

## **Chapter 5**

### **RCG (River and Creek Greenbelt) Overlay District**

#### **Section 5.01 Purpose**

This District shall provide for the preservation of the natural features and view of the Cut River and Backus Creek to preserve the high quality of the river and creek and to prevent the deterioration thereof. The RCG District shall overlay the existing zoning district, and includes land within three hundred (300) feet from the ordinary high water mark on both sides of the Cut River, and four hundred (400) feet from the ordinary high water mark on both sides of Backus Creek.

#### **Section 5.02 Permitted Uses**

No land or buildings in the RCG District shall be used, erected, altered, or converted, in whole or in part, except for the following purposes by right:

Any permitted use in the underlying district.

#### **Section 5.03 Special Land Uses**

No land or buildings in the RCG District may be used, erected, altered, or converted except for the following purposes when approved in accordance with the requirements of Chapter 16:

- A. Hunting Reserves
- B. Public or Private boat launches
- C. Public Parks and Recreation areas

#### **Section 5.04 Site Development Requirements**

All Permitted Uses and Special Uses are subject to the following Site Development Requirements:

- A. Additional setbacks and lot widths for structures.
  - 1. Notwithstanding any other provision of this Ordinance, no dwelling, accessory building, or septic system shall be hereafter constructed, erected, installed, or enlarged within a minimum of forty (40) feet from a shoreline or ordinary high water mark. Exception: For every one (1) foot of bank height above a minimum of seven (7) feet above the ordinary high water mark new structures may be placed five (5) feet closer to the shoreline or ordinary high water mark. However, no structure shall be located closer than twenty-five (25) feet to the shoreline or ordinary high water mark.

2. No dwelling shall be constructed or placed on lands which are subject to flooding, or on banks where four (4) feet between the finished grade level and high ground water line cannot be met. Land may be filled to meet the minimum requirement of four (4) feet between the finished grade level and high ground water line, only under the following conditions:
    - a. No material is allowed to enter the water either by erosion or mechanical means.
    - b. The fill material is of a pervious nature, such as gravel or sand.
    - c. Any necessary permits shall have been acquired as required by the laws of Roscommon County, the State of Michigan, and the rules and regulations of the Department of Natural Resources of the State of Michigan. It shall be unlawful to alter the shoreline of any river or creek in the Township by soil removal or fill.
    - d. All filling or grading work shall be accomplished so as not to alter the natural drainage of adjoining land.
- B. Vegetative Strip.
1. A strip at least thirty-five (35) feet wide bordering the creek or river bank, as measured from the ordinary high water mark, shall be maintained in its natural vegetative state, except for the permitted clearing or dead or noxious plants.
  2. Within this strip, a space of not greater than twenty five (25) feet in width may be selectively trimmed and pruned to allow for the placement of private boat docks (subject to the requirements of Section 3.14 - Accessory Buildings, Structures, and Uses), and for a view of the water.
  3. The Zoning Administrator may allow limited clearing for the vegetative strip only when required for construction of a permitted building or structure outside the vegetative strip. However, the land cleared shall be returned to a vegetative state which is approximately the same quality and extent as that which existed prior to the clearing.
- C. General Provisions outlined in Chapter 3.
- D. Site Plan Review as may be required in accordance with Section 15.01.
- E. Off-Street Parking as may required in accordance with Section 15.02.
- F. Signs are permitted in accordance with the requirements of Section 15.03.
- G. Lot dimension, setbacks, height, and lot coverage requirements for all buildings, shall be met as noted on the following chart, unless otherwise indicated, and as outlined in Schedule of District Regulations, Chapter 14.