

SECTION 6.17

CLOSED LANDFILL RESTRICTED. (Added by Ordinance 206)

- (a) 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, the limits of which are defined by the MPCA. This district shall apply whether the landfill is in public (MPCA, County, City, Township), Indian tribal, or private ownership.

For purposes of this Ordinance, the Land Management Area for the Hoyt Lakes Landfill, a qualified facility under the MPCA's Closed Landfill Program, is described as:

The North One-half of the Southeast Quarter (N ½ - SE ¼) and the South One-half of the Northeast Quarter (S ½ - NE ¼) lying West of the centerline of County Highway 666, consisting of 67.23 acres.

AND

That part of the South One-half of the Northeast Quarter of the Southeast Quarter (S ½ - NE ¼ - SE ¼) lying West of the centerline of County Highway 666, consisting of 8.6 acres.

AND

The South One-half of the Northwest Quarter of the Southeast Quarter (S ½ - NE ¼ - SE ¼), consisting of 15.3 acres.

AND

That part of the Southeast Quarter of the Southeast Quarter (SE ¼ - SE ¼) lying North of the Northerly line of the Duluth, Messabe and Iron Range Railway and lying West of the centerline of Highway 666, consisting of 1.4 acres.

AND

That part of the Southwest Quarter of the Southeast Quarter (SW ¼ - SE ¼) lying North of the Northerly line of the Duluth, Messabe and Iron Range Railway, consisting of 0.5 acres.

All in Section Four (4), Township Fifty-eight (58) North, Range Fourteen (14) West, St. Louis County, Minnesota.

- (b) Permitted Uses.

The following uses are permitted within the CLR District: Closed Landfill Management Use, and Solar Energy Farm Use.

(c) Accessory Uses.

Accessory uses allowed in this district include 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 insure the integrity of the landfill monitoring or improvement systems. Fences and gates shall apply under these provisions.

(d) 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 the Hoyt Lakes Planning Commission. 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.

(e) 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.

Subd. 4. The rezoning district map is amended to rezone the following property from Mineral Mining District (MM), to Closed Landfill Restricted (CLR):

The North One-half of the Southeast Quarter (N ½ - SE ¼) and the South One-half of the Northeast Quarter (S ½ - NE ¼) lying West of the centerline of County Highway 666, consisting of 67.23 acres.

AND

That part of the South One-half of the Northeast Quarter of the Southeast Quarter (S ½ - NE ¼ - SE ¼) lying West of the centerline of County Highway 666, consisting of 8.6 acres.

AND

The South One-half of the Northwest Quarter of the Southeast Quarter (S ½ - NE ¼ - SE ¼), consisting of 15.3 acres.

AND

That part of the Southeast Quarter of the Southeast Quarter (SE ¼ - SE ¼) lying North of the Northerly line of the Duluth, Messabe and Iron Range Railway and lying West of the centerline of Highway 666, consisting of 1.4 acres.

AND

That part of the Southwest Quarter of the Southeast Quarter (SW ¼ - SE ¼) lying North of the Northerly line of the Duluth, Messabe and Iron Range Railway, consisting of 0.5 acres.

All in Section Four (4), Township Fifty-eight (58) North, Range Fourteen (14) West, St. Louis County, Minnesota.

Subd. 5. Any amendment to this Ordinance, including specifically the description of permitted uses, accessory uses, conditional uses, or prohibited uses and structures, or the description of the Closed Landfill Restricted District as set forth in the zoning map, must be approved by the Commissioner of the MPCA and the Hoyt Lakes City Council.