

RESOLUTION Z-22-12

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA FOR A MINOR AMENDMENT TO AN EXISTING SPECIAL USE PERMIT TO EXTEND THE PERMIT FOR THE LANDFILL FOR AN ADDITIONAL 5 YEARS. THIS PROPERTY HAS A RURAL/AGRICULTURE LAND USE DESIGNATION WITH AN 'A' (AGRICULTURE) ZONING DISTRICT AND IS APPROXIMATELY 44.5 ACRES LOCATED AT 20103 SW ARCHER ROAD ON TAX PARCEL NUMBER 05104-002-002.

WHEREAS, Zoning Application Z22-000007 has been duly filed and was considered by the Alachua County Board of County Commissioners at its regular meeting of February 28, 2023;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

Zoning Application Z22-000007, a request by eda, inc., agent, for Countyline Landfill, Inc, owner, for a minor Special Use Permit amendment to extend an existing special use permit for an additional 5 years on a property that has a Rural/Agriculture land use designation with an 'A' (Agriculture) zoning district and is approximately 44.5 acres located at 20103 SW Archer Road on tax parcel number 05104-002-002, is hereby approved with the following conditions and bases:

Conditions:

1. The applicant shall comply with all federal, state, and local laws, rules, regulations, permits and ordinances, now and hereafter in force, which may be applicable to the use of the site. Revised Final Development Plan approval shall be required within one year of the issuance of this permit and shall include an updated groundwater monitoring plan.

2. This special use permit is issued to County Line Landfill, Inc. (Larry Watson, President) to allow excavation, fill, and recycling of construction and/or demolition debris and shall expire February 28, 2028. In the event of transfer of this property or business to any other operating entity, this Special Use Permit shall terminate.

3. A setback 100 feet in width shall be retained along the right-of-way of State Road 24. A setback 50 feet in width shall be retained along all other property lines. Stormwater basins shall be allowed in the setback area.

4. A 50 foot low density buffer shall be required along State Road 24 to provide visual screening.

5. Any materials such as lubricants, hydraulic fluids, oils or other materials used in equipment maintenance shall be collected and properly disposed of and not

allowed to leak onto the surface of the ground.

6. Burning shall be prohibited.
7. The waste disposal limit and sequence of fill, and closure and reclamation plan shall be in accordance with the Florida Department of Environmental Protection (FDEP) permit requirements for this site.
8. Hours of operation shall be daylight hours Monday through Saturday.
9. The finished slopes shall be no greater than 1:4 (rise:run), and the maximum height of fill shall not exceed 148 feet NGVD (National Geodetic Vertical Datum).
10. Excavation shall be prohibited.
11. If groundwater or surface water monitoring results indicate a degradation of the water quality, the applicant may be required to temporarily cease filling operations until the source of the problem is identified, and appropriate corrective actions are completed.
12. Prior to any disturbance of native soils in the setback areas, the applicant shall survey these areas for gopher tortoises. Should the survey reveal that gopher

tortoises reside in setback areas proposed for construction activities, certification that Florida Fish and Wildlife Conservation Commission regulations have been addressed shall be provided to the Alachua County Environmental Protection Department prior to excavation or land clearing.

13. At the time of development review, the applicant shall provide an update of the following:

a. An engineer or geologist, registered in the State of Florida, shall prepare an environmental monitoring plan. The plan shall provide for monitoring during landfill operation and for a five-year post-closure period. The plan shall include:

- 1.** An inventory of all public and private potable water wells within 500 feet of the subject property boundaries.
- 2.** Monitoring and reporting of ground water quality upgradient and downgradient of the site.
- 3.** Monitoring and reporting of surface water quality on, and in the vicinity of the site, when it is present.
- 4.** Field and laboratory test parameters.
- 5.** Frequency of monitoring events and location of monitoring wells and surface water stations.
- 6.** Timely submission of monitoring reports that include a one page

summary/cover letter, prepared by a professional engineer or professional geologist. The summary/cover letter shall highlight and discuss any exceedances or increases over historic results. In addition, exceedances of primary drinking water standards shall be reported in writing within 48 hours to the Alachua County Environmental Protection Department.

- b.** A site closure plan shall be developed and submitted. The plan shall include, but not be limited to, the provision of procedures for post-closure repair of subsidence on the “finished” landfill surface to prevent the contamination of the Floridan aquifer by runoff from the land surface. Specifically, filling shall occur in a contiguous manner, and upon filling of five acres of the site, a 24-inch-thick layer of soil will be placed and compacted over the fill material. The upper 6 inches of this layer shall be capable of supporting vegetation. All cover as well as revegetation for a 5-acre portion of the site shall be in place within 180 days of final receipt of waste.
- c.** A hazardous materials management plan shall be established for the purpose of outlining spill cleanup and hazardous materials disposal procedures.

- d. A waste management plan for the handling of unauthorized wastes shall be established for the purpose of outlining procedures for properly managing the disposal of wastes, other than C&D (construction and/or demolition debris) materials, that are discovered.
- e. The future use or abandonment of any well which may exist in the proposed excavation area shall be specified. The Development Review Committee may require the use of existing wells as monitoring wells. Well abandonment shall be carried out in compliance with Suwannee River Water Management District requirements.
- f. A copy of the applicant's current Florida Department of Environmental Protection permits, with any additional amendments.
- g. Financial assurance that the reclamation plan will be completed.

14. The operator shall maintain a record of the waste stream and records showing the final disposal location for these materials shall be maintained for County inspection. The following information, at a minimum, shall be compiled monthly and maintained at the operator's local office:

- a. tons or cubic yards of C&D debris received;

- b. tons or cubic yards of waste recycled by type and material (i.e. concrete, shingles, cardboard, wood, etc.); and
- c. tons or cubic yards of materials removed from the waste stream by type (i.e., Class I, Class III, hazardous waste).

15. Copies of groundwater monitoring reports or correspondence related to groundwater monitoring at this landfill which are sent to the Florida Department of Environmental Protection by the applicant shall also be provided to the Alachua County Environmental Protection Department within 15 days of transmittal to FDEP. Groundwater monitoring data shall be supplied with the report submittals in an electronic format to be determined at the time of development review.

16. Recycling of allowable materials including land-clearing debris for composting and mulch, concrete/masonry products, non-treated wood, plastic, metal and cardboard will be allowed to the extent that it is not inconsistent with current provisions of the accepted materials and disposal methods approved in this special use permit.

17. The operator shall be responsible for providing an annual report to the Alachua County Growth Management Department by November 15th of each year, to cover the period from October 1st to September 30th. The report shall include

the following information:

- a.** An updated site plan showing location and acreage of:
 - 1.** areas that have been excavated, filled and reclaimed;
 - 2.** areas that are currently excavated and continue to be used as working areas to receive fill; and
 - 3.** areas that are planned for excavation, fill or reclamation within the following year.
- b.** A calculation of the remaining available capacity (volume) for construction and demolition debris.
- c.** A monthly compilation of waste stream records.

18. CCA (Chromated copper arsenate)-treated wood shall not be disposed, burned, or used as compost or mulch at this site. CCA wood waste and contaminated media shall be properly disposed of at a lined Class I facility.

19. One identification sign shall be allowed at the entrance to the facility, out of the right-of-way, not to exceed 32 square feet with a maximum height of 8 feet. Additional directional signs for the facility shall be permitted provided they meet the requirements of the Unified Land Development Code (ULDC) Chapter 407, Article 3.

20. Any violation of the above conditions shall be grounds for suspension or revocation of this Special Use Permit by the Alachua County Board of County Commissioners.

21. Any discharges or sampling/contamination data that indicates the site is above the criteria specified in Chapter 62-777, F.A.C., Groundwater Cleanup Target Levels (GWCTL) or Soil Cleanup Target Levels (STCL) shall require an environmental remediation action plan and appropriate immediate response per the criteria specified in Chapter 62-780, F.A.C., by the owner or its agent or consultant. Failure to coordinate this response with the Alachua County Environmental Protection Department and satisfactorily implement a remediation action plan within 30 days, may result in the suspension or revocation of the special use permit, under ULDC Chapter 409.

Monitoring Wells - If parameters are detected in monitoring wells in concentrations that are significantly above background water quality, or that are at levels above water quality standards or criteria specified in Chapter 62-520, F.A.C., the Permittee may resample the wells within 30 days after the sampling data is received to confirm the data. Should the Permittee choose not to resample, the Alachua County Environmental Protection Department will consider the water quality analysis as representative of current groundwater conditions at the facility. If the data is confirmed, or if the Permittee chooses not

to resample, the Permittee shall notify the Alachua County Environmental Protection Department in writing within 14 days of this finding.

22. Comprehensive water quality testing shall be conducted in consultation with the Alachua County Environmental Protection Department. The sampling shall be conducted at least quarterly, with the results submitted to the Alachua County Environmental Protection Department.

23. A complete copy of all future FDEP permits to continue this use shall be provided within 15 days of approval to the Alachua County Environmental Protection Department.

Bases

1. Policy 5.1.2 of the Future Land Use Element determines that landfills are institutional uses. **Policy 5.1.1** states that such institutional uses may be allowed in areas specifically designated for institutional land use on the Future Land Use Map, as well as in other land use categories, as provided in the Land Development Regulations.

2. Policy 5.2.2 of the Future Land Use Element states that institutional land uses shall be located where they may be integrated into the surrounding community. The location of this site is in an area with other landfill operations. These are appropriately located away from major population centers whenever possible to lessen or mitigate impacts to

residential development. The location of this and other similar facilities does not represent an adverse impact to any one segment of Alachua County's population. Adjacent uses include other landfill or borrow pit operations to the east, south and west. The amended special use permit, if approved, will not create any additional impact upon these surrounding uses. **Policy 5.5.2** states that sanitary landfills shall be adequately buffered from residential neighborhoods. There is no residential development adjacent to this C&D landfill. Therefore, the proscribed buffers are not necessary for this particular parcel.

3. Policy 1.3.1 of the Solid Waste Element states that landfill operators should keep a log of materials disposed on the site. The Landfill site provides daily information on the intake of materials to the FDEP, where they are available to the County at any time by request. On an annual basis, the applicant will provide information concerning the total amounts of solid waste received at the site, the amount of unpermitted materials removed from the waste stream, as well as a calculation of the remaining capacity and an account of other changes on the site. **Policy 1.3.2** At the County's discretion additional regulatory methods may include, but not be limited to, periodic inspections and monitoring programs during permitting, operation, closure, and after closure of landfills, and states that the need for such methods will be based upon site-specific conditions such as hydrogeology, ecological characteristics, and neighboring land use. **Policy 1.3.2.1** requires each landfill operator, including C&D landfill operators, to monitor soil and groundwater to ensure no contamination of ground and surface waters

occur as a result of landfill activity. The conditions of the SUP outline a program for monitoring the site on an ongoing basis to ensure no contamination of surface or ground waters takes place.

Policy 1.3.3 states that all solid waste disposal systems shall provide for the eventual closure and reuse of the site. A condition of this special use permit outlines certain methods for reclamation and requires that a reclamation plan be developed for the site and approved by the Development Review Committee. In addition, the site is regulated by a reclamation plan under the permit issued by the FDEP.

4. Policy 7.1.2 of the Future Land Use Element states that proposed changes to the zoning map shall be considered in light of the availability and capacity of public facilities required to serve development, as well as the relationship of the proposed development to existing development in the vicinity. The location of this site is in an area with other landfill operations. These are appropriately located away from major population centers whenever possible to lessen or mitigate impacts to residential development. The location of this and other similar facilities does not represent an adverse impact to any one segment of Alachua County's population. The solid waste management facility is located on a minor arterial road that has existing capacity remaining. The continued use of the site under the proposed special use permit will not impact emergency services, recreation or school capacity in Alachua County. Surrounding land uses include other landfill operations and borrow pits whose character and use patterns are

similar to the site that is the subject of this SUP amendment. The future land use designations of properties in the area are agricultural.

5. Section 402.125 states that, in granting a special use permit, the Board may prescribe conditions and safeguards in order to protect the public health, safety and welfare. **Section 404.95** provides criteria for renewal of special use permits for C&D operations. The facility meets these criteria in that the request is to extend the SUP for an additional five years with no other changes requested. No zoning or codes violations have occurred in the period between the last SUP renewal request (in 2012) and this request. Therefore, this application qualifies as a minor SUP amendment, per **402.126** of the ULDC

6. Chapter 404, Article 24 of the ULDC regulates mining and land excavation and filling activities and protects surrounding residential areas as well as conservation and preservation areas. **Section 404.91** provides the criteria under which review of mining and fill operations shall occur. The Watson Landfill operates under a valid SUP approved by the Board. However, per **Section 404.95**, the operator of this C&D landfill shall request renewal of the SUP every five years. The previous SUP renewal occurred in 2012 but expired this October 10th (2022). The new renewal period will extend until February 28, 2028, per amended Condition #2 of this SUP.

7. Section 404.96 provides the general standards for mining and excavation and fill

operations. These include prohibited activities, material disposal, hours of operation, site access, road stabilization and dust control. In each case, the Watson operation, either through conditions set forth in the SUP or associated state permits, meet the requirements of 404.96. The operation is therefore consistent with this section of the ULDC.

8. Additional requirements for mining and excavation/fill operations are found in **Section 404.98 of the ULDC**. These include method and depth of excavation as well as reclamation standards. Again, the conditions set forth in the SUP as well as state standards for mining operations ensure that these requirements are being met. Monitoring requirements are set forth in the ULDC as well as at the state level to ensure these standards are maintained.

9. Lastly, **Section 404.100** provides a list of all required material that shall be submitted as part of any SUP application or renewal. These include a project description, maps, photographs, a development plan as well as a survey. The applicant has provided a complete set of materials for review by staff. These include: a location map, a project description, aerial photographs, a development plan, floodplain maps, soils map, topographic survey, a list of available water resources on the site as well as a site survey. All materials were provided in accordance with the criteria set forth in this chapter of the ULDC.

DULY ADOPTED in regular session this 28th day in February A.D., 2023.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

By:  _____


Anna Prizzia, Chair

ATTEST:

 _____

Jesse K. Irby II, Clerk

APPROVED AS TO FORM


Corbin Hanson (Mar 2, 2023 14:29 EST)

Alachua County Attorney

(SEAL)

DEPARTMENT APPROVAL

AS TO CORRECTNESS

 _____

Department of Growth Management

Authorized Designee

EXHIBIT A

LEGAL DESCRIPTION

W1/4 OF SEC S OF SR 24 R/W LESS W 50 FT THEREOF OR 1594/684

Resolution for Z22-000007 3.1.23

Final Audit Report

2023-03-02

Created:	2023-03-02
By:	Jeff Hays (jhays@alachuacounty.us)
Status:	Signed
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"Resolution for Z22-000007 3.1.23" History

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-  Document emailed to Corbin Hanson (cfhanson@alachuacounty.us) for signature
2023-03-02 - 6:25:19 PM GMT
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Z-22-12

Final Audit Report

2023-03-03

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-  Signer bocchairsignature@alachuacounty.us entered name at signing as Anna Prizzia
2023-03-03 - 8:10:08 PM GMT- IP address: 24.250.144.98
-  Document e-signed by Anna Prizzia (bocchairsignature@alachuacounty.us)
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-  Document e-signed by J.K. "Jess" Irby, Esq. (jki@alachuaclerk.org)
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