

# PZ-2-16 Apache Junction Landfill Corporation

Proposed Planned Development Major  
Amendment



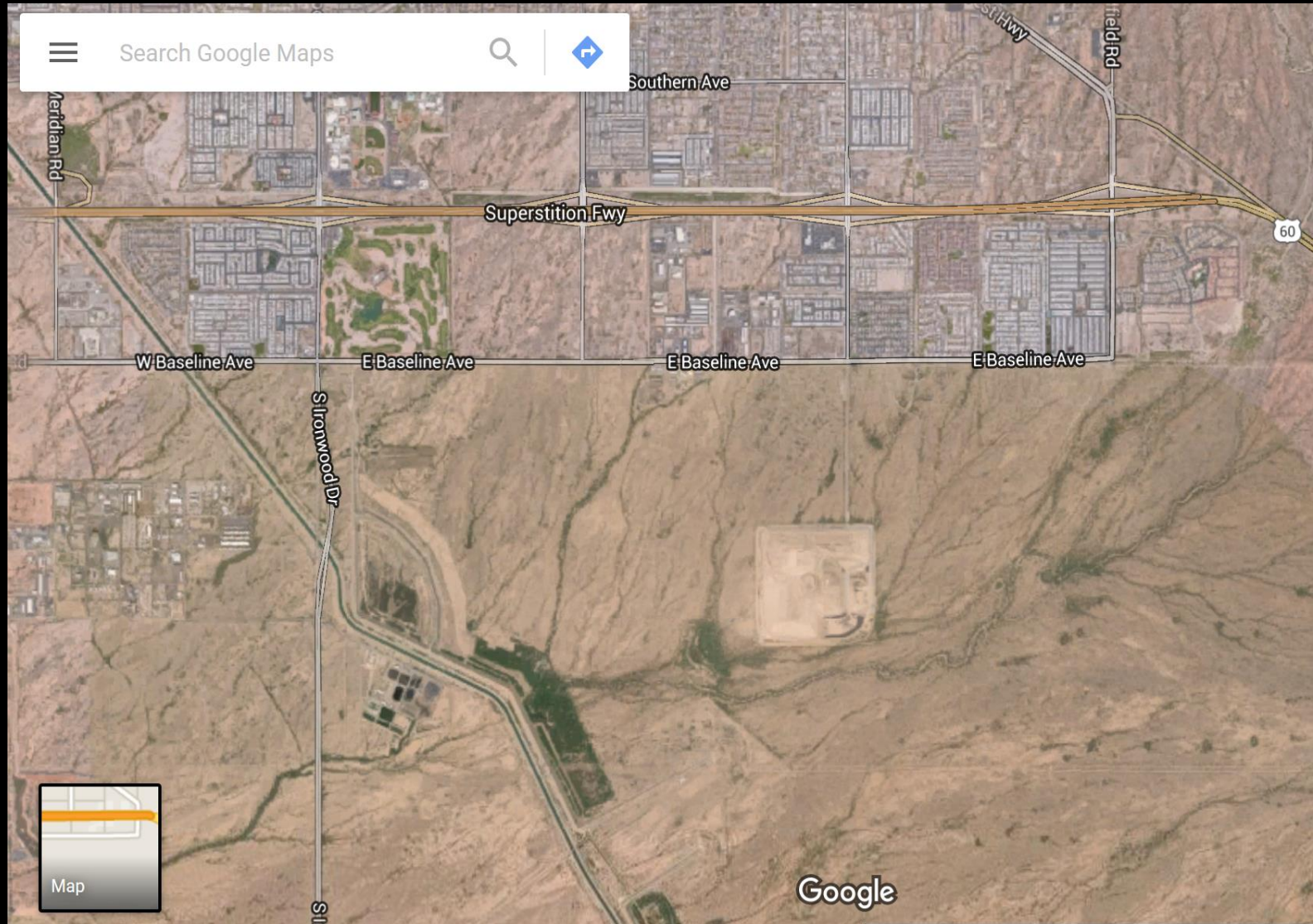
**City of Apache Junction  
City Council Work Session  
April 4, 2016**



# Background

- Landfill opens in late 1950s as private dump, converted to county ownership, then private ownership by Allied Waste Industries
- Under Pinal County jurisdiction until 1988 when annexed to the City
- Allied Waste purchased the 40 acre landfill in 1993
- 1996 Allied Waste purchase surrounding 89 acres from the State Land Department
- Allied Waste sought rezoning of combined +/- 129 acres to bring the property into zoning compliance and to expand the landfill
- Property ownership “transferred” from Allied Waste to Apache Junction Landfill Corporation (current ownership entity)

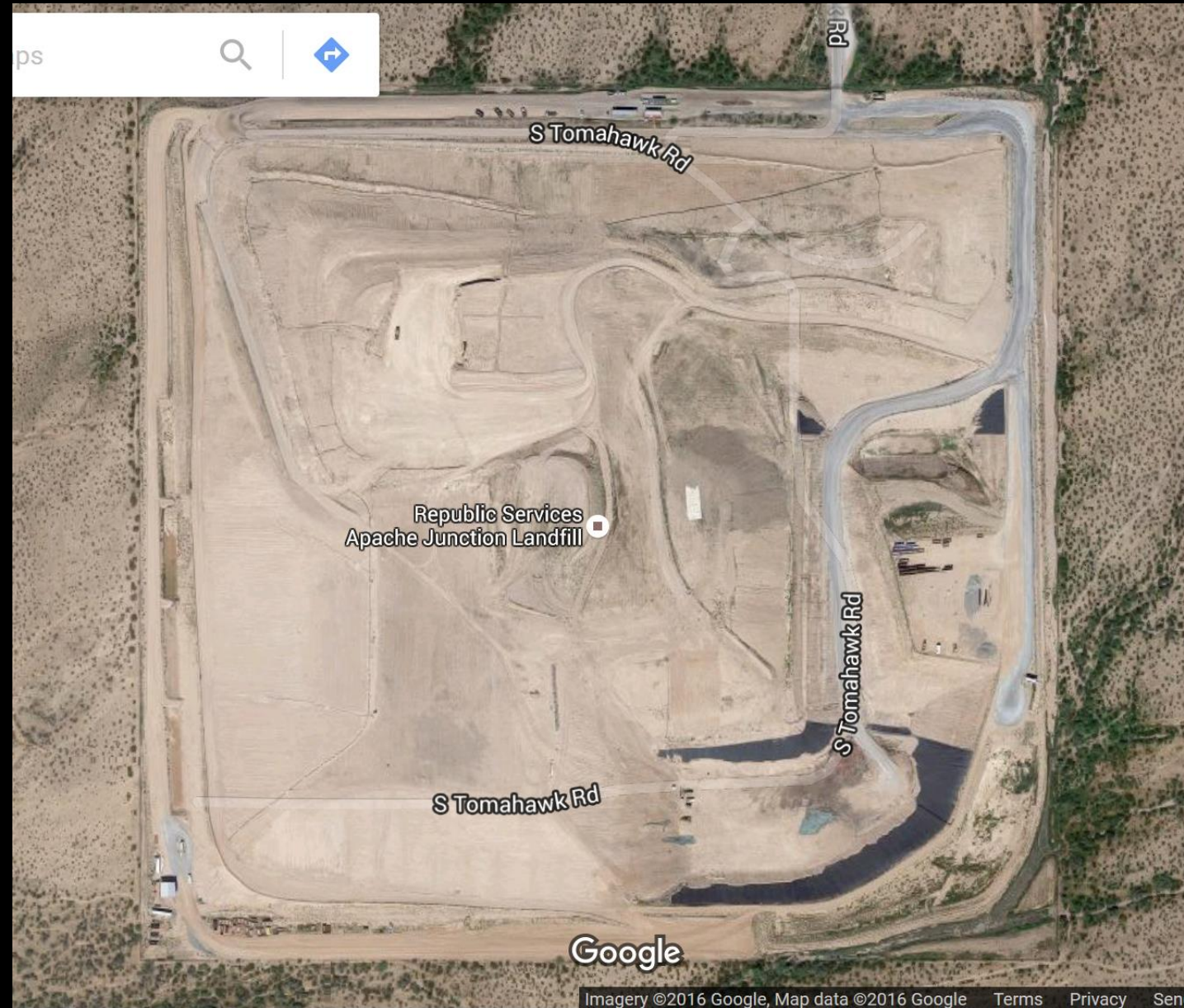
# Location





# Location

- Recent aerial of landfill and current location of areas being filled



# Current zoning parameters

- July 1997 - Ordinance No. 1034 – Rezoned landfill property from GR (General Rural) to CI-2/PD (Heavy Industrial by Planned Development)
- Ordinance No. 1034 provided:
  - No specific closure date
  - Solid waste storage cannot exceed 1,700 feet above msl
  - At closure solid waste storage cannot exceed 1,685 above msl
  - Compliance with County, State, Federal agencies
  - Cannot use the site for waste tire disposal or waste transfer site or any other CI-2 use unless related to solid waste landfill uses

# Current zoning parameters

- Additional Ordinance No. 1034 provisions:
  - Eventual planned development amendment for:
    - A required six (6) foot decorative masonry fence at closure
    - Post-closure landscaping plans
    - Water utility line (completed)
    - Roadway improvement plans
    - Site plan depicting structures, work shops, offices, gatehouses, weigh scales, etc.
    - Site plan delineating drainage controls
    - Closure phasing schedule
    - Surety for improvements at closure
    - City use at end of active landfill life
  - Future transportation dedications and/or realignments, sight triangles etc.
- City and Republic have/had obligations contained in Ordinance No. 1034
  - Both City and Republic in compliance with existing Ordinance No. 1034

# Public Participation

- One neighbor within notification radius – State Land Department
- Notification radius is automatically increased for Industrial Rezonings – from 300' to 500' by city ordinance
- Notified property owners north of Baseline Ave. to U.S. 60 within ¼ mile on each side of Tomahawk
- Held neighborhood meeting on February 11, 2016 – 1 person attended
- Staff has received one phone call and one letter from residents w/in notification area

# Proposed PD Zoning Amendment

- Major Amendment -B-5/PD is city's current equivalent zoning designation
  - Establishes firm closure date of December 31, 2035
  - Final closure height of solid waste at 1,720 feet above msl
  - Allow for three feet of cover for total height of 1,723 feet above msl
  - Provide funding to City for post-closure design and reuse plans
  - Continued ongoing environmental obligations by AJLC post-closure
  - Combine the two tax parcels (40 ac + 89 ac) into one legal description
  - Commit to work with the city on infrastructure (water, road and drainage) improvements



# Staff and P&Z Recommendation

- Staff Recommendation – Approval subject to 11 conditions
- Planning and Zoning Commission Recommendation – Approval
  - Subject to same 11 conditions with amendment to condition #4 changing the closure date to **2025**
  - Added 12<sup>th</sup> condition requiring that “AJLC will create a natural barrier between the landfill and all neighborhoods, such barrier to be in the form of trees or other natural landscaping to be agreed upon by the City and the Landfill.” (in particular improving the entrance to the landfill at Tomahawk and Baseline in the immediate future)

# Questions on PZ-2-16???

# First Amendment to the Agreement of Operation of Municipal Solid Waste Landfill and Related Offsite and Roadway Improvements



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# Background

- *2014/2015 Legislative Work Program Item #3. Landfill Closure Ordinance Amendment | Development Services | 4th Quarter*
  - City ordinance requires the owner of the landfill to work with the City on a closure plan. Amendments to the ordinance are needed to clarify and define the City's interests regarding the landfill post-closure. This item was carried forward from the FY 13/14 legislative work plan.
- Staff met with Republic-Allied Waste four times over the past 12 months and also updated the Council during two E-Sessions. Draft terms of a modified operating agreement have been developed for Council consideration/direction.

# Proposed Operating Agreement

## Current Agreement

- No Firm Closure Date
- Waste height -1,685 + 3 feet for cover = 1,688
- Host Fee = \$1.00/ton (w/o increase for life of landfill)
- Free Dump Week
- No transfer station

## Proposed Agreement

- Final waste & Firm Closure Date – 12/31/2035
- Waste height - 1,720 + 3 feet for cover = 1,723 (35 foot increase)
- Host Fee = \$1.25/ton immediately
  - Increases by 10 cents every 5 years then 10 cents each year for the last 5 years
- Free Dump Week
- No transfer station



# Proposed Operating Agreement

## Current Agreement

- Maintain/Improve Tomahawk Rd. from U.S. 60 to Baseline Rd.

## Proposed Agreement

- Maintain/Improve Tomahawk Rd. from U.S. 60 to Baseline Rd.
- Acquire title to land from State Land Department for extension of Tomahawk Road.
- Improve Tomahawk Road from Baseline Ave. to the landfill entrance per city Engineer's specifications and dedicate improvements to the City at closure date.

# Proposed Operating Agreement

## Current Agreement

- Perimeter Fence – 6 foot decorative masonry wall required.
- Closure Plans: Post closure landscaping plans for the entire site with a 150' buffer zone, cash bond for required fence, buffer zone, drainage control.
- City offered site for use.

## Proposed Agreement

- City/Republic agree on “perimeter enclosure” type 6 mo. prior to final waste. City to receive difference in cost of 6 foot masonry wall vs. “perimeter enclosure.”
- Closure Plans: City receives \$1,500,000 for park and open space improvements in five (5) installments starting in 2031 up to 2035.
- City use is allowed and Republic maintains ownership/environmental liability.

# Proposed Operating Agreement \*

## Current Agreement

- City permitted to bring municipal solid waste to landfill four times a year during free dump week. Average is 4,000 tons per year over five year period.

## Proposed Agreement

- **\* New staff initiated proposal:** City allowed to bring 4,000 tons per year to the landfill anytime. Saves the city from handling the solid waste twice (piling it up then moving it to the landfill four a year).

# Summary

- Firm Closure Date Established
- City receives \$1,500,000 for park and open space planning/improvements in five (5) installments.
- Annual revenue increases from \$1.00 per ton to \$1.25 immediately (increases revenue approx. - \$70,000/yr. from an approx. \$275,000 to \$345,000/yr.)
- Plus an increase of \$.10 cents per ton every 5 years
- Plus an increase of \$.10 per ton per year during last 5 years

# Questions/Discussion

- All legislation/ information available at:

<https://apachejunction.legistar.com/Calendar.aspx>