

## **Sec. 4-6.8 Development Standards in P-D-R Districts.**

### **Sec. 4-6.81 Plans Required.**

Before an area shall be designated on the zoning map as PD-R (Planned Development - Reclamation) District, generalized development plans including a generalized land use plan shall be submitted in accordance with the provisions of this section of the Zoning Ordinance and approved by the Metropolitan Planning Commission. The Planning Commission may disapprove, approve, or modify the plans so as to meet the purpose of this section.

### **Sec. 4-6.82 Review Procedure.**

All applications for a PD-R (planned Development - Reclamation) District shall proceed as provided for processing zoning applications. A PD-R district approved for an inert landfill shall be designated as a PD-R-L and a PD-R district approved for surface mining activity or vice versa shall be processed in the same manner as a petition for rezoning to a PD-R zoning classification.

### **Sec. 4-6.83 General Development Plan.**

A general development plan shall accompany the zoning application requesting a PD-R (Planned Development - Reclamation) District. The general development plan shall include the following:

- a. A plat of the site.
- b. Adjacent properties, including the location of existing buildings and uses within two hundred (200) feet of the site.
- c. An identification of the areas where surface mining and inert landfill (hereinafter referred to as "landfill") activities are proposed.
- d. The location and condition of abutting roads and major drainage features.
- e. A generalized proposed land use plan for the property, including a statement of its proposed use or reuse. In addition, the use of reuse of each excavated area shall be shown as one of the following:
  1. A landfill in which the excavated property is filled and no portion of the excavated property remains as a lake or pond, or
  2. A lake or pond consisting of the entirety of the excavated property within which no landfill material may be placed.

- f. The proposed time schedule for starting and completing surface mining and landfill activities. Information to be submitted as a basis for the schedule shall include the following:
  - 1. Calculations of the volume to fill or excavate expressed in total cubic yards determined by the dimensions of the landfill or excavation area;
  - 2. Identification of the volume of available fill material on a weekly or monthly basis;
  - 3. Description of the type of material to be used for fill; and
  - 4. Description of the proposed frequency of compaction and type of equipment to be used for compaction.
  
- g. A scale model, sketch or drawing which depicts the height in feet of any proposed landfill in proportion to and in relationship to existing natural buffers and the ground elevation of the site shall be submitted with the general development plan. A landfill shall not exceed a height of one hundred and twenty-five (125) feet above the existing grade of the landfill and such landfill shall be visually screened to the extent reasonably possible from any viewing point within two thousand (2,000) feet of the highest point of the landfill, as measured from a point six (6) feet above the natural ground level. Except where easements, rights-of-way and/or restrictive covenants require a break in the existing natural buffers and where such breaks are shown on the approved site plan, such buffer shall conceal at least ninety-five (95) percent of the landfill or surface mining activities. Easements, rights-of-way, restrictive covenants and all other governmentally and/or contractually required areas shall be depicted on the scaled model, sketch or drawing.

The Planning Commission following a review of the above data along with environmental concerns shall set the time for the completion of all landfill and/or surface mining activities.

**Sec. 4-6.84 Specific Development Plan.**

Following the approval of the PD-R (planned Development Reclamation) District zoning a detailed development plan shall be submitted to and approved the MPC. No activity shall take place within the PD-R zoning district, except for securing the property or continuing existing surface mining or landfill operations for which a permit was previously granted, until the specific development plan has been approved by the MPC

Such plan shall include but not necessarily be limited to the following:

- a. A scale drawing of the site including adjacent property and location of all buildings.
- b. Location of proposed and existing surface mining and landfill areas located on the site including type and quantity of materials proposed to be handled at each area.
- c. Location and condition of abutting roads and proposed principal route to and from the site and the location of on-site roads to serve areas of activity and points of ingress and egress at the site.
- d. Type and location of buffers including permanent open spaces and retention of tree cover.
- e. Topography of the area including contours, easements and major drainage features.
- f. Existing and proposed land use plan, including the identification of any excavated portions of the site for use or reuse as either a landfill or a lake but no a combination thereof. The approved land use plan shall set forth the permitted use or uses of the property along with the specific development standards. Such land use plan shall be submitted and processed pursuant to the review procedures as set forth in Section 4-6.5 Planned Development District. No use or reuse of property located within a PD-R zoning district shall be permitted that is not shown on the approved land use plan. Also, the land use for any excavated portions of the site shall involve either a landfill or a lake/pond but not a combination thereof. Any proposed change from a landfill to a lake or pond or from a lake or pond to a landfill shall comply with the provision of Sec. 4-6.85. Incinerators are not permitted within the PD-R district.
- g. A time schedule for start and completion of surface mining and landfill activities for each area designated for such use within the time frame set by the Planning Commission upon approval of the General Development Plan.
- h. Provisions for erosion and siltation control.
- i. Final grading plans for landfill areas and sloping plans for lake development.

**Sec. 4-6.85 Amendment of General and Specific Development Plans to Convert a Landfill to a Lake or Pond or a Lake or Pond to a Landfill.**

Following approval of a Specific Development Plan as provided for herein, no landfill shown on such plan shall be converted to a lake or pond and no lake or pond shown on such plan shall be converted to a landfill except by application to and the approval of the Chatham County Commission. Such application shall be submitted and shall be processed in the same manner as a petition for rezoning to a PD-R zoning classification, including submittal to the Planning Commission for a recommendation and a public hearing before the Chatham County Commission.

**Sec. 4-6.86 Surface Mining and Landfill Operation Standards.**

The following standards shall apply to surface mining and landfill operations as approved on the specific development plan. The standards shall be in addition to control measures imposed by the Georgia Environmental Protection Division, including those measures specified in the Division's Rules and Regulations for Solid Waste Management relating to landfill grading and drainage and environmental protection. In addition to the state-imposed controls mentioned above, the following local standards shall apply:

- a. A 75 foot wide natural or landscaped buffer shall be established and maintained along all property lines.
- b. The hours of operation shall be limited to the hours between sunrise and sunset.
- c. Access to the site shall be controlled and monitored by a responsible agent of the operator. Signs shall be posted at the site to forbid trespass. Access shall be limited to authorized entrances which shall be closed when the site is not in operation.
- d. All roads subject to continuous use shall be treated as necessary as determined by the County Engineer to minimize dust emissions.
- e. Landfill material shall be limited to earthen material and dry trash. Putrescible wastes such as garbage or food waste container, hazardous wastes, pathological wastes and similar materials are specifically prohibited.
- f. The burning of solid waste shall not be permitted.
- g. Scavenging shall not be permitted.

- h. Solid waste materials placed as landfill shall be spread in layers and compacted to the least practical volume and covered with a uniform compacted layer of clear earth not less than one (1) foot in depth over all exposed waste material at least monthly or more frequently as may be determined by the County Engineer or his designee.
- i. No trash or other materials shall be deposited into water-filled pits or low areas with standing water. For such water-filled areas, a 24-hour per day pumping operation shall be required to an approved drainage structure. Drainage shall be conducted in a manner which shall not have an adverse effect on the environment or cause any damage or problem to other properties.
- j. The operator shall be responsible for the control and proper disposal of incidental litter by providing fencing or other physical barriers as necessary and by policing the site. The operator shall be responsible for prompt clean-up of any solid waste dumped within 500 feet of the premises.
- k. For landfill operations involving solid wastes, a fire prevention and control plan shall be submitted to and approved by the Chatham County Public Works Department. Suitable means shall be provided to prevent and control fires. Stockpiled soil and suitable equipment to move the soil shall be available to at all times.
- l. Rodents and insects shall be controlled.
- m. The landfill shall be operated in such a manner as to prevent air, land, or water pollution, public health hazards, or nuisances.

**Sec. 4-6.87 Reclamation Standards for Surface Mining and Landfill Sites.**

The following standards shall apply to the reclamation of surface mining or landfill sites upon the completion of operations. These standards shall be in addition to control measures imposed by the Georgia Environmental Protection Division, including those measures specified in the Division's Rules and Regulations for Land Reclamation relating to control of erosion and siltation and to the protection of public roads and public waters from adverse effects of surface mining.

In addition to the state-imposed controls mentioned above, the following local standards shall apply:

- a. Reclamation shall be done to the extent possible concurrent with excavation or landfill operations on annual basis as lands become available, and in any case

shall be completed within 12 months form the cessation of operations and shall be carried on in a manner that will achieve the objectives of the approved land use plan.

- b. Abandoned or worn-out equipment shall not be permitted on the site and large rocks and debris such as stumps, logs, and timber shall be removed from the site or buried.
- c. All structures, buildings, and foundation associated with operations shall be removed from the site or buried unless they are compatible with reclamation objectives.
- d. Upon cessation of fill operations or a phase of fill operation such acreage shall be graded to blend into the surrounding topography and planted with a suitable vegetative cover and left in a mowable condition.
- e. The perimeter of any lake or pond shall be graded and sloped so as to achieve the following standards:
  - 1. The water depth around the perimeter of the lake as measured 12 feet from the shoreline shall not be less than three feet or more than four feet so as to provide for safety and aquatic weed control at the shoreline.
  - 2. Beyond the 12 foot mark as measured from the shoreline the slope shall not exceed a horizontal to vertical ratio of 3:1 to a water depth of seven feet.
  - 3. Beyond the seven foot depth, the slope shall not exceed a horizontal to vertical ration of 1:1.
  - 4. The primary water body shall provide a minimum depth of four feet including seasonal variations in water levels.
- f. The water within any lake or pond shall be free of underwater hazards including poles, pilings, abandoned equipment, etc.
- g. If a lake or pond is included as a permanent feature of the reclaimed site, access to the lake shall be controlled by means of a wire or chain link fence to be constructed to a minimum height of six feet. Provided, however, this provision maybe waived by the Planning Commission when such lake or pond is designed to provide an amenity to an adjoining residential development or is open to the general public for recreational purposes.

**Sec. 4-6.88 Enforcement of Operation and Reclamation Standards.**

The Chatham County Engineer and/or his designee shall be responsible for regular inspections of surface mining and landfill sites and for the enforcement of standards set forth within this section of the Zoning Regulations. Failure of the operator to comply with any of these regulations shall be grounds for closure of the site or other legal action as deemed appropriate.

**Sec. 4-6.89 Certification of Approved Plans.**

Specific development plans approved by the MPC, as certified by the MPC Executive Director, shall be submitted to the Zoning Administrator and to the County Engineer for the issuance of applicable permits and for monitoring and enforcement of the provisions of these regulations and approved development plans.

A certified copy of the approved development plans including a land use plan and any protective covenants on the property, permitted uses and development standards, protecting buffer easements, permanent open spaces, and other easements, shall be forwarded by the MPC Executive Director to the Clerk of Superior Court of Chatham County, Georgia, to be recorded. The Planning Commission shall provide the developer and the Zoning Administrator with the subdivision map book number and page number in which the development plan and covenants have been recorded by the Clerk of Superior Court. The cost of such recording shall be paid by the developer and shall be deposited with the Planning Commission prior to such recording.

**Sec. 4-6.810 Variances.**

The Planning Commission may approve variances from these requirements at the request of the developer on a finding that such variances would:

- a. Be in keeping with the overall character of the area.
- b. Would not be contrary to the purpose and intent of these regulations.
- c. Would not be detrimental to existing or proposed surrounding uses.
- d. Would serve public purposes to a degree equal to or greater than the standards replaced.