

SECTION 8 CLOSED LANDFILL RESTRICTED DISTRICT

SUBDIVISION 1. PURPOSE

The Closed Landfill Restricted (CLR) District is intended to apply to former landfills that are qualified to be under the Closed Landfill Program of the Minnesota Pollution Control Agency (MPCA). The purpose of the District is to limit uses of land within the closed landfill, both actively filled and related lands, to minimal uses in order to protect the land from human activity where response action systems are in place and, at the same time, are protective of human health and safety. This district shall only apply to the closed landfill's Land Management Area (LMA), the limits of which are defined by the MPCA. This district shall apply whether the landfill is in public (MPCA, County, City, Township), or private ownership. The Closed Landfill Use Plan – Murray County Landfill report dates December 28, 2012, or as amended by the MPCA is adopted by reference as part of the CLR District.

SUBDIVISION 2. PERMITTED USES

The following uses shall be permitted with the “CLR” Closed Landfill Restricted District:

1. Closed Landfill management as identified in the Closed Landfill Use Plan.

SUBDIVISION 3. ACCESSORY USES

The following uses shall be allowed in the “CLR” Closed Landfill Restricted District:

1. Outdoor equipment or small buildings used in concert with gas extraction systems, other response action systems, monitoring wells or any other equipment designed to protect, monitor or otherwise ensure the integrity of the landfill monitoring or improvement systems. Fences and gates are permitted under these provisions.
2. Accessory buildings for uses other than the landfill management must be located outside of the Methane Gas Area of Concern.

SUBDIVISION 4. CONDITIONAL USES

Conditional uses shall be limited to uses that do not damage the integrity of the Land Management Area and that continue to protect any person from hazards associated with the landfill. Any application for a conditional use must be approved by the Commissioner of the MPCA and Murray County. Such approved use shall not disturb or threaten to disturb, the integrity of the landfill cover, liners, any other components of any containment system, the function of any monitoring system that exists upon the described property, or other areas of the Land Management Area that the Commissioner of the MPCA deems necessary for future response actions.

The following conditional uses are permitted within the CLR District:

1. Any conditionally permitted Renewable Energy System as regulated in the Murray County Renewable Energy Ordinance.

SUBDIVISION 5. PROHIBITED USES AND STRUCTURES

All other uses and structures not specifically allowed as conditional uses, or that cannot be considered as accessory uses, shall be prohibited in the CLR District.

SUBDIVISION 6. GENERAL REGULATIONS

Requirements for site design and other regulations related to the uses of the property are those specified by this Section and Section 14 General Regulations. Any amendment to this Section of the Ordinance must be approved by the Commissioner of the MPCA and the Murray County Board of Commissioners.