

ORDINANCE 2022- 3

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, FLORIDA, EXTENDING A TEMPORARY MORATORIUM ON APPLICATIONS FOR SOLID WASTE MANAGEMENT, PROCESSING, RECYCLING, AND WASTE TO FUEL FACILITIES FOR AN ADDITIONAL 100 DAYS FOR A TOTAL OF 340 DAYS.

WHEREAS, on September 5, 2019, Liberty County adopted a Comprehensive Plan Amendment that amended the Industrial land use category description in the Future Land Use Element Policy 1-2 to allow for additional uses to include, “sawmills, mining, solid waste management, processing and recycling; waste to fuel plants, wastewater treatment facilities, potable water facilities, utilities and other types of infrastructure;” and

WHEREAS, although Liberty County amended its Comprehensive Plan to contemplate solid waste management, processing, recycling and waste to fuel facilities (“Solid Waste Facilities”), it has not yet developed any corresponding land development code regulations to properly implement such uses; and

WHEREAS, on July 22, 2021, Liberty County adopted a temporary moratorium for 240 days on the receipt of applications for and the issuance of certain requests for site plans, development orders, permits, or building permits for Solid Waste Facilities in order to allow County staff to study, develop and adopt land development code regulations to govern them; and

WHEREAS, County staff, along with a solid waste consultant hired by Liberty County, has been working to develop the needed land development regulations for Solid Waste Facilities but the regulations will not be finished and adopted before the expiration of the temporary moratorium and so an extension is needed; and

WHEREAS, the Board of County Commissioners has determined that extending the moratorium for an additional 100 days in duration, for a total of 340 days, is a reasonable period of time needed to finish studying, developing and adopting any implementing regulations; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, AS FOLLOWS:

SECTION I. Amendment. Liberty County Ordinance 2021-2, Section 3, is hereby amended to in ~~strikeout~~ and underlined text to read:

Section 3. Limited Duration of Moratorium. Beginning on the effective date of this Ordinance, and continuing for a period of ~~240~~340 days, the moratorium shall be in effect unless terminated earlier by adoption by the Commission of ordinance(s) repealing this moratorium, or upon the adoption of an ordinance revising the Land Development Code with regard to the permitting of Solid Waste Facilities within the area described in Section 2 of this Ordinance, whichever event shall first occur.

SECTION II. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION III. Effective Date. This ordinance shall take effect immediately. A certified copy of this ordinance as enacted shall be filed by the Clerk of the Board with the office of the Secretary of State of the State of Florida in accordance with Section 125.66, Florida Statutes.

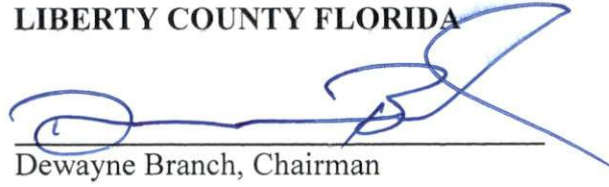
DULY ADOPTED on this 10th day of March, 2022.

ATTEST:




Daniel Stanley, Clerk

**BOARD OF COUNTY COMMISSIONERS
LIBERTY COUNTY FLORIDA**



Dewayne Branch, Chairman

Approved as to Form:



County Attorney