

ARTICLE 8

NATURAL RESOURCES DISTRICT

5 **Sec. 8-01 Description and Purpose**

NR Natural Resources District. The NR Natural Resources District is designated with the recognition that the sand and gravel deposits within the Township are unrenewable natural resources necessary and beneficial to the economy and welfare of the Township and the regional area. To provide for the utilization of this resource in a manner compatible with nearby residential areas, and to ensure complete restoration of the sand and gravel areas ready for another land use at the conclusion of excavation and treatment, this Natural Resources District is hereby established. The land uses allowed in this district are subject to depletion of the available natural resources for which they exist. For this reason, this district is considered an interim zoning classification, with the operations of the permitted uses eventually leading to other uses. The uses allowed in the NR District, by their on-going operation, can create significant changes to the environment, influencing the site, the surrounding land uses and long term community planning efforts. These uses are monitored through a permit process to ensure compliance with an approved restoration plan.

(Ord. #252, 11/18/11)

25 **Sec. 8-02 Uses Permitted**

- (a) Land, buildings, and uses indicated in Table 8-02 are permitted by right and are denoted by a “P”. The final column includes additional requirements that apply to the use which are referenced in a footnote to Table 8-02.

Table 8-02		
Schedule of Natural Resources Uses		
	NR	Requirements
Mining		
Extraction of Sand & Gravel	P	(1)
Extraction of other Materials as defined in Chapter 15 of the Code of Ordinances	P	(1)
Mining of Deposits of Limestone or other Similar Materials as defined in Chapter 15 of the Code of Ordinances	P	(1)
Processing of Sand & Gravel	P	(1)

(b) Uses noted in Table 8-02 shall comply with the following requirements:

(1) The extraction/removal of sand, gravel, limestone, or similar materials by excavation, stripping, mining, or otherwise taking (and including on-site operations appurtenant to the taking, including washing, grading, sorting, and grinding operations) shall be carried on within the limits of the NR District. All extraction from new pits begun subsequent to the effective date of this Ordinance shall be washed, graded, and further processed and/or stored within the limits of the NR District, and no natural resource extracted outside the limits of this district shall be brought in for washing, grading, or further processing, except in the event of a public emergency as declared by the Township Board, requiring the use of the natural resource. Resource related industries including, but not limited to, concrete batching plants and asphalt mixed plants, shall not be permitted as a part of this NR District.

(Ord. #252, 11/18/11)

Sec. 8-03 District Regulations

(a) **Natural Resources Schedule of Area and Bulk Requirements.** All lots, buildings and structures shall comply with the area height and bulk requirements in Table 8-03. Numbers included within the table are additional requirements that apply to the use which are referenced in a footnote to Table 8-03.

Table 8-03 Natural Resources Schedule of Area and Bulk Requirements	
District	NR
Lot Requirements	
Minimum Lot Width(ft.) (1)	250
Maximum Building Height	(2)
Setback Requirements (3)(4)	
Front Yard(ft.)	300
Rear Yard(ft.)	25
Side Yard(ft.) – each	50

(a) **Notes.** The following notes apply to Table 8-03.

(1) **Reduction of Lot Width.** A tract that has no frontage may be approved by the Planning Commission if it is fronted by an active natural resource operation that is properly zoned and is operating in compliance with

Township regulations and has a recorded legal easement allowing for direct access to a major or secondary thoroughfare. Joint excavation/removal operations may have setbacks from the joint site; setbacks are not required from each individual operator's site.

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(2) **Building Height.** The building height cannot exceed the minimum distance between any property line and structure.

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(3) **Operational Setback.** To reduce the effects of airborne dust, dirt, and noise, all equipment for sorting, crushing, loading, weighing, and other operational structures shall not be placed or constructed closer than three hundred (300) feet from any public road right-of-way or from any property line adjoining a Residential District.

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(4) **Natural Resources District Setback.** Excavation, washing, and stockpiling of extracted material shall not be conducted closer than fifty (50) feet from the outer boundary of any NR District. This setback area shall not be used in conjunction with a natural resources operation, except for access roads, fencing, and posting of public notices. Greenbelt plantings, berms, and landscaping shall be provided and adequately maintained in this setback area as required in the approved restoration plan.

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(5) **Natural Features Setback.** A twenty five (25) foot natural feature setback shall be maintained from the ordinary high water mark (shoreline) of any lake, pond, or stream and to the edge of any drainageway, or regulated wetland. The natural feature setback shall be maintained in a natural condition with all natural vegetation and groundcover left undisturbed. All waterfront uses must meet the requirements of *Article 24*.

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(b) **Internal Access Roads.** All internal access roads shall be treated so as to create a dust-free surface for a distance of three hundred (300) feet from the connection with any public road.

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(c) **Environmental Performance Standards.** Each restoration plan reviewed by the Planning Commission in the NR District shall fully address applicable environmental performance standards and shall be designed in a manner that ensures continuing compliance with all applicable Ordinances.

(Ord. #252, 11/18/11), (Ord. #243, 8/1/08)

Sec. 8-04 Review Requirements

(a) **Restoration Plan Review.** All uses in the NR District shall be subject to the restoration plan review standards as designated in this Ordinance. However, changes to a restoration plan that are directly related to the removal of product under an approved Township permit shall not require a new restoration plan review, if the changes are consistent with both of the following:

(1) The operational requirements stated in the Township Code of Ordinances.

(2) The approved restoration plan.

(b) **Operational Considerations.** Extraction/removal operations in this district are subject to the extraction/removal permit requirements of *Chapter 15, Secs. 15-27 and 15-28*, other applicable sections and ordinances in the Township Code of Ordinances, and any other applicable zoning ordinances. These general operational requirements are hereby referenced as additional conditions of the Planning Commission restoration plan review.

(c) Initial Review of Soil Removal Uses

(1) **Planning Commission Review.** The applicant shall submit all information required for a permit under the Township Code of Ordinances. The Planning Commission shall review an application for a new use in the NR District prior to the applicant receiving a permit review from the Township Board. Any Planning Commission recommendation of approval of a restoration plan for a new natural resources use shall be contingent upon the approval of a required extraction/removal permit by the Township Board.

(2) **Restoration Plan.** In addition to the restoration plan requirements stated in this Ordinance, the initial restoration plan review of a use in the NR District shall require the submission of a restoration plan that indicates the feasible re-use of the site in a manner compatible with surrounding areas and the Future Land Use Designation in the adopted Township Master Plan following termination of activities. The approved restoration plan

shall be the benchmark against which the Township review of restoration activities will be determined. The restoration plan shall include information as identified in the application, which include the following.

- 5 a. Proposed after-use of site following restoration.
- b. Proposed final topography of site at a minimum of five (5) foot contour intervals.
- 10 c. Proposed water bodies or wetlands.
- d. Proposed closing elevations with adjoining properties.
- e. Delineation of areas to be subdivided or otherwise partitioned for development.
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- (d) **Post Restoration Use.** The Planning Commission shall designate the post-restoration zoning district based upon compatibility with surrounding areas and the Future Land Use Designation in the Township Master Plan. Development of the site following restoration shall require rezoning, following the procedures of *Section 23-10*, and approval of a site plan, condominium, plat, or PUD based upon the proposed use.
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25 (Ord. #252, 11/18/11)