

ARTICLE XII

FPR FOREST PRESERVATION AND RECREATION DISTRICT

SECTION 12.01 INTENT AND PURPOSE

The Forest Preservation and Recreation Zoning District (“FPR”) is intended to protect and sustain those lands and water bodies most suitable for public recreational purposes and forest preserves. The FPR zoning district provides regulations which will maintain the natural and unique characteristics of Duck Lake State Park. This District was recommended in the Fruitland Township 2010 Master Plan which states:

“... Duck Lake and White Lake are revered as gems and their shorelines will be protected from overcrowding and poorly conceived developments, which are out of context with the shoreline environment. Likewise, dune lands, tributaries, wetlands and high water table areas will be respected as fragile and important environments. Density in these areas will be kept very low to limit disruption of the landscape and protect natural resources.”

The FPR requirements are designed to regulate and limit the number of structures and the types of uses allowed in order to minimize their impact on wildlife and their habitat, to protect the ecological value of sand dunes from encroachment by future development, to protect the water quality of Duck Lake and to support the state of Michigan in the continuation of Duck Lake State Park as a significant recreational resource for the citizens of Fruitland Township and the people of Michigan.

The establishment of this District also supports the following Goals, some of which are contained in the Fruitland Township Master Plan:

- To plan for and regulate new development in a manner which preserves open space, protects the natural environment, and maintains the rural character of the Township.
- To plan and provide a district which preserves open space, woodlands, maintains the natural environment, and keeps these designated areas of the Township for future generations.
- To direct development so that it takes place in a manner that minimizes or eliminates the potential for soil erosion and disturbances to the natural drainage network, and that also protects the quality of surface and groundwater, woodlands, wetlands, and wildlife habitat.

- To ensure that any development protects the natural or aesthetic character of environmentally sensitive areas through responsible and innovative development and site planning techniques.
- To prohibit clear-cutting of significant forested areas in accordance with best scientific management practices.
- To require buildings to be setback at least 100 feet from the normal ordinary high water mark of any stream, creek, lake, or similar body of water.

SECTION 12.02 USES PERMITTED BY RIGHT

- A. Forestry management operations in accordance with generally accepted forestry management practices (GAFMPs) as defined and prescribed under the auspices of the Right to Forest Act Public Act 676 of 2002.
- B. On Site Use Wind Energy System 65 feet or less in total height.
- C. Public parks (including forests, camping, playgrounds, and swim beaches) owned and operated by the state of Michigan (or any of its governmental agencies) for use by the general public. See also, Section 5, below.

The above uses shall not be subject to the site plan review requirements of Article 15 herein.

SECTION 12.03 USES PERMITTED BY SPECIAL LAND USE

Land, structures and/or buildings in the Forest Preservation and Recreation District may be used for the following purposes following review and approval by the Planning Commission as a Special Land Use as regulated by this Ordinance.

- A. Parks, playgrounds, swimming beaches, trails for hiking, horseback riding, bicycling, cross country skiing, or snowmobiling where all motorized wheeled vehicles are prohibited on such trails except for handicapped and maintenance vehicles, hunting /fishing clubs, wildlife refuge and game preserves, not owned or operated by the state of Michigan (or any of its governmental agencies).
- B. Public or private docks, piers, boat ramps or launches.
- C. Campgrounds (for tents and recreational vehicles) not owned or operated by the state of Michigan (or any of its governmental agencies).
- D. Riding stables.
- E. Any Wind Energy System which is greater than 65 feet in height.

F. Ponds exceeding one (1) acre of surface area.

SECTION 12.04 SITE DEVELOPMENT STANDARDS

A. No use, main building, or principal structure, nor the use, or enlargement or expansion of any main building or principal structure, shall hereafter occur or be erected unless all of the following requirements are met and maintained in connection with such use, building, or structure, or the enlargement or expansion thereof.

Front Yard Setback	One hundred (100) feet
Side Yard Setback	Fifty (50) feet as measured to the foundation.
Rear Yard Setback	Fifty (50) feet.
Building Height	Main building - Thirty-five (35) feet.
Lot Coverage (buildings and impermeable surfaces)	Five (5) percent.
Minimum Lot Area	Forty (40) acres.
Minimum Lot Width	Three hundred (300) Feet.
Lakes, Streams and Creeks	No building or septic tanks, tile fields or other similar waste facilities shall be allowed within one hundred (100) feet from the normal ordinary high water mark of any stream, creek, lake, or similar body of water with the exception of lift stations or similar devices. The regulations of Section 3.30, Riparian Access and Waterfront Keyhole Development, and the regulations of the Shoreline Overlay District shall fully apply to all lands in this District.

B. Tree cutting and or removal of shore cover:

1. On banks facing the lake, stream or creek natural vegetation should be kept where possible to help filter nutrients from ground water flowing to the lake and prevent erosion.
2. Selective trimming of trees and brush for a filtered view of the lake, stream or creek is preferred as opposed to clear-cutting within one hundred (100) feet inland of the water's edge to provide a buffer strip of deeper rooted plants for nutrient absorption and erosion control.

3. Natural vegetation (such as trees or shrubs) shall be preserved as far as practical and where removed, shall be promptly replaced with other vegetation that is equally effective in retarding runoff, preventing erosion, and preserving natural beauty.
- C. A natural vegetation strip shall be maintained to a depth of 100 feet from the road right-of-way line for all portions of any lot or parcel which abuts a street (excluding necessary driveways and access roads) within the FPR district. Within this area, the vegetation shall be maintained in trees, shrubs, field grasses and other vegetation native to the area subject to the following provisions:
- Dead, diseased, unsafe or fallen trees, and noxious and invasive weeds and shrubs and growth may be removed.

SECTION 12.05 CAMPGROUNDS, PARKS, AND FORESTS OWNED AND OPERATED BY THE STATE OF MICHIGAN

Any campground, park, forest, or similar use owned and operated by the state of Michigan (or any governmental agency thereof) for public purposes shall be exempt from Section 4 above. However, docks, piers, boat ramps or launches, and similar structures or items used, owned, operated by, or maintained by the state of Michigan (or any of its agencies), shall be fully subject to Sections 3 and 4 above.