

The Unified Land Use Regulations are amended as follows:

- (a) Article 2, “Basic Definitions and Interpretations”, Section 15, is amended by adding the following definitions thereto:

Non-Utility Waste Landfill. Any parcel of land with or without buildings used for deposit, disposal, collection or storage, of used or discarded materials such as chemicals, road construction materials, appliances, waste paper, rags or scrap material; or used building materials, house furnishings, machinery, vehicles or parts thereof with or without the dismantling, processing, salvage, sale or other use or disposition of the same. Also referred to as junk yard or dump.

Utility Waste Landfill. Any parcel of land on which are situated any improvements constructed or used for solid waste disposal, management, reclamation or recycling of fly ash waste, bottom ash waste, slag waste, flue gas emission control waste or other wastes generated in connection with the combustion of coal and other fossil fuels, or uses in support thereof or accessory thereto, including, without limitation, water retention and management areas.

- (b) The following Section 238 is added to Article 10, “Supplementary Use Regulations”:

Section 238: Landfill Uses

A. Definitions

- 1) *Non-Utility Waste Landfill.* Any parcel of land with or without buildings used for deposit, collection or storage, outside a completely enclosed building, of used or discarded materials such as chemicals, road construction materials, appliances, waste paper, rags or scrap material; or used building materials, house furnishings, machinery, vehicles or parts thereof with or without the dismantling, processing, salvage, sale or other use or disposition of the same. Also referred to as junk yard or dump.
- 2) *Utility Waste Landfill.* Any parcel of land on which are situated any improvements constructed or used for solid waste disposal, management, reclamation or recycling of fly ash waste, bottom ash waste, slag waste, flue gas emission control waste or other wastes generated in connection with the combustion of coal and other fossil fuels, or uses in support thereof or accessory thereto, including, without limitation, water retention and management areas.

B. Regulations Concerning Non-Utility Waste Landfills

- 1) Non-Utility Waste Landfills are not permitted in any zoning district within Franklin County.
- 2) Those existing non-utility waste landfills, that were developed prior to 1986, shall be considered a non-conforming use and can still operate. No existing non-utility waste landfill is permitted to expand beyond what was developed prior to 1986.

A. Regulations Concerning Utility Waste Landfills

- 1) Notwithstanding any other provision in these Unified Land Use Regulations of Franklin County to the contrary, Utility Waste Landfills are a permitted use in every Zoning District of the County, provided that at least a portion of any such Utility Waste Landfill is situated within 1,000 feet of the boundary line of an existing utility power generation plant and is not located in the 100 year floodplain, provided that such utility power generation plant is under common ownership with such Utility Waste Landfill. For purposes of this section, “utility power generation plant” shall include any parcel of land on which are situated any improvements constructed or used for the generation of electric power, and uses in support thereof or accessory thereto, including, without limitation, power plant buildings, electric generating equipment, ash ponds, transmission facilities, coal yards, rail lines, barge lines, water treatment structures and facilities, pipelines, employee parking, or public and private access roads.
- (c) Article 10, “Supplementary Use Regulations”, Section 235, “Waste Control Definitions and Regulations” is amended by adding the term “Utility Waste Landfill” after the term “recycling facilities” in the first line thereof.