

**ARTICLE 13**  
**GSO, GRAVEL AND SAND OVERLAY DISTRICT**

**SECTION 13.00 PURPOSE**

The Gravel and Sand Overlay (GSO) District is intended for those lands that have significant gravel and/or sand deposits and which will be mined and reclaimed under the provisions of this Article in a manner that protects the public health, safety and welfare. It is the intent of this district that all gravel and sand mining operations reclaim the mining sites in a fashion that preserves the value of the property and facilitates reuse of the land consistent with the Township's adopted Master Plan.

**SECTION 13.01 PRINCIPAL USES PERMITTED**

Unless otherwise permitted in this ordinance, no building shall be erected and no building or land shall be used in the Gravel and Sand Overlay Districts except for one or more of the following:

1. All uses permitted in the underlying Zoning District subject to the standards, regulations, area and bulk requirements, and required conditions for such district.

**SECTION 13.02 USES PERMITTED SUBJECT TO SPECIAL CONDITIONS**

The following Special Condition Uses shall be permitted subject to review and approval by the Township Board, and further subject to any and all reasonable conditions which maybe imposed in accordance with Section 504 of Public Act 110 of 2006 as amended, known as the "Michigan Zoning Enabling Act,". Discretionary approval shall be subject to the requirements and standards of Section 18.00, Review and Approval of Special Condition Uses, of the Zoning Ordinance.

1. All uses permitted subject to special conditions in the underlying Zoning District subject to the standards, regulations, area and bulk requirements, and required conditions for such district.
2. Soil, sand, clay, gravel or similar removal operations, quarry excavation, and filling of land subject to the Clyde Township Ordinance #12, as amended, and other applicable County and State regulations.

**SECTION 13.03 APPROVAL PROCESS**

1. Prior to action by the Township on a site plan and special land use application within the GSO district, the applicant must first obtain approval of rezoning the subject property to place the GSO district over the underlying zoning district. This overlay area shall be designated on the Zoning Map by a dashed line showing the perimeter of the overlay district and a "GSO" label near the center of the Overlay district. A

rezoning petition shall be submitted to the Township pursuant to Township's rezoning procedures.

2. All applications for rezoning to GSO shall be accompanied by "development applications" including a site plan application, special land use application, and application for sand and gravel removal pursuant to Ordinance #12, as amended. Approval of development applications shall take place no sooner than the next Township Board meeting following approval of the GSO rezoning.

## **SECTION 13.04 GENERAL REGULATIONS**

1. For all special land uses specified in Section 13.02 above, the regulations of the GSO District contained herein shall be in addition to the requirements of the underlying zoning district. In the event of a conflict or inconsistency between the underlying district and the GSO District, the GSO District provisions shall apply. All uses permitted in the underlying district shall continue to be permitted after the GSO overlay district is approved and shall be regulated by the provisions of the underlying district.
2. All mining operations shall be required to comply with the requirements, standards, and regulations of this Section, as well as those contained in the Clyde Township Removal of Topsoil, Subsoil, Sand, and Gravel Ordinance #12, as amended, including making application for and obtaining an operating permit, if the operator will remove more than 20 cubic yards from the subject property in any year.
3. Whenever an activity requiring special land use approval or a permit pursuant to Ordinance #12, as amended, is proposed, the following landscape and screening requirements shall be required for all sides abutting an OS District:
  - a. A landscaped, undulating berm, a minimum of four (4) feet in height, with a slope not to exceed 33 percent. Said berm shall be planted with grass or other ground cover to control erosion and provide an aesthetically pleasing appearance.
  - b. Plantings of coniferous (evergreen) trees having a minimum height of four (4) feet, spaced thirty (30) feet apart, on average.
  - c. Plantings of deciduous shrubs having a minimum height of three (3) feet, provided in clumps of three shrubs between each evergreen tree.
  - d. In lieu of the above landscaping requirements, the Applicant may provide with the approval of the Planning Commission an alternative of a minimum seven (7) foot high berm, with a slope not to exceed 33 percent. Said berm shall be planted with grass or other ground cover to control erosion and provide an aesthetically pleasing appearance.
3. Whenever an activity requiring special land use approval or a permit pursuant to Ordinance #12, as amended, is proposed, the following landscape and screening requirements shall be required for all sides abutting an RA or RSF District:

- a. A landscaped, undulating berm, a minimum of five (5) feet in height, with a slope not to exceed 33 percent.
  - b. Plantings of coniferous (evergreen) trees having a minimum height of five (5) feet, spaced twenty (20) feet apart, on average.
  - c. Plantings of deciduous shrubs having a minimum height of three (3) feet, provided in clumps of three shrubs between each evergreen tree.
5. Whenever an activity requiring special land use approval or a permit pursuant to Ordinance #12, as amended, is proposed, the following landscape and screening requirements shall be required for all sides abutting an MHP, MF, R-1 or R-2 District:
  - a. A landscaped, undulating berm, a minimum of six (6) feet in height, with a slope not to exceed 33 percent. Said berm shall be planted with grass or other ground cover to control erosion and provide an aesthetically pleasing appearance.
  - b. Plantings of coniferous (evergreen) trees having a minimum height of five (5) feet, spaced fifteen (15) feet apart, on average, in two separate staggered rows. Each row shall have trees spaced thirty (30) feet apart, on average, to achieve the effective spacing of fifteen (15) feet.
  - c. Plantings of deciduous shrubs having a minimum height of three (3) feet, provided in clumps of three shrubs between each evergreen tree.
6. Whenever an activity requiring special land use approval or a permit pursuant to Ordinance #12, as amended, is proposed, the following landscape and screening requirements shall be required for all sides abutting a LC, GC, or LM District:

An undulating berm, a minimum of five (5) feet in height, with a slope not to exceed 33 percent. Said berm shall be planted with grass or other ground cover to control erosion and provide an aesthetically pleasing appearance.
7. In instances where healthy plant material exists on the site prior to its development, the applicant may apply to adjust the application of the above landscaping and screening standards to allow such plant material to substitute for new planting if such an adjustment is in keeping with, and will preserve, the intent of this Section. To obtain substitution, the existing preserved plant material shall be of high quality as determined by the Township and shall be included in a preservation easement approved by the Township.
8. Upon termination of any excavation and/or mining operation either by the operator, owner, the Township through this Ordinance, or through judicial means, the land shall be reclaimed according to the standards for rehabilitation as described in Ordinance #12.

## **SECTION 13.05 AREA AND BULK REQUIREMENTS**

See Article 14, “Schedule of Regulations” limiting the height and bulk of buildings, the minimum size of lot by permitted land use, and providing minimum yard setback requirements for uses permitted in Section 13.01.