

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 DEWATERING; 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 dewatering and ensuing activities in order to create standardized regulations and criteria governing the location and density of dewatering sites so as to protect the health, safety, climate, welfare, and economic growth; 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 entitled “Definitions” subsection (c) entitled “Definitions” is hereby amended by enacting the following:

Dewatering: A site where raw earth materials (soil) are recovered from elsewhere for the purpose of processing and disposing excess earth and earth-like materials from vertical or horizontal drilling, boring, or hydro-excavation practices as applicable to the Georgia Comprehensive Solid Waste Management Act of 1990 as amended O.C.G.A. § 12-8-20, et seq. (Act) and the Rules for Solid Waste Management, Chapter 391-3-4 (Rules).

Dewatering Classifications Defined:

Class A: Site less than one (1) acre.

Class B: Site between one (1) and five (5) acres.

Class C: Site greater than five (5) acres.

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
Dewatering (238910) Class A	C				
Dewatering (238910) Class B and C					

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
238910	Dewatering Class A	Yes	C														P	P	
238910	Dewatering Class B	Yes	C														C	P	
238910	Dewatering Class C	Yes																	C

Section IV

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

(e2) Dewatering Sites; All Classes.

(1) Standards:

- a. No dewatering site shall be permitted within 250 feet of state waters; including: creeks, streams, rivers, lakes, or ponds.
- b. A minimum 250-foot-wide buffer shall be maintained on all property lines.
- c. The dewatering site, and all related facilities shall be enclosed with a security fence at least six feet in height. A minimum six-foot-high solid fence or wall is required inside buffers adjacent to property zoned or used for residential, commercial, or mixed-use purposes.
- d. Access to dewatering sites shall be limited to authorized entrances that shall be closed outside of normal business hours. Access should not be derived through any residential subdivision or development. Routes and entrances shall be approved by the Director of Planning and Development to ensure access is derived from county or state roads classified as principal or minor arterials.
- e. Dewatering sites must determine, process, and handle earth and earth-like materials as “recovered material” as defined by Ga. Comp. R. & Regs. 391-3-4-.04 (7).
- f. Dewatering sites must be in compliance with all other relevant County codes, including obtaining a land disturbance permit and must be in compliance with all relevant Georgia EPD policies, including obtaining appropriate NPDES permits.

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.

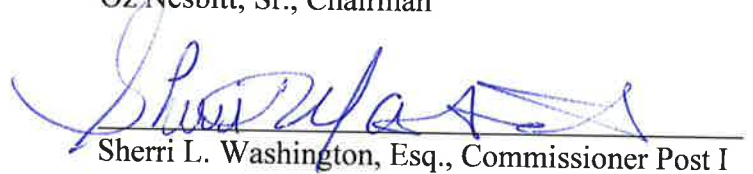
EFFECTIVE DATE: This Ordinance shall become effective as of the date hereof.

ADOPTED AND APPROVED THIS 27th **DAY OF** April, 2021.

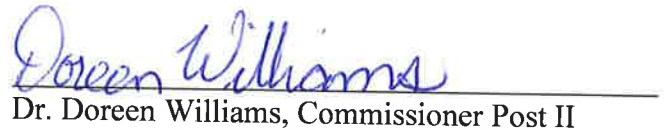
**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**



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: 2/23/2021

Second Reading: 4/27/2021