

**Board of Commissioners
Agenda Item Transmittal Form
Ordinance Transmittal Form**



Type of Request: Text Amendment Request - Case #2021-03	County Clerk Use Only Ordinance #: 2021-
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<input checked="" type="checkbox"/> Submission Information	<input checked="" type="checkbox"/> Information
Contact Name: Kalanos Johnson / Tanner Barr Department: Planning & Development	Summary of Request: February 9, 2021: Second Reading. A request by Rockdale County P&D staff to modify the UDO to allow apiaries.

<input checked="" type="checkbox"/> Department Director/Elected Official Signature	<input type="checkbox"/> Chief of Staff Signature
I have reviewed the attached, and it is approved as to substance. Signature: <i>Kh Johnson</i> Date: 2-2-21	I have reviewed the attached, and it is approved for processing. Signature: <i>Jan 4. ch</i> Date: 02-03-2021
<input type="checkbox"/> County Attorney Signature	<input type="checkbox"/> Director of Legislative Affairs/County Clerk Signature
I have reviewed the attached, and it is approved as to form. Signature: _____ Date: _____	I have reviewed the attached, and it is approved for processing. Signature: <i>Jan 4. ch</i> Date: 02-03-2021

Notes and Comments:

December 8, 2020: First Reading and Referral to Planning Commission;
 January 14, 2021: Planning Commission;
 January 26, 2021: Zoning Public Hearing;
 February 9, 2021: Second Reading.

2021-73

AN ORDINANCE TO AMEND THE TEXT OF SEC. 106-1 (DEFINITIONS), SEC. 206-1 (W-P WATERSHED PROTECTION DISTRICT), SEC. 218-1 (PERMITTED USE TABLE), SEC. 218-13 (STANDARDS OF USE AND DEVELOPMENT) OF THE UNIFIED DEVELOPMENT ORDINANCE OF ROCKDALE COUNTY, AS AMENDED, REGARDING APIARIES AND BEEKEEPERS; AND FOR OTHER PURPOSES.

WHEREAS, Title 2 the Unified Development Ordinance of Rockdale County (Subpart B – Planning and Development of The Code of Rockdale County, Georgia), as amended, governs land use and zoning; and

WHEREAS, provisions within the Unified Development Ordinance pertaining to apiaries and beekeeping require revision in order to create standardized regulations and criteria governing the location and density of apiaries so as to protect the health, safety, climate, and welfare;

WHEREAS, public hearings were held following public notice and all other requirements of Sec. 238-4 of the Unified Development Ordinance;

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of Rockdale County, Georgia, and it is hereby ordained by the authority of same as follows:

Section I

That Sec. 106-1 entitled “Definitions” subsection (c) entitled “Definitions” is hereby amended by enacting the following:

Apiary: A place where one or more managed colony(s) or hive(s) is located. An apiary consists of managed honeybee colony(s) or hive(s) that are kept in a structure(s) intentionally provided by the beekeeper for honeybee housing.

Apiary Classes Defined:

Class A: Up to 6 colonies per parcel

Class B: 7 to 14 colonies per parcel

Class C: 15 or more colonies per parcel

Beekeeper(s): A person(s) who maintains beehives of honeybees and the extraction of honey from beehives.

Flyover Barrier: A solid wooden fence, dense vegetation, or combination thereof that provides an obstruction that bees cannot fly through for the purpose of swarm prevention.

Hive: A container designed for the purpose of beekeeping and includes modern, movable frames or combs so to allow for proper inspections and hive manipulations such as requeening and/or sampling.

Nucleus Colony: A smaller, temporary hive made from an existing hive during the requeening process for the purpose of swarm prevention.

Section II

That Sec. 206-1 entitled “W-P watershed protection district” subsection (e) entitled “Permitted uses” is hereby amended by enacting the following:

Specified Use	W-NR	W-RW	W-RR	W-RB	W-RP
Apiary Class A & B	P				
Apiary Class C	P				

Section III

That Sec. 218-1 entitled “Table of Permitted Uses” is hereby amended by enacting the following:

NAICS Code	Uses	Suppl. Reg?	A-R	R-1	R-2	CRS	CSD	MUR	RM	CID	O-I	NC	MxD	C-1	C-2	OBP	M-1	M-2	CSO
	Apiary Class A & B	Yes	P	P	P	C	C	C	C	P	P	P	C	P	P	P	P	P	C
112910	Apiary Class C	Yes	P	P	P	C	C	C	C	P	P	P	C	P	P	P	P	P	C

Section IV

That Sec. 218-13 entitled “Supplemental Regulations” is hereby amended by enacting the following:

(e2) Apiary(s); All Classes.

(1) Hives shall adhere to the following density and location requirements:

a. For a property to consist of an apiary, it must contain a minimum of 10,000 square feet. For every additional 5,000 square feet thereafter, a beekeeper is permitted to have 2 additional hives.

i. Exceptions:

1. Acknowledging normal honeybee management, a beekeeper may also keep, in addition to the allowable number of standard hives, additional nucleus colonies per standard (fixed) hive, provided they are used for managing colony strength and swarm prevention.

b. Hives shall only be permitted in the rear of property, behind any existing front yard lines and 20 feet away from any side or rear property line.

(2) Hives shall also adhere to the following landscaping requirements:

a. Apiaries must include a reasonably sized water source within 60 feet of the hive(s), including, but not limited to a water fountain or existing water source.

Section V

That all ordinances or resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed.

Section VI

That should any court of competent jurisdiction declare any section of this ordinance invalid or unconstitutional, such declaration shall not affect the validity of the ordinance as a whole, or any part thereof, which is not specifically declared to be invalid or unconstitutional.

EFFECTIVE DATE: This Ordinance shall become effective as of the date hereof.

ADOPTED AND APPROVED THIS _____ DAY OF _____, 2021.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

Oz Nesbitt, Sr., Chairman

Sherri L. Washington, Esq., Commissioner Post I

Dr. Doreen Williams, Commissioner Post II

Attest:

By: _____
Jennifer Rutledge, County Clerk

Approved as to Form:

By: _____
M. Qader A. Baig, County Attorney

First Reading: December 8, 2020

Second Reading: _____