

- a. Surface water (lakes, streams). Provided, however, that common open space in a development located along a lakeshore shall include shoreline areas preserved in a perpetually undisturbed state and any with access to water limited to nothing more intense than walk-in use.
  - b. Wetlands regulated by the MDEQ or successor agency
  - c. Hardwood forests
  - d. Unregulated wetlands
  - e. Viewsheds to lakes
  - f. Viewsheds to prominent meadows or woodlands
  - g. Slopes in excess of 20%
2. Lands running parallel to an existing public road adjoining the parcel to a depth of not less than thirty (30) feet shall be included within the preserved open lands and shall be maintained as natural woodlands. If such lands do not include existing forest, the applicant shall commit to a reforestation plan sufficient to provide visual screening to the development, within not more than ten (10) years.
  3. Any portion of the open space with a least dimension of less than fifty (50) feet shall not be considered a part of the open space for the purpose of determining the require 50% provided in this section.
  4. Lands to be included within permanently dedicated open space may not include areas containing or impacted by gas or oil wells, personal wireless communication facilities, electrical transmission lines, surface mines or similar elements; but may include detention or retention facilities if designed to reflect a natural wetland.
- C. The maximum number of lots that may be approved shall be computed by subtracting from the project's total gross acreage a fixed percentage of 15% for street right-of-way purposes, and dividing the remaining area by the minimum lot area established for the zoning district.
- D. Lot area may be reduced up to 50% of the required lot size and lot width may be reduced up to 33% of the required lot width in the district.

### **Section 318 Essential Service Facilities.**

Essential service facilities as defined herein shall be exempt from the application of this ordinance. Telecommunication towers, alternative tower structures and antennae shall not be considered essential service facilities for the purposes of this Ordinance.

### **Section 319 Decks, Docks, Rafts and Boardwalks.**

Purpose. Outdoor living areas and access areas such as decks, docks and boardwalks (including paved sidewalks and patios) make an important contribution to the quality of life in the Township. However, some aspects of these structures have the potential to intrude on the enjoyment of

neighbors and/or impact natural features. The purpose of this section is to establish balanced standards to balance potentially conflicting land use objectives.

A. Decks.

1. Decks, whether attached to a principal use or free standing shall be considered a part of such use and may be permitted in any district, provided they are fully located within the building envelope.
2. Free-standing decks shall be considered an accessory use and may be permitted in any district, provided they are located within the building envelope.

B. Docks. One dock shall be allowed for each parcel with frontage on any lake or stream.

C. Boardwalks, Decks, Patios, Steps and Pathways. Boardwalks, stairways, stairway landings, paved pathways and similar accessory structures may be located between the ordinary high water mark and the required waterside setback line. Such features shall either be elevated to permit the drainage and flow of runoff, or if placed at grade, shall be constructed of pervious materials. The walking surface of steps and pathways shall be not more than four (4) feet in width measured generally perpendicular to the path of travel. Within the Shoreline Protection Strip, a ground level deck or patio not greater than one hundred (100) square feet in area may be constructed. All such structures shall be constructed in accordance with the requirements of the Michigan Building Code. When the Michigan Building Code requires railings, they shall not exceed minimum Building Code requirements. A patio constructed of impervious materials must be graded to shed water runoff away from the shoreline, at a slope of not less than 1:60. All such structures shall be located in conformance with the required side yard.

## **Section 320 Reserved**

## **Section 321 Home Occupations**

- A. A home occupation shall receive a zoning permit upon a finding by the Zoning Administrator that the proposed home occupation shall comply with all of the following requirements.
1. The home occupation(s) shall be conducted entirely within enclosed structures and shall be limited to the personal residence of the person engaging in the home occupation and not more than one approved accessory building.
  2. The home occupation(s) shall be incidental and subordinate to the principal the residential use of the property.

3. The activities and carrying on of the home occupation shall be operated in such a manner that other residents of the area, under normal circumstances, would not be aware of the existence of the home occupation. One exterior sign not to exceed six (6) square feet in area shall be permitted.
  4. With the exception of material purchased over the counter for household cleaning, lawn care, operation of a photocopy machine, paint, printing, arts and craft supplies or heating fuel, the home occupation(s) shall not involve the:
    - a. Generation of any hazardous waste as defined in P.A. 64 of 1979, as amended, being the Hazardous Waste Management Act (MCL 229.433 et. seq.), or
    - b. Use of materials which are used in such quantity, or are otherwise required, to be registered pursuant to the Code of Federal Regulations, Title 29, Chapter XVII, part 1910.2 (Dept. of Labor Regulations).
  5. Not more than one (1) automobile associated with the home occupation may be parked on the street at any time. Any other parking shall be on the parcel where the home occupation is taking place, however, an additional parking area shall not be constructed and the existing driveway prior to the establishment of the home occupation shall be used for other customer parking.
  6. Only the inhabitants of the residence shall be employed by the home occupation.
  7. No additional rooms or accessory structures may be added to the dwelling to accommodate the home occupation.
  8. An applicant for a home occupation shall execute an affidavit upon applying for approval of a home occupation acknowledging the requirements of this Section 321 and specifically subparagraph B hereof.
- B. A proposed home occupation which does meet the standards of subparagraph A hereof, or an existing home occupation which no longer meets such standards, may be treated as a Home Based Business, subject to the requirements of Section 1631; or a Cottage Industry, subject to the requirements of Section 1610, provided such uses are allowed in the zoning district.

**Section 322 Reserved**