

~~permit issued by the Township pursuant to Act 347 of the Public Acts of 1972, as amended. In addition commercial mining and extraction of topsoil or subsurface sand, gravel, or minerals is not permitted within four hundred (400) feet of the river's edge.~~

- ~~(F) Dredge and Fill Activities. All dredge and fill activities and construction of permanent structures, including docks, lying below the ordinary high water mark of the river are subject to the provisions of Act 346 of the Public Acts of 1972, as amended.~~
- ~~(G) Use of Pesticides, Herbicides, and Fertilizers. Because of the potentially severe adverse effects on riverfront vegetation, fish, wildlife, and water quality from improper use of even small amounts of pesticides, herbicides, and fertilizers, their use on lands within the natural river area is strongly discouraged except when utilized in accord with the advice and supervision of qualified specialists.~~
- ~~(H) All septic system drain fields shall be set back from the rivers edge at least one hundred fifty (150) feet.~~

~~9.11.6 Docks. Docks may be constructed which do not exceed six (6) feet in width nor are more than twenty (20) feet in length with no more than four (4) feet of the dock extending beyond the low water mark. Docks must be constructed in accordance with the rules of Act 346 of the Public Acts of P.A. 1972. The use of natural materials and camouflaging is encouraged.~~

~~9.11.7 Campgrounds and Picnic Areas. On public land, no new structures associated with a campground or picnic area, except those necessary to protect the riverbank, will be permitted within three hundred (300) feet of the designated mainstream or tributary. Such structure shall be designed and constructed in such a manner as to further the purpose of this district.~~

~~9.11.8 Archaeological Sites. The identification, preservation, and interpretation of archaeological sites along the designated portions of the district, both by public agencies and local societies, is strongly encouraged.~~

Section 9.12 Spring Mill Creek/Davis Creek Overlay District

9.12 Purpose. The purpose of the Spring Mill Creek/Davis Creek Overlay District is to preserve and enhance the environmental, ecological and aesthetic values of Spring Mill Creek and Davis Creek. These creeks are a unique feature within Green Oak Township. In order to protect these resources, overlay zones are hereby established. The zones overlay existing zoning for an area one hundred (100) feet from the ordinary high water mark on each side of and parallel to Spring Mill Creek and Davis Creek, excluding lands south of the centerline of Davis Creek within the northwest 1/4 of Section 13 and the northeast 1/4 of Section 14. The boundaries of these overlay districts are denoted on the Green Oak Township Zoning Map and are described within

Section 4.4.13 of the Green Oak Township Zoning Ordinance.. The following regulations are enacted: *(eff. date 1/23/98)*

9.12.1 Building Setbacks. New buildings on all reaches of the overlay zones shall be setback a minimum of one hundred (100) feet from the water's edge. *(eff. date 1/23/98)*

9.12.2 Accessory Uses. All accessory uses including storage buildings, garages, parking lots, detention ponds, retention ponds, gravel parking lots, or outdoor industrial storage areas shall be set back a minimum of one hundred (100) feet from the water's edge. *(eff. date 1/23/98)*

9.12.3 Excavation. All excavation including dredging, cutting, filling, and grading within the overlay zone shall be done in accordance with the requirements of the Livingston County Drain Commissioner for soil erosion/sedimentation control pursuant to the Soil Erosion and Sedimentation Control Act, Part 91 of Act No. 451 of the Public Acts of 1994, as amended, (MCL 324.9101, et seq.) and other applicable state and local laws. In addition, commercial mining, extraction of soil materials, sand or gravel is prohibited within the overlay zone. Activities within four hundred (400) feet of Davis Creek or Spring Mill Creek is subject to additional regulations and permitting as stated in Public Act 451 of 1994, as amended and as regulated by the MDEQ. *(eff. date 1/23/98)*

9.12.4 Use of Pesticides, Herbicides and Fertilizers. Because of the affects on vegetation, fish, wildlife and water quality from improper use of even small amounts of pesticides, herbicides, and fertilizers, the use on lands within the overlay zone is prohibited. *(eff. date 1/23/98)*

9.12.5 Stormwater Management Systems. Including, detention, retention and/or sedimentation basins shall be designed and constructed in accordance with Livingston County Drain Commissioner rules. Stormwater management systems shall be designed to reduce the impact of flooding and the degradation of water quality. *(eff. date 1/23/98)*

9.12.6 Natural Vegetation Strip. To minimize erosion, stabilize the creek bank, protect water quality, minimize nutrient loading, maintain water temperature at natural levels, preserve fish and wildlife habitat, to screen man-made structures, and also to preserve aesthetic values of the Spring Mill and Davis Creek area; a natural vegetation strip shall be maintained on each parcel or lot between the water's edge and align each point of which if twenty-five (25) feet horizontal from and perpendicular to the water's edge. This restricted cutting strip shall apply to each side of the creek. The natural vegetation strip shall maintain the following standards:

- (A) Shall ensure a live root system stays intact to provide for creek bank stabilization and soil erosion.
- (B) Dead, diseased, unsafe or fallen trees and noxious plants and shrubs including poison ivy, poison sumac and other plans

regarded as a common nuisance in Section 2, Act 359 of the Public Acts of 1941, as amended, may be removed.

- (C) Planting of perennial native species on the natural vegetation strip is encouraged, especially where exposed soil or steep slopes exist. Or where reforestation is necessary. (*eff. date 1/23/98*)

9.12.7 Application of Standards. In cases where non-conforming uses or non-conforming structures exist at the time of adoption of these standards, the Planning Commission may determine that compliance with all of the overlay standards of this section is unreasonable. In these cases, the standards shall be applied to the maximum extent possible. In such situation, suitable alternatives which substantially achieve the purpose of this section may be accepted by the Planning Commission, provided that the applicant demonstrates that one or more of the following conditions apply:

- (A) Size of the parcel is insufficient to meet dimensional standards.
- (B) A site plan, plat, or special use permit was previously approved by the Planning Commission or building permits were previously issued by the Building Department. (*eff. date 1/23/98*)

~~Section 9.13 Woodlands Protection and Preservation Ordinance.~~

~~9.13.1 Purpose. It is the purpose of this section to protect woodlands within Green Oak Township and to preserve the economic, health, aesthetic, and environmental values associated with woodlands. Regulation of the removal of tree resources will help protect and preserve an important natural feature of the Township for the benefit of present and future generations, and for the future well being of public health, Township character, and the natural environment. These provisions are also intended to prohibit clear cutting of woodland areas within the Township.~~

~~9.13.2 Regulated Activities. This Section shall apply to land for which a site plan, plat, or site condominium plan has been submitted for approval to the Planning Commission on or after the effective date of this Ordinance. These provisions shall also apply to simple land divisions under the Green Oak Township Land Division Ordinance No. 77, and the State of Michigan Land Division Act.~~

~~9.13.3 Exemptions. The following activities or conditions are permitted under this Ordinance unless otherwise prohibited by statute or other ordinances.~~

- ~~(A) Residential Parcels five (5) acres or less. Notwithstanding the provisions of this ordinance, removal or transplantation of trees is permitted on residential parcels of five (5) acres or less, provided the parcel supports only one (1) dwelling and permitted residential accessory uses and provided that the parcel is not part of a site plan, plat or site condo being reviewed or anticipated for review~~