

## L: LANDFILL OVERLAY DISTRICT

### 154.315 INTENT.

The Landfill Overlay District is established to promote the development and expansion of solid and liquid waste disposal facilities, landfills, and other comparable facilities, in order that the community is assured of a safe and responsible development. (*Ord. 101-07, § 2, passed 11-13-2007*)

### 154.316 PERMITTED USES.

(A) *Primary Uses.*

- (1) Those uses allowed as permitted uses in the underlying zoning district;
- (2) Sanitary landfill or solid or liquid waste disposal facility, subject to the following minimum development standards:

(a) The initial phase of the facility shall not be operated on a site of less than 40 acres in area. Additions to the initial site may be in smaller acreages.

(b) No portion of such site within 50 feet from adjacent property lines shall be utilized for such use; provided, however, that where a residential district or principal residential use shares contiguous boundaries with the site at the time such site was established, no portion of such site within 100 feet of the boundary lines of such residential district or the property lines of such principal residential use shall be utilized for such use.

(c) Drainage plans for such use and the proposed site shall have been approved by the County Engineer and the County Surveyor and the County Engineer shall have approved curb cuts within and upon such proposed site.

(4) No sanitary landfill, or solid or liquid waste disposal facility, shall be approved until the applicant and the owner of the proposed site shall execute an agreement in favor of St. Joseph County by the terms of which such applicant and owner shall agree to maintain the site being utilized for the said use, and to restore and reclaim the site within a time period specified in such agreement, following termination of such use, according to the following minimum specifications:

1. A uniform contour that is consistent with the approved site plan shall be established and maintained throughout the area;

2. Impervious soil and soil suitable for growing vegetation shall be replaced over the site to permanent uniform depths not less than that then required by applicable state standards and regulations; and

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3. The site shall be seeded, landscaped, and maintained with perennial plant material until a permanent type ground cover is established to prevent erosion.

(B) *Special Uses.* Those uses allowed as permitted uses in the underlying zoning district.

(C) *Accessory Uses.* Those uses allowed as permitted uses in the underlying zoning district

*(Ord. 101-07, § 2-A, passed 11-13-2007)* Penalty, see § 154.999

**154.317 GENERAL DEVELOPMENT STANDARDS.**

Those standards set out in the underlying zoning district except for those standards set out above for sanitary landfills or solid or liquid waste disposal facilities.

*(Ord. 101-07, § 2-B, passed 11-13-2007)*