

ARTICLE 5

WATERFRONT PRESERVATION AND ENVIRONMENTAL PROTECTION REQUIREMENTS

- 5.1 PURPOSE AND SCOPE: The Schoolcraft Township Master Plan recognizes the importance of areas adjacent to the lakes and streams in the Township to the character and identity of the Township. The Plan strives to protect those areas from excessive development and environmental degradation by a "Waterfront Preservation Overlay" designation that extends 500' from lakeshores and 200' from streams (as depicted on the Future Land Use Plan map). The provisions of this Article are therefore intended to apply within these designated "overlay" areas, and any area determined to be a wetland for purposes of Section 5.4.2., regardless of the underlying zoning district, in addition to all other applicable provisions of this Ordinance relating to the underlying zoning district.
- 5.2 GREENBELT PRESERVATION: In order to preserve water quality in rivers and streams and to prevent deterioration of these resources and their tributaries, no building permit for any construction, or authorization for any grading, lot or subdivision preparation involving lands and land uses abutting or adjoining rivers or streams, shall be granted until it is first determined that any removal of ground cover conforms to the Sedimentation and Erosion Control Regulations enforced by the County of Kalamazoo.
- 5.3 CHANNELIZATION: There shall be no new channelization on lake front properties which would increase the numbers of lake users and, therefore, substantially increase the dangers of polluting or degrading the water quality of the lake. Any alteration of any shoreline or stream shall conform to all rules and regulations of the Michigan Department of Natural Resources.
- 5.4 WATERFRONT SETBACK REQUIREMENTS: In addition to the generally applicable setback requirements specified in Article 20 of this Ordinance (Schedule of Lot, Yard and Area Requirements), or elsewhere in this ordinance, the following setback requirements shall apply to all waterfront lots:
1. Septic systems shall not be constructed within 100 feet of the high water line of any waterway or such greater distance as may be required by regulations enforced by the County or State.
 2. Dwellings and other principal uses or structures shall not be constructed within 50 feet of the high water line of any waterway, or within 50 feet of any area determined to be wetland.

3. Accessory uses and structures, other than docks, boat lifts, and swimming pools, shall not be located in the required 50 feet minimum setback area specified in this Ordinance for the principal structure.

5.5 WATERFRONT LOT ACCESS AND USE REGULATIONS: No waterfront lot in any zoning district shall be used as an access lot unless it complies with all the following regulations and conditions:

1. An access lot shall have a minimum frontage on the waterway and a minimum width corresponding to the minimum lot width for a lot in the zoning district in which the access lot is situated, pursuant to the requirements of this Ordinance, and the Schoolcraft Township Subdivision Development Ordinance, as may be applicable. Where the access lot is providing waterway access to more than one access lot beneficiary such access lot shall have at least an additional 50 feet of frontage on the waterway and an additional 50 feet of lot width for each additional access lot beneficiary. Waterway frontage shall be measured by a straight line which intersects each side line of the access lot at the high water line. Areas consisting, in whole or in part, of swamp, bog, marsh, or other type of wetland, shall not be counted towards the minimum waterway frontage required herein, except to the extent of the minimum required buffer strips.
2. An access lot shall have a minimum lot area corresponding with the minimum lot area for the zoning district in which the access lot is situated, pursuant to the requirements of this Ordinance, and the Schoolcraft Township Subdivision Development Ordinance, as may be applicable.
3. An access lot shall include a buffer strip on each side of the access lot, parallel with each side lot line. Each buffer strip shall have a minimum width for the entire depth of the access lot corresponding with the amount of minimum side yard setback required for a principal building in the zoning district in which the access lot is situated.
4. Required buffer strips shall provide a natural or created barrier between the remaining portion of an access lot and adjacent lots consisting of existing and/or transplanted additional trees and vegetation sufficient to effectively screen, at the time of planting and thereafter, the access lot from view by adjacent lots during all seasons of the year except when deciduous trees/vegetation have no foliage. Required buffer strips shall not be used for any motorized vehicular traffic or parking, or for storage purposes, or other development purpose of any kind.

5. No building or structure of any kind shall be constructed or erected upon an access lot.
6. An access lot shall not be used for boat launching purposes.
7. An access lot shall be allowed one dock; provided that where the access lot has sufficient minimum frontage on the waterway/minimum lot width and sufficient minimum lot area to theoretically create more than one buildable lot in accordance with the requirements of this Ordinance, and the Schoolcraft Township Subdivision Development Ordinance, as may be applicable, one additional dock shall be allowed for each such additional theoretical buildable lot. All docks shall be subject to the requirements in Section 5.6 of this Ordinance.
8. An access lot shall provide for off-street parking in accordance with the applicable requirements in Article 26 of this Ordinance.
9. An access lot created as part of a plat/subdivision development, condominium development, or other multi-lot residential development, shall be dedicated at the time of final approval and/or recording of the development for use solely by the owners/occupants of lots contained within the development, or a specified lesser number thereof, consistent with all applicable laws and ordinances, including the provisions of this section.

5.6 BOATHOUSE AND DOCK REGULATIONS:

1. Boat houses shall not be permitted to be placed over any waterway or within the minimum required front, side or rear yard area as defined in this Ordinance within any district.
2. Docks are permitted on any lake or other waterway subject to the following conditions and limitations:
 - A. No dock shall extend more than 80 feet from the shoreline into a lake except additional dock sections may be added only if it is necessary to reach a water depth not exceeding three feet. No dock shall extend from the shoreline of any waterway other than a lake within 10 feet of the center of the waterway, or 50 feet from the shoreline, whichever is less.

B. No portion of any dock shall be located within 10 feet of a property line as projected into a waterway. In addition, no dock shall be configured or located in such a manner as to unreasonably obstruct or interfere with riparian rights of lawful uses of the waterway. No portion of any boat lift, boat rack, swim raft, or similar structure, shall be located outside of the nearest property line as projected into a public waterway or otherwise located so as to cause an obstruction to navigation.