river. Docks should blend with natural surroundings.	4.28 & 8.06	For access properties, docks may not impede navigation – specific length not designated – determination based on existing docs in area.
1.d	Access stairways: Limit one per parcel and meeting Rule 281.57.		Not addressed.
1.e.	Utility lines: Connections to houses are allowed.	4.14	Essential services (including utility connections to structures) that meet applicable zoning and construction codes are allowed in any zoning district.
<b>Onsite Wastewater Treatment Systems</b>			
1.f.1	Septic tanks: Allowed meeting local health department (LHD) requirements.	4.35	Septic systems allowed when permitted by the LHD.
1.f.ii	Septic tank setback: 100 feet from high water mark, surface or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.		Not addressed.
1.f.iii	Septic tank placement: Must be located closer to house than river.		Not addressed.
1.f.iv	Outhouses: Pump and haul structure allowed—no placement within 100 feet from high water mark, surface or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.		Not addressed.
1.f.v	Dry wells/earthen privies: Not allowed unless permitted by the LHD and setback 100 feet from ordinary high water mark, pit bottom is at least four feet above seasonal high water table.		Not addressed.
1.f.vi	Alternative onsite wastewater treatment systems: Allowed if better treatment than traditional septic system; if permitted by LHD, they can be placed within 50 to 100 feet of high water mark.		Not addressed.
1.f.vii	Sludge disposal: Not allowed within natural river district (NRD).		Not addressed.
<b>Extractive Industries</b>			
1.g	Mining/extractive industries setback: 300 feet from high water mark.		Not addressed.
<b>Land Divisions (1.h): Allowed if meeting the following criteria</b>			

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
1.h.i	Accessibility: Parcels must have road access or legal easement.	4.24	All principal buildings or structures must have road access.
1.h.ii	River frontage: Parcels must have 100 feet of river frontage or common access deeded through a conservation easement; if within the NRD but not on the river, the parcel must be 100 feet wide at the point closest to the river.	4.27 (b) 8.04	Not specifically addressed; however, all access properties must have at least 125 feet of river frontage. Additionally, in areas without a community sewer system the minimum lot width is 125 feet. In areas with a community sewer system, the minimum lot width is 100 feet.
1.h.iii	Minimum parcel size: Parcels must have at least 30,000 square feet, excluding common areas and bottom lands; parcels greater than 150 feet from the high water mark are excluded from this requirement.	8.04	Not specifically addressed; however, in areas without a community sewer system the minimum lot size is 35,000 square feet. In areas with a community sewer system, the minimum lot size is 20,000 square feet.
1.h.iv	Upland area: Parcels must have adequate upland area to building setback requirements for the NRD.		Not addressed.
1.h.v	Grandfather clause: Parcels existing before the 1984 rule may not be split below NRD requirements; lots created after 1984 rule must meet NRD requirements, except in Rule 281.56.	20.01	Nonconforming uses that were lawful when the zoning ordinance was adopted may continue.
<b>Compliance with Other Rules</b>			
1.i	Home occupations subject to Rule 281.57. Allowed meeting other NRD requirements.	4.37	Home occupations allowed with some restrictions; essentially, occupation is carried out in the home as a use incidental to the use of the home as a dwelling place.
1.j	Land alteration, subject to Rule 281.57. Allowed meeting other NRD requirements.		Not addressed.
1.k	Bridges, subject to Rule 281.58. Existing bridges may be replaced meeting NRD standards.		Not addressed.
1.l	Forest management within the vegetation strip, subject to Rule 281.57. Limited forest management allowed.	8.06 (e)	This section requires Natural river designated areas to maintain a 25-foot vegetative strip on both sides of the creek. Pruning is allowed to make a filtered view; clear cutting is prohibited. Dead, diseased, unsafe, or fallen trees and noxious plants may be removed. However, the requirement is specific to the Lake Residential District; the majority of properties with the natural river designated areas are zoned Rural Residential.
1.m	Boardwalk: Must meet building setback requirement and a boardwalk associated with a foot path to river's edge, subject to Rule 281.57.  Boardwalks may be built in areas too wet to be traversed without significant disturbance and must meet size and material requirements.		Not addressed.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
1.n	Bank stabilization and fisheries habitat improvement, subject to Rule 281.57. Allowed if fulfilling an identifiable need meeting NRD requirements.		Not addressed.
2	Vegetation strip: 25-foot vegetation strip required from high water mark; cutting within area is subject to Rule 281.57.	4.26	25-foot vegetative strip required for all streams and rivers in the township. Does not apply to governmentally established drains.
		8.06(e)	Natural river designated areas shall maintain a 25-foot vegetative strip on both sides of the creek. Pruning is allowed to make a filtered view; clear cutting is prohibited. Dead, diseased, unsafe, or fallen trees and noxious plants may be removed.

SOURCE: Michigan Department of Natural Resources, Fisheries Division. 2013. *Natural River Zoning*. Available at: [www.michigan.gov/documents/dnr/2010-026\\_Natural\\_Rivers\\_Zoning\\_Rules\\_438073\\_7.pdf](http://www.michigan.gov/documents/dnr/2010-026_Natural_Rivers_Zoning_Rules_438073_7.pdf) (accessed 11/11/14)

# Flat River: Natural River Zoning Requirements

## *Municipal Zoning Review Worksheet*

The following worksheet compares natural river zoning requirements and local ordinances for communities within the natural river designated area. The table provides a summary version of the zoning requirements. The complete natural river zoning requirements are provided in the *Natural River Zoning Rules* (MDNR 2013). Municipal zoning ordinances are available at the respective municipal office.

**Municipality:** Vergennes Township

**County:** Kent County

**Zoning code adoption/revision date:** Updated as of January 2, 2012.

**Is there an established natural rivers district in the municipal zoning code?** Yes

**Natural river sections in municipality:** Flat River Mainstream (Section A)

Principal Uses Allowed by Right with Issuance of a Zoning Permit			
Natural River Requirements		Municipal Requirements	
<b>Residential Zoning Requirements</b>			
1.a.i	Residential setback: 100 feet from high water mark or 25 feet from 100-year floodplain.	201.307. F.1	100 feet from high water mark or 25 feet from 100-year floodplain.
1.a.ii	Bluff setback: 50 feet from top of bluff.	201.307. F.1	New buildings and appurtenances must be set back not less than 50 feet from the top of the bluff.
1.a.iii	Wetlands: Buildings may not be placed within wetland areas.		Not specifically addressed; however, various sections reference regulated wetlands as defined by Public Act 451 of 1994, as amended.
1.a.iv	Bluff alteration: Face and contour may not be altered.		Not addressed.
1.a.v	Bluff buffer: Land between the crest of the bluff and the minimum building setback may not be altered except for minor landscaping.		Not addressed.
<b>Property Amenities</b>			

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
1.b	Accessory buildings, such as sheds and garages, may be built if they meet other setback requirements.	201.402	Accessory buildings allowed if they meet Flat River District and the underlying district requirements.
1.c	Boat docks: Limit one per parcel and meeting Rule 281.57. Docks cannot be more than 48 square feet, with not more than four feet extending into the river. Docks should blend with natural surroundings.	201.307. B.3.a	<p>One dock per parcel containing a residence is permitted if necessary to provide safe and ecologically sound access for riparian landowners.</p> <p>Docks on the natural course of the river or in the No-Wake-Zone where the river is less than 500 feet wide limited to no more than 4 feet wide; 4 feet extending over the water and no more than 16 feet in length along the shore.</p> <p>Temporary docks constructed in the No-Wake-Zone where the river is over 500 feet wide are allowed to access the river to a depth of three feet, but may not exceed 50 feet in length.</p> <p>Permanent docks needing to extend over four feet into the water require a permit and Michigan Department of Environmental Quality review.</p>
1.d	Access stairways: Limit one per parcel and meeting Rule 281.57.	201.307. B.3.b	Meets NRD requirements.
1.e.	Utility lines: Connections to houses are allowed.	201.411	Essential services including utility connections to structures, meeting applicable zoning and construction codes are allowed in any zoning district.
<b>Onsite Wastewater Treatment Systems</b>			
1.f.1	Septic tanks: Allowed meeting local health department (LHD) requirements.	201.307. F.2	All septic tanks, drain fields, and other sanitary facilities shall meet requirements for Kent County Health Department.
1.f.ii	Septic tank setback: 100 feet from high water mark, surface or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.	201.307. F.2	All septic tanks, drain fields, and other sanitary facilities shall be set back at least 100 feet from the ordinary high water mark or 25 feet from the 100-year floodplain, whichever results in a greater distance from the edge of the river.
1.f.iii	Septic tank placement: Must be located closer to house than river.		Not addressed.
1.f.iv	Outhouses: Pump and haul structure allowed—no placement within 100 feet from high water mark, surface or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.	201.307. F.2	All septic tanks, drain fields, and other sanitary facilities shall be set back at least 100 feet from the ordinary high water mark or 25 feet from the 100-year floodplain, whichever results in a greater distance from the edge of the river.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.f.v	Dry wells/earthen privies: Not allowed unless permitted by the LHD and setback 100 feet from ordinary high water mark, pit bottom is at least four feet above seasonal high water table.	201.307.F.2	All septic tanks, drain fields, and other sanitary facilities shall be set back at least 100 feet from the ordinary high water mark or 25 feet from the 100-year floodplain, whichever results in a greater distance from the edge of the river. The bottom of the absorption field shall not be less than four feet above the ordinary high water table.
1.f.vi	Alternative onsite wastewater treatment systems: Allowed if better treatment than traditional septic system, permitted by LHD, can be placed within 50 to 100 feet of high water mark.		Not addressed.
1.f.vii	Sludge disposal: Not allowed within natural river district (NRD).	201.409A	Not specifically addressed in the Flat River District section of the zoning code; however, all sludge disposal requires a permit and cannot occur adjacent to a water course.
<b>Extractive Industries</b>			
1.g	Mining/extractive industries setback: 300 feet from high water mark.	201.307.C	Mining operations not allowed within the Flat River District.
<b>Land Divisions (1.h): Allowed if meeting the following criteria</b>			
1.h.i	Accessibility: Parcels must have road access or legal easement.	201.414	No dwelling may be built on a lot without road access or a legal easement.
1.h.ii	River frontage: Parcels must have 100 feet of river frontage or common access deeded through a conservation easement; if within the NRD but not on the river, the parcel must be 100 feet wide at the point closest to the river.		Not specifically addressed within the Flat River District; however, the minimum lot width by district is: R-A: 300 feet; R-1: 165 feet; R-2: 100 feet; R-3: 100 feet; C: 100 feet; I: 200 feet.
1.h.iii	Minimum parcel size: Parcels must have at least 30,000 square feet excluding common areas and bottom lands; parcels greater than 150 feet from the high water mark excluded from this requirement.		Not specifically addressed within the Flat River District; however, the minimum lot size by district is: R-A: three acres; R-1: one acre; R-2: 17,000 square feet; R-3: 17,000 square feet; C: 17,000 square feet; I: two acres.
1.h.iv	Upland area: Parcels must have adequate upland area to building setback requirements for the NRD.		Not addressed.
1.h.v	Grandfather clause: Parcels existing before the 1984 rule may not be split below NRD requirements; lots created after 1984 rule must meet NRD requirements, except in R 281.56.	201.501	Lawful non-conforming uses or structures in existence when the ordinance was passed may continue but shall not be extended, added to or altered unless conforming with the current ordinance.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
<b>Compliance with Other Rules</b>			
1.i	Home occupations subject to Rule 281.57. Allowed meeting other NRD requirements.		Not specifically addressed in the Flat River District; however, home occupations are permitted in sections of the underlying districts.
1.j	Land alteration, subject to Rule 281.57. Allowed meeting other NRD requirements.		Not addressed.
1.k	Bridges, subject to Rule 281.58. Existing bridges may be replaced meeting NRD standards.		Not addressed.
1.l	Forest management within the vegetation strip, subject to Rule 281.57. Limited forest management allowed.	201.307. F.3	A natural vegetation strip not less than 25 feet wide from the ordinary high water mark is required on both sides of the Flat River and its tributaries. Specific NRD requirements met.
1.m	Boardwalk: Must meet building setback requirement and a boardwalk associated with a foot path to river's edge, subject to Rule 281.57.  Boardwalks may be built in areas too wet to be traversed without significant disturbance and must meet size and material requirements.	201.307. B.3.b	Meet NRD requirements.
1.n	Bank stabilization and fisheries habitat improvement, subject to Rule 281.57. Allowed if fulfilling an identifiable need meeting NRD requirements.		Not addressed.
2	Vegetation strip: 25-foot vegetation strip required from high water mark; cutting within area is subject to Rule 281.57.	201.307. F.3	A natural vegetation strip not less than 25 feet wide from the ordinary high water mark is required on both sides of the Flat River and its tributaries. Specific NRD requirements met.

SOURCE: Michigan Department of Natural Resources, Fisheries Division. 2013. *Natural River Zoning*. Available at: [www.michigan.gov/documents/dnr/2010-026\\_Natural\\_Rivers\\_Zoning\\_Rules\\_438073\\_7.pdf](http://www.michigan.gov/documents/dnr/2010-026_Natural_Rivers_Zoning_Rules_438073_7.pdf) (accessed 11/11/14)

# Flat River: Natural River Zoning Requirements

## *Municipal Zoning Review Worksheet*

The following worksheet compares natural river zoning requirements and local ordinances for communities within the natural river designated area. The table provides a summary version of the zoning requirements. The complete natural river zoning requirements are provided in the *Natural River Zoning Rules* (MDNR 2013). Municipal zoning ordinances are available at the respective municipal office.

**Municipality:** Belvidere Township

**County:** Montcalm

**Zoning code adoption/revision date:** Adopted June 10, 2010.

**Is there an established natural rivers district in the municipal zoning code?** No

**Natural river sections in municipality:** Flat River Mainstream (Section A)

Principal Uses Allowed by Right with Issuance of a Zoning Permit			
Natural River Requirements		Municipal Requirements	
Residential Zoning Requirements			
1.a.i	Residential setback: 100 feet from high water mark or 25 feet from 100-year floodplain.	9.8.B	Setback of 60 feet from the natural feature for all buildings and any structure taller than three feet. If existing dwellings are within 150 feet of the lot line of a property with a proposed development, the setback will be the average distance of existing structures to the waterbody. However, the setback shall not be less than 25 feet or greater than 60 feet.
1.a.ii	Bluff setback: 50 feet from top of bluff.		Not addressed.
1.a.iii	Wetlands: Buildings may not be placed within wetland areas.	9.8.B	Wetlands are defined as a natural feature requiring a setback of between 25–60 feet.
1.a.iv	Bluff alteration: Face and contour may not be altered.		Not addressed.
1.a.v	Bluff buffer: Land between the crest of the bluff and the minimum building setback may not be altered except for minor landscaping.		Not addressed.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
<b>Property Amenities</b>			
1.b	Accessory buildings, such as sheds and garages, may be built if they meet other setback requirements.	9.8.C	Within the natural feature setback (up to 60 feet from water's edge) there shall be no erection or addition of structures, buildings or any other construction including concrete or asphalt paving or the installation of any impervious cover.
1.c	Boat docks: Limit one per parcel and meeting Rule 281.57. Docks cannot be more than 48 square feet, with not more than four feet extending into the river. Docks should blend with natural surroundings.		Not addressed.
1.d	Access stairways: Limit one per parcel and meeting Rule 281.57.		Not addressed.
1.e.	Utility lines: Connections to houses are allowed.	20.5	Essential services as defined within the ordinance shall be permitted as regulated by law and other ordinances of the township.
<b>Onsite Wastewater Treatment Systems</b>			
1.f.1	Septic tanks: Allowed meeting local health department (LHD) requirements.	9.3	All buildings intended for human occupancy must have sewage disposal in accordance with the requirements and standards of the Montcalm County Health Department and other applicable agencies.
1.f.ii	Septic tank setback: 100 feet from high water mark, surface, or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.		Not addressed.
1.f.iii	Septic tank placement: Must be located closer to house than river.		Not addressed.
1.f.iv	Outhouses: Pump and haul structure allowed—no placement within 100 feet from high water mark, surface or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.		Not addressed.
1.f.v	Dry wells/earthen privies: Not allowed unless permitted by the LHD and set back 100 feet from ordinary high water mark, pit bottom is at least four feet above seasonal high water table.		Not addressed.
1.f.vi	Alternative onsite wastewater treatment systems: Allowed if better treatment than traditional septic system, permitted by LHD, can be placed within 50 to 100 feet of high water mark.		Not addressed.
1.f.vii	Sludge disposal: Not allowed within natural river district (NRD).		Not addressed.
<b>Extractive Industries</b>			
1.g	Mining/extractive industries setback: 300 feet from high water mark.		Not addressed.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
<b>Land Divisions (1.h):</b> Allowed if meeting the following criteria			
1.h.i	Accessibility: Parcels must have road access or legal easement.	6.3	All parcels or lots hereinafter created in the township shall have frontage on a public road or an approved private road.
1.h.ii	River frontage: Parcels must have 100 feet of river frontage or common access deeded through a conservation easement; if within the NRD but not on the river, the parcel must be 100 feet wide at the point closest to the river.	Table 3-4	Not specifically addressed; however, the mainstream of the Flat flows entirely through land zoned as agricultural residential (AR) according to the December 11, 2009, zoning map. AR parcels have a minimum lot width and frontage of 200 feet.
1.h.iii	Minimum parcel size: Parcels must have at least 30,000 square feet, excluding common areas and bottom lands; parcels greater than 150 feet from the high water mark are excluded from this requirement.	Table 3-4	Not specifically addressed; however, the mainstream of the Flat flows entirely through land zoned as agricultural residential (AR) according to the Dec, 11, 2009, zoning map. AR parcels have a minimum lot size of two acres.
1.h.iv	Upland area: Parcel must have adequate upland area to building setback requirements for the NRD.		Not addressed.
1.h.v	Grandfather clause: Parcels existing before the 1984 rule may not be split below NRD requirements; lots created after 1984 rule must meet NRD requirements, except in Rule 281.56.	11	Article 11 covers nonconforming lots, uses and structures; however, the natural river district is not specifically identified.
<b>Compliance with Other Rules</b>			
1.i	Home occupations subject to Rule 281.57. Allowed meeting other NRD requirements.	20.19	Home occupations permitted.
1.j	Land alteration, subject to Rule 281.57. Allowed meeting other NRD requirements.		Not addressed
1.k	Bridges, subject to Rule 281.58. Existing bridges may be replaced meeting NRD standards.		Not addressed.
1.l	Forest management within the vegetation strip, subject to Rule 281.57. Limited forest management allowed.	9.8.C	Within the natural feature setback (up to 60 feet from water's edge) there shall be no clearing, grubbing, or stripping; removal of vegetation; application of fertilizers or pesticides; dredging; grading excavation, removal or addition of soil or transporting and filling of land without approval from the designated approving body or bodies. No vegetation cutting or removal within the natural features setback shall occur without the approval from the designated approving body or bodies.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.m	Boardwalk: Must meet building setback requirement and a boardwalk associated with a foot path to river's edge, subject to Rule 281.57.  Boardwalks may be built in areas too wet to be traversed without significant disturbance and must meet size and material requirements.		Not addressed.
1.n	Bank stabilization and fisheries habitat improvement, subject to Rule 281.57. Allowed if fulfilling an identifiable need meeting NRD requirements.	20.12	No wall intended to retain shoreline areas or minimize erosion or that alters the character of the location shall be constructed without a permit and must meet state and federal requirements (including the NRD).
2	Vegetation strip: 25-foot vegetation strip required from high water mark; cutting within area is subject to Rule 281.57.	9.8.C	Within the natural feature setback (up to 60 feet from water's edge) there shall be no clearing, grubbing or stripping; removal of vegetation; application of fertilizers or pesticides; dredging; grading excavation, removal or addition of soil or transporting and filling of land without approval from the designated approving body or bodies. No vegetation cutting or removal within the natural features setback shall occur without the approval from the designated approving body or bodies.

SOURCE: Michigan Department of Natural Resources, Fisheries Division. 2013. *Natural River Zoning*. Available at: [www.michigan.gov/documents/dnr/2010-026\\_Natural\\_Rivers\\_Zoning\\_Rules\\_438073\\_7.pdf](http://www.michigan.gov/documents/dnr/2010-026_Natural_Rivers_Zoning_Rules_438073_7.pdf) (accessed 11/11/14)

# Flat River: Natural River Zoning Requirements

## *Municipal Zoning Review Worksheet*

The following worksheet compares natural river zoning requirements and local ordinances for communities within the natural river designated area. The table provides a summary version of the zoning requirements. The complete natural river zoning requirements are provided in the *Natural River Zoning Rules* (MDNR 2013). Municipal zoning ordinances are available at the respective municipal office.

**Municipality:** Douglass Township

**County:** Montcalm

**Zoning code adoption/revision date:** Not available

**Is there an established natural rivers district in the municipal zoning code?** Yes

**Natural river sections in municipality:** Flat River Mainstream (Section A)

Principal Uses Allowed by Right with Issuance of a Zoning Permit			
Natural River Requirements		Municipal Requirements	
Residential Zoning Requirements			
1.a.i	Residential setback: 100 feet from high water mark or 25 feet from 100 year floodplain.	11.04.A	A minimum setback of 100 feet from the high water mark or 25 feet from the 100-year floodplain line, whichever results in the greatest distance from the edge of the river.
1.a.ii	Bluff setback: 50 feet from top of bluff.		Not addressed.
1.a.iii	Wetlands: Buildings may not be placed within wetland areas.		Not addressed.
1.a.iv	Bluff alteration: Face and contour may not be altered.		Not addressed.
1.a.v	Bluff buffer: Land between the crest of the bluff and the minimum building setback may not be altered except for minor landscaping.		Not addressed.
Property Amenities			
1.b	Accessory buildings, such as sheds and garages, may be built if they meet other setback requirements.	11.02	Accessory buildings, structures, and uses customarily incidental to other permitted uses are allowed.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
1.c	Boat docks: Limit one per parcel and meeting Rule 281.57. Docks cannot be more than 48 square feet, with not more than four feet extending into the river. Docks should blend with natural surroundings.		Not addressed.
1.d	Access stairways: Limit one per parcel and meeting Rule 281.57.		Not addressed.
1.e.	Utility lines: Connections to houses are allowed.	2.07	Essential public services allowed.
<b>Onsite Wastewater Treatment Systems</b>			
1.f.1	Septic tanks: Allowed meeting local health department (LHD) requirements.	11.04.B	Septic tanks allowed if they meet LHD requirements.
1.f.ii	Septic tank setback: 100 feet from high water mark, surface or subsurface drains; no placement within 100-year floodplain, wetland or vegetation strip.	11.04.B	Septic tanks, tile fields, and other sanitary facilities must be set back at least 100 feet from the high water mark or the 100-year floodplain line, whichever results in the greatest distance from the edge of the river. The bottom of the absorption field shall be at least four feet from the high water table.
1.f.iii	Septic tank placement: Must be located closer to house than river.		Not addressed.
1.f.iv	Outhouses: Pump and haul structure allowed—no placement within 100 feet from high water mark, surface, or subsurface drains; no placement within 100-year floodplain, wetland or vegetation strip.	11.04.B	Septic tanks, tile fields, and other sanitary facilities must be set back at least 100 feet from the high water mark or the 100-year floodplain line, whichever results in the greatest distance from the edge of the river.
1.f.v	Dry wells/earthen privies: Not allowed unless permitted by the LHD and setback 100 feet from ordinary high water mark, pit bottom is at least four feet above seasonal high water table.	11.04.B	Septic tanks, tile fields, and other sanitary facilities must be set back at least 100 feet from the high water mark or the 100-year floodplain line, whichever results in the greatest distance from the edge of the river.
1.f.vi	Alternative onsite wastewater treatment systems: Allowed if better treatment than traditional septic system, permitted by LHD, can be placed within 50 to 100 feet of high water mark.	11.04.B	Septic tanks, tile fields, and other sanitary facilities must be set back at least 100 feet from the high water mark or the 100-year floodplain line, whichever results in the greatest distance from the edge of the river.
1.f.vii	Sludge disposal: Not allowed within natural river district (NRD).		Not addressed.
<b>Extractive Industries</b>			
1.g	Mining/extractive industries setback: 300 feet from high water mark.	11.02	Mining/extractive industries are not included within the list of permitted uses within the Flat River District.
<b>Land Divisions (1.h): Allowed if meeting the following criteria</b>			
1.h.i	Accessibility: Parcels must have road access or legal easement.		Not addressed.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
1.h.ii	River frontage: Parcels must have 100 feet of river frontage or common access deeded through a conservation easement; if within the NRD but not on the river, the parcel must be 100 feet wide at the point closest to the river.	11.03	No building or structure nor the enlargement of any building or structure shall be erected unless the following minimum lot dimensions are maintained: a lot width of 200 feet, front yard at 60 feet, side yard at 25 feet, and rear yard at 50 feet.
1.h.iii	Minimum parcel size: Parcels must have at least 30,000 square feet excluding common areas and bottom lands; parcels greater than 150 feet from the high water mark are excluded from this requirement.	11.03	No building or structure nor the enlargement of any building or structure shall be erected unless the lot site is at least one acre (43,560 square feet).
1.h.iv	Upland area: Parcels must have adequate upland area to building setback requirements for the NRD.		Not addressed.
1.h.v	Grandfather clause: Parcels existing before the 1984 rule may not be split below NRD requirements; lots created after 1984 rule must meet NRD requirements, except in Rule 281.56.	3	Nonconforming uses that were lawful prior to the adoption of the current ordinance are still lawful.
<b>Compliance with Other Rules</b>			
1.i	Home occupations subject to Rule 281.57. Allowed meeting other NRD requirements.	5.03 6.03	Not specifically addressed; however, the October 2009 Douglas Township, Montcalm County Zoning Map indicates that properties within the FR District are zoned either as Agricultural/Rural Estate District (Ag/RE) or Low Density Residential (LDR).  Home occupation allowed within Ag/RE or LDR Districts.
1.j	Land alteration, subject to Rule 281.57. Allowed meeting other NRD requirements.		Not addressed.
1.k	Bridges, subject to Rule 281.58. Existing bridges may be replaced meeting NRD standards.		Not addressed.
1.l	Forest management within the vegetation strip, subject to Rule 281.57. Limited forest management allowed.	11.04.C	Within the vegetation strip, trees, vegetation, and shrubs may be selectively pruned or removed for landscaping purposes, harvest of merchantable timber, or to provide a view of the river—as long as a root system remains intact to provide for stream bank stabilization and erosion control, serve as an aid to infiltration of surface runoff, and provide cover to shade the water.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.m	Boardwalk: Must meet building setback requirement and a boardwalk associated with a foot path to river's edge, subject to Rule 281.57.  Boardwalks may be built in areas too wet to be traversed without significant disturbance and must meet size and material requirements.		Not addressed.
1.n	Bank stabilization and fisheries habitat improvement, subject to Rule 281.57. Allowed if fulfilling an identifiable need meeting NRD requirements.		Not addressed.
2	Vegetation strip: 25-foot vegetation strip required from high water mark; cutting within area is subject to Rule 281.57.	11.04.C	A strip 25 feet wide on each side of and parallel to the Flat River and its tributaries shall be maintained in trees, vegetation, and shrubs in its natural state except that dead, diseased, unsafe, or felled trees as well as noxious plants may be removed.

SOURCE: Michigan Department of Natural Resources, Fisheries Division. 2013. *Natural River Zoning*. Available at: [www.michigan.gov/documents/dnr/2010-026\\_Natural\\_Rivers\\_Zoning\\_Rules\\_438073\\_7.pdf](http://www.michigan.gov/documents/dnr/2010-026_Natural_Rivers_Zoning_Rules_438073_7.pdf) (accessed 11/11/14)

# Flat River: Natural River Zoning Requirements

## *Municipal Zoning Review Worksheet*

The following worksheet compares natural river zoning requirements and local ordinances for communities within the natural river designated area. The table provides a summary version of the zoning requirements. The complete natural river zoning requirements are provided in the *Natural River Zoning Rules* (MDNR 2013). Municipal zoning ordinances are available at the respective municipal office.

**Municipality:** Eureka Township

**County:** Montcalm

**Zoning code adoption/revision date:** Not available

**Is there an established natural rivers district in the municipal zoning code?** Yes

**Natural river sections in municipality:** Flat River Mainstream (Section A) and Wabasis Creek (Section E)

Principal Uses Allowed by Right with Issuance of a Zoning Permit			
Natural River Requirements		Municipal Requirements	
Residential Zoning Requirements			
1.a.i	Residential setback: 100 feet from high water mark or 25 feet from 100-year floodplain.	3.27.C	100 feet from ordinary high water mark, or not less than 25 feet from the 100-year floodplain line (whichever is the greater distance from the river's edge).
1.a.ii	Bluff setback: 50 feet from top of bluff.	3.27.C	A dwelling shall be set back not less than 50 feet from the top of a bluff.
1.a.iii	Wetlands: Buildings may not be placed within wetland areas.	3.27.B.1	Construction of principal residences and accessory structures in designated wetlands is strictly prohibited unless Michigan Department of Environmental Quality permits are obtained.
1.a.iv	Bluff alteration: Face and contour may not be altered.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all properties located within 400 feet of the Flat River and Wabasis Creek.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
1.a.v	Bluff buffer: Land between the crest of the bluff and the minimum building setback may not be altered except for minor landscaping.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.
<b>Property Amenities</b>			
1.b	Accessory buildings, such as sheds and garages, may be built if they meet other setback requirements.	3.27.B.3	Accessory buildings allowed but must meet setback requirement.
1.c	Boat docks: Limit one per parcel and meeting Rule 281.57. Docks cannot be more than 48 square feet, with not more than four feet extending into the river. Docks should blend with natural surroundings.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.
1.d	Access stairways: Limit one per parcel and meeting Rule 281.57.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.
1.e.	Utility lines: Connections to houses are allowed.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.
<b>Onsite Wastewater Treatment Systems</b>			
1.f.1	Septic tanks: Allowed meeting local health department (LHD) requirements.	3.2	No building permit shall be issued unless the health department has approved construction of an onsite sewage disposal system.
1.f.ii	Septic tank setback: 100 feet from high water mark, surface or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.	3.27.B.7	Sanitary facilities, such as septic tanks and tile fields, shall be set back 100 feet from the ordinary high water mark or the 100-year floodplain, whichever is greater. No part of the disposal system shall be located between the dwelling and the water mark or floodplain.
1.f.iii	Septic tank placement: Must be located closer to house than river.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.
1.f.iv	Outhouses: Pump and haul structure allowed—no placement within 100 feet from high water mark, surface or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
1.f.v	Dry wells/earthen privies: Not allowed unless permitted by the LHD and set back 100 feet from ordinary high water mark; pit bottom must be at least four feet above seasonal high water table.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.
1.f.vi	Alternative onsite wastewater treatment systems: Allowed if better treatment than traditional septic system, permitted by LHD, can be placed within 50 to 100 feet of high water mark.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.
1.f.vii	Sludge disposal: Not allowed within natural river district (NRD).	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.
<b>Extractive Industries</b>			
1.g	Mining/extractive industries setback: 300 feet from high water mark.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.
<b>Land Divisions (1.h): Allowed if meeting the following criteria</b>			
1.h.i	Accessibility: Parcels must have road access or legal easement.	3.27.B.6	Water access for back lots through private property is prohibited. Water access includes, but is not limited to, walkways, trails paths, ingress/egress easements, common areas, shared ownership and use of beaches and docks, private parks, playgrounds and boat launches. The intent is to limit water access to only those approved lots adjacent to the water's edge.
1.h.ii	River frontage: Parcels must have 100 feet of river frontage or common access deeded through a conservation easement; if within the NRD but not on the river, the parcel must be 100 feet wide at the point closest to the river.	3.27.C	The minimum lot width at waterfront is 150 feet.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.h.iii	Minimum parcel size: Parcels must have at least 30,000 square feet, excluding common areas and bottom lands; parcels greater than 150 feet from the high water mark excluded from this requirement.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.
1.h.iv	Upland area: Parcels must have adequate upland area to building setback requirements for the NRD.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.
1.h.v	Grandfather clause: Parcels existing before the 1984 rule may not be split below NRD requirements; lots created after 1984 rule must meet NRD requirements, except in Rule 281.56.	3.27	All land divisions or lot line adjustments must meet provisions of the waterfront properties section of the code.
<b>Compliance with Other Rules</b>			
1.i	Home occupations subject to Rule 281.57. Allowed meeting other NRD requirements.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.
1.j	Land alteration, subject to Rule 281.57. Allowed meeting other NRD requirements.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.
1.k	Bridges, subject to Rule 281.58. Existing bridges may be replaced meeting NRD standards.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.
1.l	Forest management within the vegetation strip, subject to Rule 281.57. Limited forest management allowed.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.
1.m	Boardwalk: Must meet building setback requirement and a boardwalk associated with a foot path to river's edge, subject to Rule 281.57.  Boardwalks may be built in areas too wet to be traversed without significant disturbance and must meet size and material requirements.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
1.n	Bank stabilization and fisheries habitat improvement, subject to Rule 281.57. Allowed if fulfilling an identifiable need meeting NRD requirements.	3.27.B.10	Development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 PA 451 apply to all property located within 400 feet of the Flat River and Wabasis Creek.
2	Vegetation strip: 25-foot vegetation strip required from high water mark; cutting within area is subject to Rule 281.57.	3.27.B.4	Waterfront maintenance shall include a strip of vegetation 25 feet wide, parallel to the water and adjacent to the normal high water line, not to obstruct the view or use but to provide for erosion control and runoff filtration.

SOURCE: Michigan Department of Natural Resources, Fisheries Division. 2013. *Natural River Zoning*. Available at: [www.michigan.gov/documents/dnr/2010-026\\_Natural\\_Rivers\\_Zoning\\_Rules\\_438073\\_7.pdf](http://www.michigan.gov/documents/dnr/2010-026_Natural_Rivers_Zoning_Rules_438073_7.pdf) (accessed 11/11/14)

# Flat River: Natural River Zoning Requirements

## *Municipal Zoning Review Worksheet*

The following worksheet compares natural river zoning requirements and local ordinances for communities within the natural river designated area. The table provides a summary version of the zoning requirements. The complete natural river zoning requirements are provided in the *Natural River Zoning Rules* (MDNR, 2013). Municipal zoning ordinances are available at the respective municipal office.

**Municipality:** Fairplain Township

**County:** Montcalm

**Zoning code adoption/revision date:** July 11, 1978

**Is there an established natural rivers district in the municipal zoning code?** Yes (through a township ordinance rather than the zoning code)

**Natural river sections in municipality:** Dickerson Creek (section f)

<b>Principal Uses Allowed by Right with Issuance of a Zoning Permit</b>			
<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
<b>Residential Zoning Requirements</b>			
1.a.i	Residential setback: 100 feet from high water mark or 25 feet from 100 year floodplain.	4.1.C.1	Buildings must be setback 100 feet from the ordinary high water mark.
1.a.ii	Bluff setback: 50 feet from top of bluff.		Not addressed.
1.a.iii	Wetlands: Buildings may not be placed within wetland areas.		Not addressed.
1.a.iv	Bluff alteration: Face and contour may not be altered.		Not addressed.
1.a.v	Bluff buffer: Land between the crest of the bluff and the minimum building setback may not be altered, except for minor landscaping.		Not addressed.
<b>Property Amenities</b>			
1.b	Accessory buildings, such as sheds and garages, may be built if they meet other setback requirements.	4.01	All buildings, structures, or land within the NRD may be used, constructed, altered, or occupied only when in conformity with all of the regulations herein specified. Small accessory structures less than 90 square feet are exempt.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.c	Boat docks: Limit one per parcel and meeting R281.57. Docks cannot be more than 48 square feet, with not more than four feet extending into the river. Docks should blend with natural surroundings.		Not addressed.
1.d	Access stairways: Limit one per parcel and meeting R 281.57.		Not addressed.
1.e.	Utility lines: Connection to houses are allowed.		Not addressed.
<b>Onsite Wastewater Treatment Systems</b>			
1.f.1	Septic tanks: Allowed, meeting local health department (LHD) requirements.	4.1.C.3	Absorption fields must comply with LDH requirements.
1.f.ii	Septic tank setback: 100 feet from high water mark, surface, or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.	4.1.C.2	Septic systems and parts thereof must be set back 100 feet from the ordinary high water mark.
1.f.iii	Septic tank placement: Must be located closer to house than river.		Not addressed.
1.f.iv	Outhouses: Pump and haul structure allowed—no placement within 100 feet from high water mark, surface, or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.		Not addressed.
1.f.v	Dry wells/earthen privies: Not allowed unless permitted by the LHD and set back 100 feet from ordinary high water mark, pit bottom is at least four feet above seasonal high water table.	4.1.C.3	Not specifically addressed; however, absorption fields require a minimum of four feet above the high water table.
1.f.vi	Alternative onsite wastewater treatment systems: Allowed if better treatment than traditional septic system, permitted by LHD, can be placed within 50 to 100 feet of high water mark.		Not addressed.
1.f.vii	Sludge disposal: Not allowed within natural river district (NRD).		Not addressed.
<b>Extractive Industries</b>			
1.g	Mining/extractive industries setback: 300 feet from high water mark.		Not addressed.
<b>Land Divisions (1.h): allowed if meeting the following criteria</b>			
1.h.i	Accessibility: Parcels must have road access or legal easement.	4.33	Every building hereafter erected or moved shall be on a lot adjacent to a public street or with access to an approved private street. All structures shall be located on lots as to provide safe and convenient access to services such as fire protection, and required off-street parking.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
1.h.ii	River frontage: Parcels must have 100 feet of river frontage, or common access deeded through a conservation easement; if within the NRD, but not on the river, the parcel must be 100 feet wide at the point closest to the river.	4.1.B	The minimum lot width in the rear yard (river side) is 100 feet.
1.h.iii	Minimum parcel size: Parcels must have at least 30,000 square feet, excluding common areas and bottom lands; parcels greater than 150 feet from the high water mark are excluded from this requirement.	4.1.B	The minimum lot area is 20,000 square feet for land outside the ordinary high watermark.
1.h.iv	Upland area: Parcel must have adequate upland area to building setback requirements for the NRD.	4.1.B	The minimum lot area is 20,000 square feet for land outside the ordinary high water mark.
1.h.v	Grandfather clause: Parcels existing before the 1984 rule may not be split below NRD requirements; lots created after 1984 rule must meet NRD requirements, except in R 281.56.	4.03	No yard or lot existing at the time of passage of this ordinance shall be subdivided or reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements established by this ordinance.
<b>Compliance with Other Rules</b>			
1.i	Home occupations subject to R 281.57. Allowed, meeting other NRD requirements.		Not addressed.
1.j	Land alteration, subject to R281.57. Allowed, meeting other NRD requirements.		Not addressed.
1.k	Bridges, subject to R281.58. Existing bridges may be replaced, meeting NRD standards.		Not addressed.
1.l	Forest management within the vegetation strip, subject to R281.57. Limited forest management allowed.	4.C.5	A strip 25 feet wide on each side of and parallel to the Flat River and tributaries shall be maintained in trees, vegetation, and shrubs in its natural state, except that dead, diseased, unsafe, or fallen trees, as well as noxious plants, may be removed. Trees, vegetation, and shrubs may be selectively pruned or removed for landscaping purposes, harvest of merchantable timber, or to provide a view of the river, as long as the root system remains intact to provide for streambank stabilization and erosion control, serve as an aide to infiltration or surface runoff, and provide cover to shade the water.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.m	Boardwalk: Must meet building setback requirement and a boardwalk associated with a foot path to river's edge, subject to R281.57.  Boardwalks may be built in areas too wet to be traversed without significant disturbance and must meet size and material requirements.		Not addressed.
1.n	Bank stabilization and fisheries habitat improvement, subject to R281.57. Allowed, if fulfilling an identifiable need meeting NRD requirements.		Not addressed.
2	Vegetation strip: 25-foot vegetation strip required from high water mark; cutting within area is subject to R281.57.	4.C.5	A strip 25 feet wide on each side of and parallel to the Flat River and tributaries shall be maintained in trees, vegetation, and shrubs in its natural state except that dead, diseased, unsafe, or fallen trees, as well as noxious plants, may be removed. Trees, vegetation, and shrubs may be selectively pruned or removed for landscaping purposes, harvest of merchantable timber, or to provide a view of the river, as long as the root system remains intact to provide for streambank stabilization and erosion control, serve as an aide to infiltration or surface runoff, and provide cover to shade the water.

SOURCE: Michigan Department of Natural Resources, Fisheries Division. 2013. *Natural River Zoning*. Available at: [www.michigan.gov/documents/dnr/2010-026\\_Natural\\_Rivers\\_Zoning\\_Rules\\_438073\\_7.pdf](http://www.michigan.gov/documents/dnr/2010-026_Natural_Rivers_Zoning_Rules_438073_7.pdf) (accessed 11/11/14)

# Flat River: Natural River Zoning Requirements

## *Municipal Zoning Review Worksheet*

The following worksheet compares natural river zoning requirements and local ordinances for communities within the natural river designated area. The table provides a summary version of the zoning requirements. The complete natural river zoning requirements are provided in the *Natural River Zoning Rules* (MDNR 2013). Municipal zoning ordinances are available at the respective municipal office.

**Municipality:** Montcalm Township

**County:** Montcalm

**Zoning code adoption/revision date:** April 10, 2013.

**Is there an established natural rivers district in the municipal zoning code?** No

**Natural river sections in municipality:** Flat River Mainstream (Section A); West Branch Creek (Section B); Coopers Creek (Section D); Dickerson Creek (Section F)

<b>Principal Uses Allowed by Right with Issuance of a Zoning Permit</b>			
<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
<b>Residential Zoning Requirements</b>			
1.a.i	Residential setback: 100 feet from high water mark or 25 feet from 100-year floodplain.	12.7.D.3	No structure or building shall be erected within 50 feet of the 50-year floodplain or within 100 feet of an ordinary high water mark, whichever is greater.
1.a.ii	Bluff setback: 50 feet from top of bluff.		Not addressed.
1.a.iii	Wetlands: Buildings may not be placed within wetland areas.	12.2.C.1	Where a portion of a parcel is characterized by important or sensitive environmental features, including wetlands, woodlands, or floodplains, new development on the parcel shall only occur on those portions of the parcel void of such features (where reasonably feasible).
1.a.iv	Bluff alteration: Face and contour may not be altered.		Not addressed.
1.a.v	Bluff buffer: Land between the crest of the bluff and the minimum building setback may not be altered except for minor landscaping.		Not addressed.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
<b>Property Amenities</b>			
1.b	Accessory buildings, such as sheds and garages, may be built if they meet other setback requirements.	20.10	Accessory buildings and structures shall comply with the district setbacks applicable to the principal building on the lot.
1.c	Boat docks: Limit one per parcel and meeting Rule 281.57. Docks cannot be more than 48 square feet, with not more than four feet extending into the river. Docks should blend with natural surroundings.		Not addressed.
1.d	Access stairways: Limit one per parcel and meeting Rule 281.57.		Not addressed.
1.e.	Utility lines: Connections to houses are allowed.	21.5	Essential services shall be permitted as authorized and regulated by law and other ordinances.
<b>Onsite Wastewater Treatment Systems</b>			
1.f.1	Septic tanks: Allowed meeting local health department (LHD) requirements.	12.3.A	Any building intended for human occupancy and used for dwelling, businesses, industrial, recreational, or institutional purposes, shall not be erected, altered, used, or moved upon any premises unless the building is provided with a safe and effective means of collection, treatment, and disposal of generated wastes, including human excreta and domestic commercial and industrial wastes. All sewage disposal facilities shall be constructed and maintained in accordance with the requirements and standards of the Montcalm County Health Department and other applicable agencies.
1.f.ii	Septic tank setback: 100 feet from high water mark, surface, or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.	12.7.D.4	No septic tank or drainfield shall be located within 50 feet of a 50-year floodplain or within 100 feet of an ordinary high water mark, whichever is greater.
1.f.iii	Septic tank placement: Must be located closer to house than river.		Not addressed.
1.f.iv	Outhouses: Pump and haul structure allowed—no placement within 100 feet from high water mark, surface or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.		Not addressed.
1.f.v	Dry wells/earthen privies: Not allowed unless permitted by the LHD and setback 100 feet from ordinary high water mark, pit bottom is at least four feet above seasonal high water table.		Not addressed.
1.f.vi	Alternative onsite wastewater treatment systems: Allowed if better treatment than traditional septic system, permitted by LHD, can be placed within 50 to 100 feet of high water mark.		Not addressed.
1.f.vii	Sludge disposal: Not allowed within natural river district (NRD).		Not addressed.
<b>Extractive Industries</b>			

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.g	Mining/extractive industries setback: 300 feet from high water mark.		Not addressed.
<b>Land Divisions (1.h):</b> Allowed if meeting the following criteria			
1.h.i	Accessibility: Parcels must have road access or legal easement.	13.2	All parcels created in the township shall have frontage on a public or private road or shared driveway.
1.h.ii	River frontage: Parcels must have 100 feet of river frontage or common access deeded through a conservation easement; if within the NRD but not on the river, the parcel must be 100 feet wide at the point closest to the river.	Table 3-4 and sections 3.6	Not specifically addressed within the NRD. However, all districts but the highest density zoning district (R-4) meet this requirement. The minimum lot width by district is: A-1: 150 feet; R-1: 150 feet; R-2: 150 feet; R-3: 100 feet; R-4: 80 feet; C-1: 100 feet; C-2: 200 feet; I-1: 200 feet.
1.h.iii	Minimum parcel size: Parcels must have at least 30,000 square feet excluding common areas and bottom lands; parcels greater than 150 feet from the high water mark are excluded from this requirement.	Table 3-4 and sections 3.6 - 3.7	Not specifically addressed within the NRD. However, all districts but the highest density districts (R-4 & R-MF) meet this requirement. The minimum parcel size by district is: A-1: 1 acre; R-1: 1 acre; R-2: 1 acre; R-3: 30,000 square feet; R-4: 30,000 square feet; R-MF: 20,000 square feet; C-1: ½ acre; C-2: 1 acre; I-1: 1 acre.
1.h.iv	Upland area: Parcels must have adequate upland area to building setback requirements for the NRD.		Not addressed.
1.h.v	Grandfather clause: Parcels existing before the 1984 rule may not be split below NRD requirements; lots created after 1984 rule must meet NRD requirements, except in Rule 281.56.	20.1	Nonconforming uses that were lawful before the current ordinance was passed, which would be prohibited under the current ordinance, are generally allowed.
<b>Compliance with Other Rules</b>			
1.i	Home occupations subject to Rule 281.57. Allowed meeting other NRD requirements.	21.24	Home occupations allowed as an accessory use to the principal residential use of the property.
1.j	Land alteration, subject to Rule 281.57. Allowed meeting other NRD requirements.		Not addressed.
1.k	Bridges, subject to Rule 281.58. Existing bridges may be replaced meeting NRD standards.		Not addressed.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.l	Forest management within the vegetation strip, subject to Rule 281.57. Limited forest management allowed.	12.7.D	No trees, shrubs, or other vegetative cover shall be removed from that area within 25 feet of the ordinary high water mark of the Flat River and its tributaries, except for the purpose of providing views or access to such water course. However, no more than 25 percent of the water frontage shall be disturbed by removal activities. This provision shall not prohibit the removal of plant material that is dead, trees that are unsafe or have fallen, or noxious weeds or invasive species.
1.m	Boardwalk: Must meet building setback requirement and a boardwalk associated with a foot path to river's edge, subject to Rule 281.57.  Boardwalks may be built in areas too wet to be traversed without significant disturbance and must meet size and material requirements.		Not addressed.
1.n	Bank stabilization and fisheries habitat improvement, subject to Rule 281.57. Allowed if fulfilling an identifiable need meeting NRD requirements.		Not addressed.
2	Vegetation strip: 25-foot vegetation strip required from high water mark; cutting within area is subject to Rule 281.57.	12.7.D	No trees, shrubs, or other vegetative cover shall be removed from that area within 25 feet of the ordinary high water mark of the Flat River and its tributaries except for the purpose of providing views or access to such water course. However, no more than 25 percent of the water frontage shall be disturbed by removal activities. This provision shall not prohibit the removal of plant material that is dead, trees that are unsafe or have fallen, or noxious weeds or invasive species.

SOURCE: Michigan Department of Natural Resources, Fisheries Division. 2013. *Natural River Zoning*. Available at: [www.michigan.gov/documents/dnr/2010-026\\_Natural\\_Rivers\\_Zoning\\_Rules\\_438073\\_7.pdf](http://www.michigan.gov/documents/dnr/2010-026_Natural_Rivers_Zoning_Rules_438073_7.pdf) (accessed 11/11/14)

# Flat River: Natural River Zoning Requirements

## *Municipal Zoning Review Worksheet*

The following worksheet compares natural river zoning requirements and local ordinances for communities within the natural river designated area. The table provides a summary version of the zoning requirements. The complete natural river zoning requirements are provided in the *Natural River Zoning Rules* (MDNR, 2013). Municipal zoning ordinances are available at the respective municipal office.

**Municipality:** Pine Township

**County:** Montcalm

**Zoning code adoption/revision date:** October 29, 2012

**Is there an established natural rivers district in the municipal zoning code?** Yes

**Natural river sections in municipality:** Flat River Mainstream (section a); and West Branch Creek (section b)

Principal Uses Allowed by Right with Issuance of a Zoning Permit			
Natural River Requirements		Municipal Requirements	
Residential Zoning Requirements			
1.a.i	Residential setback: 100 feet from high water mark or 25 feet from 100 year floodplain.	11.04.C & 11.04.D	<p>Two sections of the code prevent construction of dwellings, accessory buildings, or septic systems within differing distances from the high water mark. The subsections provide conflicting requirements.</p> <p>Section 11.04.C has a setback requirement of 150 feet, except that for every 1 foot of bank height above a minimum of seven feet above the ordinary high water mark new structures may be placed five feet closer to the river, except that no structure shall be located closer than 100 feet to the shoreline or ordinary high water mark.</p> <p>Section 11.04.D has the same requirements but the distances are 100 feet and 75 feet respectively.</p>

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.a.ii	Bluff setback: 50 feet from top of bluff.	11.04.E	New structures must be set back at least 50 feet from the top of the bluff of the river or its tributaries.
1.a.iii	Wetlands: buildings may not be placed within wetland areas.	14.06.D	Removal or alteration of significant natural features (including wetlands) shall be restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of the township ordinance.
		14.06.F	Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved insofar as practical in their natural state to provide for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.
1.a.iv	Bluff alteration: face and contour may not be altered.		Not addressed.
1.a.v	Bluff buffer: land between the crest of the bluff and the minimum building setback may not be altered except for minor landscaping.		Not addressed.
<b>Property Amenities</b>			
1.b	Accessory buildings such as sheds and garages may be built if they meet other setback requirements.	11.02.F	Accessory buildings, structures and uses customarily incidental to permitted uses or special land uses are allowed.
1.c	Boat docks: limit one per parcel and meeting R281.57. Docks cannot be more than 48 sq ft, with not more than 4ft extending into the river. Docks should blend with natural surroundings.	11.02.E	One boat dock is allowed for each waterfront property. For lots exceeding 50 feet in width, one additional boat dock is allowed for each full 50 feet exceeding the first fifty feet along a body of water. Docks are limited to 48 square feet and may not extend more than four feet into the river.
1.d	Access stairways: limit one per parcel and meeting R 281.57.		Not addressed.
1.e.	Utility lines: connection to houses are allowed.	3.14	The erection, construction, alteration or maintenance of essential services shall be permitted as authorized or regulated by law and other ordinances in any zoning district.
<b>Onsite Wastewater Treatment Systems</b>			
1.f.1	Septic tanks: allowed meeting local health department (LHD) requirements.		Not specifically addressed, however many sections reference health department standards for septic siting.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.f.ii	Septic tank setback: 100 feet from high water mark, surface or subsurface drains; no placement within 100 year floodplain, wetland or vegetation strip.		Section 11.04.C has a setback requirement of 150 feet, except that for every 1 foot of bank height above a minimum of seven feet above the ordinary high water mark new structures may be placed five feet closer to the river, except that no structure shall be located closer than 100 feet to the shoreline or ordinary high water mark.  Section 11.04.D has the same requirements but the distances are 100 feet and 75 feet respectively.
1.f.iii	Septic tank placement: must be located closer to house than river.		Not addressed.
1.f.iv	Outhouses: pump and haul structure allowed—no placement within 100 feet from high water mark, surface or subsurface drains; no placement within 100 year floodplain, wetland or vegetation strip.		Not addressed.
1.f.v	Dry wells/earthen privies: not allowed unless permitted by the LHD and setback 100 feet from ordinary high water mark, pit bottom is at least four feet above seasonal high water table.		Not addressed.
1.f.vi	Alternative onsite wastewater treatment systems: allowed if better treatment than traditional septic system, permitted by LHD, can be placed within 50 to 100 feet of high water mark.		Not addressed.
1.f.vii	Sludge disposal: not allowed within natural river district (NRD).		Not addressed.
<b>Extractive Industries</b>			
1.g	Mining/extractive industries setback: 300 feet from high water mark.		Note addressed.
<b>Land Divisions (1.h): allowed if meeting the following criteria</b>			
1.h.i	Accessibility: Parcels must have road access or legal easement.		Not specifically addressed but section 3.26.A discusses road access as a factor of consideration when granting variances from the residential lot size requirements.  Section 5.04.C requires road access for new residential parcels within the Agricultural Preservation District but does not appear to apply to all areas of the township or the Natural River District.
1.h.ii	River frontage: parcels must have 100 feet of river frontage or common access deeded through a conservation easement; if within the NRD but not on the river, the parcel must be 100 feet wide at the point closest to the river.	11.04.B	A minimum lot width of 100 feet shall be required.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.h.iii	Minimum parcel size: parcels must have at least 30,000 square feet excluding common areas and bottom lands; parcels greater than 150 feet from the high water mark excluded from this requirement.	5.04.C and 6.04	Not specifically addressed. However, Flat River District is almost exclusively within the Agricultural Preservation and Low Density Residential Districts which each require a minimum lot size of 1 acre.
1.h.iv	Upland area: parcel must have adequate upland area to building setback requirements for the NRD.		Not addressed.
1.h.v	Grandfather clause: parcels existing before the 1984 rule may not be split below NRD requirements; lots created after 1984 rule must meet NRD requirements, except in R 281.56.	3.23.A	Uses of buildings, structures or land that were lawful prior to the adoption of the current zoning ordinance that may not meet current standards are lawful.
<b>Compliance with Other Rules</b>			
1.i	Home occupations subject to R 281.57. Allowed meeting other NRD requirements.	11.02.D	Home occupations are permitted meeting the requirements of underlying zoning district.
1.j	Land alteration, subject to R281.57. Allowed meeting other NRD requirements.		Not addressed.
1.k	Bridges, subject to R281.58. Existing bridges may be replaced meeting NRD standards.		Not addressed.
1.l	Forest management within the vegetation strip, subject to R281.57. Limited forest management allowed.	11.04.G	Within the vegetative strip, clearing of dead or noxious plants may be permitted. Additionally, selective trimming and pruning to allow for placement of docs and for a view of the waterway (with zoning administrator approval) is allowed.
1.m	Boardwalk: must meet building setback requirement and a boardwalk associated with a foot path to river's edge, subject to R281.57.  Boardwalks may be built in areas too wet to be traversed without significant disturbance and must meet size and material requirements.		Not addressed.
1.n	Bank stabilization and fisheries habitat improvement, subject to R281.57. Allowed if fulfilling an identifiable need meeting NRD requirements.		Not addressed.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
2	Vegetation strip: 25 foot vegetation strip required from high water mark; cutting within area is subject to R281.57.	11.04.G	A strip of 50 feet bordering each bank of the Flat River or of any tributary thereof, including West Branch Creek, as measured from the shoreline or ordinary high water mark, shall be maintained in its natural vegetative state, except for the permitted clearing of dead or noxious plants. Selective trimming and pruning to allow for placement of docs and for a view of the waterway (with zoning administrator approval) is allowed. Ten feet of the allowed fifty foot strip may be cleared to permit access to the water's edge.

SOURCE: Michigan Department of Natural Resources, Fisheries Division. 2013. *Natural River Zoning*. Available at: [www.michigan.gov/documents/dnr/2010-026\\_Natural\\_Rivers\\_Zoning\\_Rules\\_438073\\_7.pdf](http://www.michigan.gov/documents/dnr/2010-026_Natural_Rivers_Zoning_Rules_438073_7.pdf) (accessed 11/11/14)

# Flat River: Natural River Zoning Requirements

## *Municipal Zoning Review Worksheet*

The following worksheet compares natural river zoning requirements and local ordinances for communities within the natural river designated area. The table provides a summary version of the zoning requirements. The complete natural river zoning requirements are provided in the *Natural River Zoning Rules* (MDNR, 2013). Municipal zoning ordinances are available at the respective municipal office.

**Municipality:** Sidney Township

**County:** Montcalm

**Zoning code adoption/revision date:** Adopted July 9, 2001; revised October 1, 2011

**Is there an established natural rivers district in the municipal zoning code?** No

**Natural river sections in municipality:** Dickerson Creek (section f)

<b>Principal Uses Allowed by Right with Issuance of a Zoning Permit</b>			
<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
<b>Residential Zoning Requirements</b>			
1.a.i	Residential setback: 100 feet from high water mark or 25 feet from 100-year floodplain.		Not addressed; however, section 3.15 prevents building within the floodplain.  Section 4.05 (h) requires a 25-foot setback from lakes, rivers, streams, drains, and state-regulated wetlands.
1.a.ii	Bluff setback: 50 feet from top of bluff.		Not addressed.
1.a.iii	Wetlands: Buildings may not be placed within wetland areas.	4.05(h)	Buildings must be set back 25 feet from wetlands.
1.a.iv	Bluff alteration: Face and contour may not be altered.		Not addressed.
1.a.v	Bluff buffer: Land between the crest of the bluff and the minimum building setback may not be altered except for minor landscaping.		Not addressed.
<b>Property Amenities</b>			

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
1.b	Accessory buildings such as sheds and garages may be built if they meet other setback requirements.		Not addressed.
1.c	Boat docks: Limit one per parcel and meeting R281.57. Docks cannot be more than 48 square feet, with not more than four feet extending into the river. Docks should blend with natural surroundings.		Not specifically addressed; however, section 3.11.G limits boat docks to one per 75 feet of riparian frontage.
1.d	Access stairways: Limit one per parcel and meeting R 281.57.		Not addressed.
1.e.	Utility lines: Connection to houses are allowed.	3.01	The erection, construction, alteration, or maintenance of essential public services shall be permitted in any zoning district.
<b>Onsite Wastewater Treatment Systems</b>			
1.f.1	Septic tanks: Allowed, meeting local health department (LHD) requirements.	3.05.A	Structures intended for human occupancy require wastewater treatment systems meeting state and local health department standards.
1.f.ii	Septic tank setback: 100 feet from high water mark, surface, or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.		Not addressed.
1.f.iii	Septic tank placement: Must be located closer to house than river.		Not addressed.
1.f.iv	Outhouses: Pump-and-haul structure allowed—no placement within 100 feet from high water mark, surface, or subsurface drains; no placement within 100-year floodplain, wetland, or vegetation strip.	3.05.B	No outside toilets shall be erected, except as may be temporarily needed during construction.
1.f.v	Dry wells/earthen privies: Not allowed, unless permitted by the LHD and set back 100 feet from ordinary high water mark, pit bottom is at least four feet above seasonal high water table.	3.05.B	No outside toilets shall be erected, except as may be temporarily needed during construction.
1.f.vi	Alternative onsite wastewater treatment systems: Allowed if better treatment than traditional septic system, permitted by LHD, can be placed within 50 to 100 feet of high water mark.		Not addressed.
1.f.vii	Sludge disposal: Not allowed within natural river district (NRD).		Not addressed.
<b>Extractive Industries</b>			
1.g	Mining/extractive industries setback: 300 feet from high water mark.		Not addressed.
<b>Land Divisions (1.h): Allowed if meeting the following criteria</b>			
1.h.i	Accessibility: Parcels must have road access or legal easement.	3.04	No land use permit will be issued unless the subject property fronts upon a public or private road right-of-way or easement.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

Natural River Requirements		Municipal Requirements	
1.h.ii	River frontage: Parcels must have 100 feet of river frontage or common access deeded through a conservation easement; if within the NRD but not on the river, the parcel must be 100 feet wide at the point closest to the river.		Not addressed. However, the rural residential and medium density residential, and agricultural preservation districts meet this requirement. The waterfront residential district (geared toward lakefront properties) does not meet this requirement.
1.h.iii	Minimum parcel size: Parcels must have at least 30,000 square feet, excluding common areas and bottom lands; parcels greater than 150 feet from the high water mark excluded from this requirement.		Not addressed.
1.h.iv	Upland area: Parcel must have adequate upland area to building setback requirements for the NRD.		Not addressed.
1.h.v	Grandfather clause: Parcels existing before the 1984 rule may not be split below NRD requirements; lots created after 1984 rule must meet NRD requirements, except in R 281.56.		Non-conforming uses that were lawful before adoption of the current zoning codes, which would now be prohibited, may continue.
<b>Compliance with Other Rules</b>			
1.i	Home occupations subject to R 281.57. Allowed, meeting other NRD requirements.	3.11.F	Home occupations meeting certain requirements are allowed. However, the code is not specific to the natural river district.
1.j	Land alteration, subject to R281.57. Allowed, meeting other NRD requirements.		Not addressed.
1.k	Bridges, subject to R281.58. Existing bridges may be replaced meeting NRD standards.		Not addressed.
1.l	Forest management within the vegetation strip, subject to R281.57. Limited forest management allowed.		Not addressed.

**Principal Uses Allowed by Right with Issuance of a Zoning Permit**

<b>Natural River Requirements</b>		<b>Municipal Requirements</b>	
1.m	Boardwalk: Must meet building setback requirement and a boardwalk associated with a foot path to river's edge, subject to R281.57.  Boardwalks may be built in areas too wet to be traversed without significant disturbance and must meet size and material requirements.		Not addressed.
1.n	Bank stabilization and fisheries habitat improvement, subject to R281.57. Allowed if fulfilling an identifiable need meeting NRD requirements.		Not addressed.
2	Vegetation strip: 25-foot vegetation strip required from high water mark; cutting within area is subject to R281.57.		Not addressed.

SOURCE: Michigan Department of Natural Resources, Fisheries Division. 2013. *Natural River Zoning*. Available at: [www.michigan.gov/documents/dnr/2010-026\\_Natural\\_Rivers\\_Zoning\\_Rules\\_438073\\_7.pdf](http://www.michigan.gov/documents/dnr/2010-026_Natural_Rivers_Zoning_Rules_438073_7.pdf) (accessed 11/11/14)