

AN ORDINANCE TO AMEND THE TEXT OF SEC. 106-1(C) DEFINITIONS OF THE UNIFIED DEVELOPMENT ORDINANCE OF ROCKDALE COUNTY, AS AMENDED, REGARDING TRUCK STOPS; TO REPEAL CONFLICTING LAWS; AND FOR OTHER PURPOSES.

WHEREAS, 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, administration of the Ordinance, including definitions, and development and permitting; and

WHEREAS, provisions within the Unified Development Ordinance regulates truck stops, as well as definitions related thereto, so as to protect the health, safety and welfare; and

WHEREAS, the definition of truck stop within the Unified Development Ordinance requires revision in order to provide clarity into what constitutes a truck stop; and

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(c) Definitions is hereby amended by repealing the following:

Truck stop: A prohibited use that includes any building, premises, or land in which or upon which a business, service, or industry involving the maintenance, servicing, storage, or repair of heavy trucks and similar commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products primarily for such heavy trucks and similar commercial vehicles and the sale of accessories or equipment for heavy trucks and similar commercial vehicles, as well as overnight accommodations, showers, overnight customer parking, or restaurant facilities for the use of crews of heavy trucks and similar commercial vehicles.

Section II

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

Truck stop: A gasoline station or gasoline station with convenience store that dispenses diesel or any other fuel or petroleum product used by heavy trucks, and which includes one or more of the following additional facilities:

- (1) a parking area designed for use by heavy trucks,
- (2) weight scales designed for use by heavy trucks,
- (3) a raised canopy used primarily or exclusively by heavy trucks to dispense diesel or other heavy truck fuel that is separate or distinct from the canopy or area used to dispense fuel to cars,
- (4) a restaurant or fast food restaurant which includes either dine-in facilities or a drive-through window or both,
- (5) facilities for the maintenance and/or repair of heavy trucks,
- (6) facilities for the overnight storage of heavy trucks,

- (7) shower facilities made available to crews of heavy trucks,
- (8) graded hard surface areas designed specifically to accommodate the wide turning radius utilized by heavy trucks,
- (9) specially designed entrances and exits to accommodate access by numerous heavy trucks and/or
- (10) any other specialized facility or amenity designed specifically for the use of heavy trucks and/or the crews of heavy trucks.

Truck stops are a prohibited use. Any MPD's (Multi-Product Dispenser) having a flow rate faster than 5 gallons per minute shall be prohibited.

Section III

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

Section IV

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.

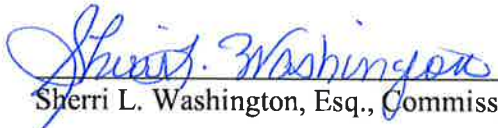
EFFECTIVE DATE: This Ordinance shall become effective as of the date hereof.

ADOPTED AND APPROVED THIS 10th **DAY OF** November, 2020.

**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: September 22, 2020

Second Reading: 11/10/2020