

**Banks Township
Ordinance _ of 2016**

An Ordinance to amend Article III: Definitions and Article IV: General Provisions of the Banks Township Zoning Ordinance.

Banks Township Hereby Ordains:

Section 1. Amendment of Article III

Article III of the Banks Township Zoning Ordinance is hereby amended to add the following definition in its appropriate alphabetical location:

Impervious surface: A surface or structure incapable of or highly resistant to penetration by water including, but not limited to, roofs of any type, concrete, asphalt or bituminous paving, compacted gravel, earth, flagstone or brick.

Section 2. Amendment of Article IV, Section 4.11

Article IV Section 4.11 Greenbelt of the Banks Township Zoning Ordinance is hereby amended to read in its entirety as follows:

To preserve natural resources, water quality and community scenic and recreational values, a greenbelt shall be established and maintained on all waterfront property. The greenbelt shall include all the land area located within fifty (50) feet of the ordinary high water mark of a lake or a stream abutting or traversing the property in question. Within the greenbelt, the following development or use restrictions shall apply:

1. No structures shall be allowed except for boathouses, launching ramps and docking facilities including steps and retaining walls, and such facilities shall meet the side yard setback for the district in which they are located. No boathouse shall exceed twelve (12) feet in height above the ordinary high water mark.
2. No dredging or filling shall be allowed except for reasonable sanding of beaches where permitted by state or federal law.
3. The use of asphalt, concrete, wood or other similar surfaces shall be limited to walkways or stairs necessary for water access or boat launch ramps.
4. The use of fertilizers is prohibited. Pesticides and herbicides shall not be used, except as required to manage invasive species as noted in subsection 9 below.
5. Leaves, grass clippings and similar yard and garden wastes may not be burned or stored.
6. Neither septic tanks nor septic system filtration fields may be located within the greenbelt.
7. Natural vegetation cover, including trees, shrubs or herbaceous plants shall be maintained on at least seventy percent (70%) of the lake or stream frontage within the greenbelt. Beach sand, gravel, cobblestone or rock may be substituted for vegetated areas where these materials naturally exist.
8. The greenbelt shall be shown on any plot plan or site plan submitted for approval during the

process of developing a water frontage parcel.

9. No invasive species shall be planted in the greenbelt. Existing invasive species shall be identified and managed using appropriate best management practices as determined by the appropriate state or federal agency.

10. No lawn shall be maintained within the greenbelt.

11. No more than 15% of the greenbelt may be impervious surface.

Section 3. Severability.

If any section, clause, or provision of this Ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed each part, section, subsection, phrase, sentence, and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences, or clauses be declared invalid.

Section 4. Conflicts.

If any provision of the Banks Township Zoning Ordinance conflicts with this Zoning Ordinance Amendment, then the provisions of this Zoning Ordinance Amendment shall control.

Section 5. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the Township.

Township of Banks

By: _____

By: _____

Thomas Mann, Supervisor

Donna Heeres, Clerk

Adoption date: _____

Effective date: _____