

AN ORDINANCE TO AMEND THE TEXT OF SEC. 106-1 (DEFINITIONS) OF THE UNIFIED DEVELOPMENT ORDINANCE OF ROCKDALE COUNTY, AS AMENDED; TO REPEAL CONFLICTING LAWS; 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 zoning district and standards of use and development, as well as definitions related thereto; and

WHEREAS, provisions within the Unified Development Ordinance pertaining to definitions require revision in order to create standardized regulations and criteria governing uses so as to protect the health, safety, 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 “Definitions” is hereby amended as follows:

Note: Text to be enacted is shown in blue, bold, and underlined. Text to be repealed is shown in red, bold, and strikethrough.

Sec. 106-1. - Definitions.

(a) *Rules of interpretation.*

- (1) Words used in the present tense include the future tense. Words used in the singular include the plural; and words in the plural include the singular; words used in the masculine gender include the feminine and are intended to be gender neutral.
- (2) The word "shall" is always mandatory, and the word "may" is permissive.
- (3) The word "person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual.
- (4) The word "used" or "occupied," as applied to any land or building, shall be construed to include the words "intended," "arranged," or "designed to be used or occupied."
- (5) The word "erected" shall be deemed also to include "constructed," "reconstructed," "altered," "moved" or "placed."
- (6) The word "land use" and "use of land" shall be deemed also to include "building use" and "use of building."
- (7) Unless otherwise specified, all distances shall be measured along a straight line, horizontally.
- (8) Unless indicated otherwise, reference to zoning districts refer to the most recent copy of the "Official Zoning Map of Rockdale County, Georgia."

(b) *Rules of precedence.* The following rules set forth the order of precedence that determines which definition applies in a specific instance within the provisions of the UDO:

- (1) When definitions are provided within an individual chapter, article or section of the UDO, those definitions are to be applied within said chapter, article, or section. If the same term

or phrase is also defined in this section, the definition in subsection (c) of this section shall not apply in that instance.

- (2) When no definitions are provided within an individual chapter, article, or section of the UDO, words and phrases used in the UDO shall have the meaning established by the definitions provided in this subsection (c) of this section.
- (3) For words and phrases listed in the Table of Uses in Article I of Chapter 218 with a NAICS code, the NAICS definition shall be the legal definition. Said NAICS definitions, as amended, are hereby incorporated by this reference to the extent utilized in the UDO.
- (4) All remaining words used in the UDO are intended to have the commonly accepted definitions contained in a recent edition of the Merriam-Webster Dictionary.

(c) *Definitions.* As used in the UDO, the following terms shall have the meaning set forth below, except where otherwise specifically set forth in subsection (b) above.

Absorption field: A configuration of absorption trenches installed in a portion of land and used for the absorption and final treatment of wastewater.

Abutting: Touching at one point or along a common side, boundary, or property line. Two pieces of property that are separated by a street or right-of-way are adjacent, but not abutting.

Accessory building: See Building, accessory.

Accessory structure: See Structure, accessory.

Accessory use: See Use, accessory.

Acre: A unit of area equal to 43,560 square feet.

Addition (to an existing building): See section 320-2(h).

Adjacent property: See Property, adjacent.

Adjacent to an interstate highway: Located within 250 feet of the nearest outer edge of the pavement of Interstate 20 within the county, regardless of the existence of intervening streets or lots.

Administrative official: Any member of the department of public services and engineering when exercising the duties authorized in the UDO.

Adult: Any competent individual 18 years of age or older.

Adult day center: A facility serving aging adults that provides adult day care or adult day health services for compensation to three or more persons.

Adult entertainment establishment: See Rockdale County Code of Ordinances, chapter 22, article V.

Aging adults: Persons 60 years of age or older or mature adults below the age of 60 whose needs and interests are substantially similar to persons 60 years of age or older who have physical or mental limitations that restrict their abilities to perform the normal activities of daily living and impede independent living.

Aggregate: Washed gravel or washed stone meeting the GDOT standards for hardness or other materials approved by the GDOT.

Agriculture: Raising, harvesting, or storing of products of the field or orchard; feeding, breeding, or managing livestock or poultry; producing or storing feed for use in the production of livestock or poultry; growing plants, sod, and trees for sale; the production of horticultural, dairy, poultry, eggs, and apiarian products.

Aggrieved party: A person who can demonstrate that their property will be specially damaged by a decision of a county official or board involved in the enforcement of the UDO.

Airport: A transportation terminal facility where aircraft take off and land, usually including hangars, facilities for refueling and repair, and various accommodations for passengers.

Airstrip, private: An area designated for the landing of private, non-commercial aircraft with no terminal facilities and no scheduled takeoffs and landings.

Alley: See Street classifications.

Alteration: Any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls, partitions, columns, beams, girders, doors, windows, means of ingress or egress, or any enlargement to, or diminution of a building or structure, whether horizontally or vertically, or the moving of a building from one location to another.

Alternative on-site sewage management system: Any approved on-site sewage management system which differs in design or operation from the conventional or chamber septic tank.

Alternative tower structure: Manmade trees, clock towers, bell steeples, light and power poles, water storage tanks, outdoor advertising signs and similar alternative design mounting structures that effectively camouflage the presence of antennas or towers and are compatible with and resemble the scale of the surrounding natural setting and/or structures.

Antenna: Any exterior apparatus designed for wireless telecommunication, radio, or television communications through the sending and/or receiving of electromagnetic waves.

Antenna, amateur radio: A freestanding or building-mounted device, intended for airway communication purposes by a person holding a valid amateur radio (HAM) or Citizens Band (CB) license issued by the Federal Communications Commission.

Antenna, satellite: A specific device, the surface of which is used to transmit and/or receive radio frequency signals, microwave signals, or other signals transmitted to or from other antennas.

Apartment: A multi-family dwelling held through a lease or rental agreement.

Apartment, efficiency: An apartment consisting of two or fewer rooms, not including a separate bedroom.

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

Appeal: A request for a review to hear and decide where it was alleged there was an error in any order, requirement, permit, decision, determination, or refusal made by any officer of Rockdale County in the enforcement of the UDO.

Application: A document and associated documentation filed by any person seeking approval to undertake any activity regulated by Rockdale County.

Aquifer: Any stratum or zone of rock beneath the surface of the earth capable of containing or producing water from a well.

Area of shallow flooding: See subsection 320-2.

Area of special flood hazard: See subsection 320-2.

Arterial: See Street classifications.

Authorized use: A use authorized in a zoning district pursuant to Title 2.

Automobile: A motorized vehicle with two axles and not more than six wheels, designed for carrying ten passengers or less and used for the transportation of persons.

Automobile impound lot: A facility that provides temporary outdoor storage for automobiles that are to be claimed by title holders or their agents. No vehicle shall be stored at said facility for more than 30 days and must remain mechanically operable and licensed at all times.

Automobile repair services, major: General repair, rebuilding, or reconditioning of engines, motor vehicles or trailers, including body work, framework, welding, and major painting services.

Automobile repair services, minor: The replacement of any part or repair of any part of an automobile or light truck that does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting, and upholstering service.

Awning: A shelter projecting over a window or door that is attached to the exterior wall of the building over a window or door that extends from the exterior wall of a building and is supported by or attached to a frame.

Base flood: See subsection 320-2.

Basement: That portion of a building that is partly or completely below grade and has at least 6½ feet vertical interior clearance from floor or grade to ceiling or underside of structure.

Beacon: A stationary or revolving light which flashes or projects single color or multi-colored illumination, in any manner which does or is intended to attract or divert attention, providing this term shall not include any lighting device required by regulations prescribed by the Federal Aviation Administration or similar government agencies.

Bed and breakfast: An owner-occupied, single-family dwelling where between one and ten rooms not containing kitchen facilities are rented to overnight guests on a daily basis for periods not to exceed two weeks.

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

Berm: An earthen mound designed to screen undesirable views, reduce noise, or fulfill other such purposes.

Best management practices (BMPs): See section 306-2.

Bike lane: A paved lane on a street or roadway that is reserved by pavement marking and /or signs for the exclusive use by bicycles.

Block: A piece or parcel of land entirely surrounded by public highways or streets, other than alleys.

Board: Board of Commissioners of Rockdale County.

Board of adjustment: The Rockdale County Board of Adjustment, formerly known as the Rockdale County Board of Zoning Appeals.

Board of commissioners: The Rockdale County Board of Commissioners.

Boarding house: A building, other than a hotel or bed and breakfast, where, for compensation, meals, or lodging and meals, are provided for one or more persons who are not part of the operator's family.

Boulevard: See Street classifications.

Buffer, transitional: That portion of a lot set aside for open space and visual screening purposes, pursuant to applicable provision of this chapter, so separate different use districts, or to separate uses on one property from uses on another property of the same use district or a different use district. See chapter 328, article I.

Buffer, state waters: The area of land immediately adjacent to the banks of state waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat, as referenced in O.C.G.A. § 12-2-8. See section 306-2.

Buildable area: The area of a lot remaining after the minimum front, side and rear yard setback requirements of the zoning district has been met.

Building: Any structure with a roof and enclosed on all sides.

Building, accessory: A building detached from the principal building located on the same lot and customarily incidental and subordinate in area, extent, and purpose to the principal building or use.

Building, elevated: See subsection 320(j).

Building permit: See Permit, building.

Building principal: A building in which is conducted the main or dominant use of the lot on which such building is situated.

Building wall: An exterior load-bearing or non-load-bearing vertical structure that encompasses the area between the final grade elevation and eaves of the building, and used to enclose the space within the building.

Caliper: The diameter measurement of a tree in inches measured six inches above ground. When the tree caliper is greater than six inches, the diameter measurement shall be made at breast height (4½ feet) and shall be called diameter at breast height (DBH).

Cambium: Tissue within the woody portion of trees and shrubs which gives rise to the woody water and nutrient conducting system, and the energy substrate transport system in trees. Cambium growth activity results in a tree's radial development, i.e., increase in diameter.

Cambial dieback: The irreparable radial or vertical interruption of a tree's cambium, usually caused by mechanical damage, such as "skinning bark"; or from excessive heat.

Campground: See Recreational vehicle parks and campgrounds.

Canopy: A roof structure constructed of rigid materials, including but not limited to, metal, wood, concrete, plastic, or glass, which is attached to and supported by a building, or which is free-standing and supported by columns, poles or braces extended to the ground. Unlike an awning, a canopy is generally supported by vertical elements rising from the ground at two or more corners.

Canopy, tree: The perimeter formed by the outer edge of the branches and leaves of a tree.

Car wash, conveyor means a commercial car wash where the car moves on a conveyor belt during the wash. The driver of the vehicle can remain in the vehicle or wait outside of the vehicle.

Car wash, in-bay automatic means a commercial car wash where the driver pulls into the bay and parks the car. The vehicle remains stationary while a machine moves back and forth over the vehicle to clean it, instead of the vehicle moving through the tunnel.

Car wash, self-service means a commercial car wash where the customers wash their cars themselves with spray wands and brushes.

Caretaker dwelling or employee residence: An accessory single-family dwelling unit placed on an occupied tract for use by an employee where the tract is owned by the employer as a part of the same operation or business. At least one of the occupants of the caretaker dwelling or employee residence must be employed on the premises, or their presence must be necessary and essential for the orderly operation and security of the premises.

Cellar: That portion of a building that is partly or completely below grade and has a height less than 6½ feet.

Cemetery: Any plot of ground, churchyard, building, mausoleum, or other enclosure used for the burial of deceased persons.

Cemetery, pet: Property used for the interring of dead domestic animals.

Cemetery, private: Any plot of ground, building, mausoleum, or other enclosure used for the burial of deceased persons of one collateral line of descent.

Center line of street: See Street, centerline of.

Chairman: Chairman of the Rockdale County Board of Commissioners.

Child: Any person under 18 years of age.

Childcare learning center: Any place operated by a person, society, agency, corporation, institution, or group wherein are received for pay for group care, for fewer than 24 hours per day without transfer of legal custody, 19 or more children under 18 years of age and which is required to be licensed by Bright from the Start, Georgia Department of Early Care and Learning.

Clear cutting: The clearing or removal of trees from a site in a manner contrary to the best management practices of the Georgia Forestry Commission, except as consistent with activity authorized by a development permit or building permit.

Clearing: The removal of trees and brush from the land but not including removing roots and stumps or the ordinary mowing of grass.

Clerk: The clerk serving the board of commissioners of Rockdale County, Georgia.

Clinic: A medical or dental establishment where patients, who are not lodged overnight, are admitted for examination and treatment.

Club, private: A non-commercial establishment organized for a common purpose to pursue common goals, interests, or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution or bylaws.

Collateral: Belonging to the same ancestral stock but not in a direct line of descent.

Collector: See Street classifications.

Colleges, universities, and professional schools: Establishments primarily engaged in furnishing academic courses and granting degrees at baccalaureate or graduate levels.

Co-location: The placement of the antennas of two or more service providers upon a single tower or alternative tower structure.

Columbarium: A structure or building substantially exposed above ground intended to be used for the interment of the cremated remains of deceased persons.

Combination, lot: The process of legally joining two lots of record to form a single conforming lot in accordance with the provisions of section 302-27, with or without re-subdivision of such lots.

Commercial message: Any sign, wording, logo, or other visual representation that directly or indirectly names, advertises, or directs attention to a business operated for profit, or to a product, commodity or service for sale or lease, or to any other commercial interest or activity.

Commercial use: An occupation, place of employment, or enterprise that is carried on for profit by the owner, lessee, or licensee.

Community water system (CWS): A public drinking water system permitted by the Georgia Environmental Protection Division per Chapter 391-3-5 that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

Composting facility, municipal solid waste: An establishment converting municipal solid waste to humus through a controlled process of degrading organic matter by microorganisms.

Composting facility, yard trimmings: An establishment converting yard trimmings to humus through a controlled process of degrading organic matter by microorganisms. This definition does not include composting conducted on a residential lot for home gardening purposes.

Comprehensive plan: Any part or element of the overall plan for development adopted by the board of commissioners as provided by O.C.G.A. § 50-8-1 and DCA Regulations Chapter 110-3-2, Minimum Standards and Procedures for Local Comprehensive Planning, including the future land use map and all other maps, exhibits, and appendices.

Conditional approval: The imposition of conditions in the grant of an application for approval of a rezoning, special use permit, variance, concept plan, preliminary plat, or permit that are in addition to or different from the regulations set forth in this land development ordinance and which are related to the promotion of the public health, safety, morals, or general welfare and designed to minimize the negative impact on surrounding property.

Condominium: A building, or group of buildings, in which dwelling units, offices, or floor areas are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

Coniferous: Belonging to the group of cone-bearing evergreen trees or shrubs.

Conservation easement: A recorded agreement between a landowner and government agency or land trust that permanently protects open space or greenspace on the owner's land by limiting the amount and type of development that can take place but continues to leave the remainder of the fee interest in private ownership.

Construction activity: Activities including, but not limited to, activities subject to the Georgia Erosion and Sedimentation Control Act or NPDES General Construction Permits, such as clearing and grubbing, grading, excavating, and demolition. These include construction projects resulting in land disturbance, erecting new structures and buildings, as well as redevelopment, remodeling or modification of an existing building or structure.

Construction/demolition waste: Waste building materials and rubble resulting from construction, remodeling, repair, and demolition operations on pavements, houses, commercial buildings, and other structures. Such wastes include, but are not limited to asbestos containing waste, wood, bricks, metal, concrete, wall board, paper, cardboard, inert waste landfill material, and other non-putrescible wastes which have a low potential for groundwater contamination.

Construction, existing: Any structure for which "the start of construction" commenced before the effective date of these regulations.

Construction, new: Structures for which the "start of construction" commenced on or after the effective date of the UDO; other structures that are built on previously undeveloped land and are not additions or alterations.

Construction, start of: The point of time commemorating the breaking of ground for the construction of a development or structure.

Cottage food consumer: A person who is a member of the public, takes possession of food, is not functioning in the capacity of an operator of a food sales establishment or food processing plant, and does not offer the food for resale.

Cottage food operator: A person who produces cottage food products only in the home kitchen of that person's primary domestic residence and only for sale directly to the consumer.

Cottage food products: Non-potentially hazardous baked goods, jams, jellies, preserves, and other non-potentially hazardous foods produced in the home kitchen of a domestic residence.

County: Rockdale County, Georgia.

County arborist/urban forester: The agent of Rockdale County, having enforcement responsibilities under the UDO, and charged with the responsibility, as the designee of the director of the department of public services and engineering, of approving all tree protection plans for land development or building construction in unincorporated Rockdale County required pursuant to the UDO.

Cremation: As described in O.C.G.A. § 10-14-3 G, cremation includes any mechanical or thermal process whereby a deceased human being is reduced to ashes. Cremation also includes any other mechanical or thermal process whereby human remains are pulverized, burned, re-cremated, or otherwise further reduced in size or quantity.

Crematory: A location containing properly installed, certified apparatus intended for use in the act of cremation.

Cul-de-sac: A local street or road with one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement. See subsection 332-1(b).

Curb cut: The opening along the curb line or edge of pavement of a public street at which point a driveway begins for vehicular ingress and egress from a parcel.

Cut: See section 306-2.

Dam:

1. Any artificial barrier, including appurtenant works, which impounds or diverts water and which the improper operation or failure of such would result in probable loss of human life as determined pursuant to the Georgia Safe Dam Act, and which:
 - a. Is 25 feet or more in height from the natural bed of the stream or water course measured at the downstream toe or the lowest elevation of the outside limit of the barrier (whichever is lower) to the maximum water storage elevation; or
 - b. Has an impounding capacity at maximum water storage elevation of 100 acre-feet or more.
2. Any artificial barrier, including appurtenant works, constructed in conjunction with the reclamation of surface mined land, and meeting the requirements of subsection 1 above, and when improper operation or failure would result in probable loss of human life.

Day care center, adult: An establishment operated by any person with or without compensation for providing for the care, supervision, and oversight only during daytime hours of seven or more adults who are elderly, physically ill or infirm, physically handicapped, or mentally handicapped.

Day care facility, adult: Any place operated by any person with or without compensation for providing for the care, supervision, and oversight only during day-time hours of six or fewer adults who are elderly, physically ill or inform, physically handicapped, or mentally handicapped.

Day-care center, child: An establishment operated by a person, society, agency, corporation or institution, or any group, wherein are received with or without pay, seven or more children under 18 years of age for group care for less than 24 hours per day, without transfer of legal custody.

Day-care facility, child: Any place operated by any person with or without compensation providing for the care, supervision, and protection of six or fewer children who are under 18 years of age for group care for less than 24 hours per day, without transfer of legal custody. For the purpose of computing the number of children within the child day-care facility, all children who are related by blood, marriage, adoption or guardianship to the person or persons operating the facility shall be included.

Deciduous tree: A tree that sheds its leaves annually.

Density: The total number of square feet of a building, or number of lots or dwelling units per acre of land unless specifically provided otherwise in the UDO.

Density, gross: The number of square feet of a building, or number of lots or dwelling units on a tract of land divided by the total acres of a parcel or tract of land prior to development or subdivision, including all streets or rights-of-way, open space, floodplain, and other un-subdivided or unused portions of the tract of land.

Density, net: The number of square feet, lots, or dwelling units on a tract of land, less area for streets, rights-of-way, open space, floodplain, and other un-subdivided or unused portions of the tract of land.

Department: The Department of Public Services and Engineering of Rockdale County.

Department of environmental health: The Rockdale County Department of Environmental Health.

Detention: The temporary storage of stormwater runoff in a stormwater management facility for the purpose of controlling the peak discharge.

Detention facility: A permanent basin or structure designed for the detention of stormwater runoff and gradual release of stored water at controlled rates in accordance with the Georgia Stormwater Management Manual.

Developer: A person who undertakes land development activities.

Development: Any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, mining, dredging, filling, clearing, grubbing, grading, paving, any other installation of impervious cover, excavation, or drilling operations or and storage equipment or materials.

Development permit: An official authorization issued by the director allowing clearing, grubbing, grading or other alteration of the site that entails land disturbance related to construction activities in compliance with the UDO.

DHR: The Georgia Department of Human Resources.

Diameter at breast height (DBH): A standard measure of the diameter of a tree trunk measured in inches at a height of 4½ feet above the ground. If a tree splits into multiple trunks below 4½ feet, then the trunk is measured at its most narrow point beneath the split.

Direct discharge: See Discharge, direct.

Director: The director of Rockdale County Department of Public Services and Engineering or his or her designee.

District, zoning: A tract of land or contiguous parcels of Rockdale County, Georgia within which the zoning regulations are uniform.

Drainage area: That area contributing runoff to a single point; measured in a horizontal plane that is enclosed by a ridge.

Drainage basin: An area defined by topography within which any water that falls is tributary to the specified watercourse as shown on an official map identifying the drainage basins existing within Rockdale County promulgated and maintained by the department of water resources.

Drainage easement: See Easement, drainage.

Drainage structure: See section 306-2.

Dripline: A vertical line extending from the outermost edge of the tree canopy or shrub branch to the ground.

Driveway: A vehicular access, or curb cut that is in private ownership, except for that portion lying within the public right-of-way, and provides access primarily to one property.

Drug rehabilitation center: Structures and land used for treatment of drug abuse where neither meals nor lodging is provided.

Dry cleaning and laundry services: A business that provides for the cleaning of laundry and dry cleaning, excluding self-service, and contains on the premises, equipment necessary for the processing of laundry and dry cleaning.

Dumpster: A portable container used for temporary storage of garbage, trash, or other refuse or receptacle material that has a capacity of one cubic yard or more (see section 226-3).

Dwelling: A building or portion thereof designed, arranged, or used principally for residential occupancy (not including buildings designed for transient use such as hotels and motels), and which complies with the provisions of the UDO and the International Building Code.

Dwelling, accessory: A secondary dwelling established in conjunction with, and clearly subordinate to, a primary dwelling unit on the same lot, whether a part of the same structure as the primary dwelling unit or in a detached structure.

Dwelling, multi-family: A building designed, constructed, altered, or used for more than two adjoining dwelling units, with each dwelling unit having a separate entrance and a party wall and/or party floor or ceiling connecting it with at least one other dwelling unit.

Dwelling, principal: The building that is used as the primary residence on a lot.

Dwelling, single-family: A dwelling structure that is designed for the use of one family.

Dwelling, single-family attached: A building containing two or more one-family attached dwelling units joined at one or more points by one or more party walls or other common facilities (not including the walls of an enclosed courtyard or similar area) and with property lines separating each dwelling unit. This includes townhouses.

Dwelling, single-family detached: A free standing building designed for or containing one dwelling unit.

Dwelling, two-family (duplex): A single building designed for and containing two dwelling units located on one lot or one parcel of land.

Dwelling unit: One or more rooms, designed, occupied, or intended for occupancy as a separate living quarter, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single housekeeping unit. Does not include rooms in a hotel, motel, boarding house, bed and breakfast, or extended stay hotel.

Dwelling, single-family zero lot line: A single-family dwelling unit erected as a detached dwelling unit with no required side and/or front setback on one side so as to allow the dwelling unit to be built on the property line but not attached to another dwelling. See section 218-13.

Easement: An acquired legal right for the specific use of land owned by others.

Easement, access: An easement created for the purpose of providing vehicular or pedestrian access to or across a property.

Easement, drainage: Land required for the installation of storm water sewers or drainage ditches and/or required for the preservation or maintenance of a natural stream or watercourse or other drainage facility.

Easement, utility: A grant by a property owner for the use of real property for the specified purpose of constructing and maintaining utilities; including, but not limited to sanitary sewers, water mains, electric lines, telephone lines, cable lines, storm sewer or storm drainage ways and gas lines.

Electric, petroleum or gas substation: Facilities devoted to the distribution of electricity, gas, or petroleum.

Electric vehicle: Vehicle powered in full or in part by electricity and requiring to be charged periodically, with a maximum speed of at least 65 miles per hour, and in compliance with Title 49 of the Code of Federal Regulations, Section 571.

Electric vehicle battery exchange station: A facility where an electric vehicle can exchange its depleted battery for a fully charged battery.

Electric vehicle charging station: A stand-alone apparatus dedicated to the charging of electric vehicle batteries, by providing a connection to a power source.

Electric vehicle charging unit: A wall-mounted apparatus with an electrical outlet dedicated to the charging of electric vehicle batteries.

EPA: The U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the administrator or other duly authorized official of said agency.

EPD: The Environmental Protection Division of the Department of Natural Resources.

EPD director: The director of the Environmental Protection Division of the Department of Natural Resources.

Equestrian training and sales facility: Establishments providing equestrian training and the sale of horses, mules, donkeys, and other equines and related tack or feed.

Erosion: See section 306-2.

Erosion, sedimentation control plan: See section 306-2.

Exceptional tree or exceptional stand of trees: Any tree or grouping of trees which has been determined to be of high value by the county arborist/urban forester because of its species, size, age, or other accepted

professional criteria as specified in the Administrative Standards adopted in conjunction with chapter 328, article II.

Existing construction: Any structure for which the start of construction commenced before the effective date of the UDO.

Existing manufactured home park or subdivision: See Manufactured home park, existing.

Expansion to an existing manufactured home park or subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

Extended detention: The detention of stormwater runoff for an extended period, typically 24 hours or greater.

Extreme flood protection: Measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

Facade: The exterior of a building extending the entire width of the building elevation.

Facility or telecommunications facility: Shall mean a tower, antenna, alternative tower structure, related apparatus, or any combination thereof.

Factory-built housing: Any structure, designed for residential use, that is wholly or in substantial part, made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly on a building site. Factory-built homes include mobile homes, manufactured homes, and modular homes.

Family: A group of individuals related by blood, marriage, adoption, or guardianship, or not more than six persons not so related, living together in a dwelling unit as a single housekeeping unit based on an intentionally structured relationship providing organization and stability.

Family day care home: A private residence operated by any person who receives therein for pay for supervision and care fewer than 24 hours per day, without transfer of legal custody, at least three but not more than six children under 13 years of age who are not related to such persons and whose parent(s) or guardians are not residents in the same private residence as the provider; provided, however, that the total number of unrelated children cared for in such home, for pay and not for pay, may not exceed six children under 13 years of age at one time.

Farming, general: Any primary use of a tract or parcel of land for the purpose of raising for sale any types of agriculture products, nursery stock, including, but not limited to, soil crops, fish, fowl, silviculture, or livestock.

Feeder roots: A complex system of small annual roots growing outward and predominantly upward from the system of "transport roots".

Fence: A constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas.

Fill: See section 306-2.

Finished grade: The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.

Flea market: An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.

Flood hazard boundary map (FHBM): See subsection 320-2.

Flood insurance rate map (FIRM): See subsection 320-2.

Flood insurance study: See subsection 320-2.

Flooding: See subsection 320-2.

Floodplain: Any land area susceptible to flooding, which would have at least a one percent probability of flooding occurrence in any calendar year based on: a) the basin being fully developed as shown on the current land use plan or b) the regulatory floodplain as defined by the National Flood Insurance Program (FEMA). The more restrictive (wider) of either a) or b) shall be used.

Floodway: See subsection 320-2.

Floor: The lower horizontal finished surface of each story in a building that is intended to support the contents of the building and its occupants.

Floor area, gross: The sum of the gross horizontal areas of the total number of finished floors of a fully enclosed building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings; excluding cellar space, carports and garages, and any space where the floor-to-ceiling height is less than 6½ feet.

Floor area, heated: The gross floor area of a dwelling or other building that is heated and intended for daily human activity, including hallways, stairs, and interior storage areas and closets.

Floor area ratio: The gross floor area of all buildings or structures on a lot divided by the total lot area.

Floor, lowest: The lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of the UDO.

Floor, party: A floor in a multi-story building that is designed to provide required fire separation between two adjoining dwelling units that are constructed one above the other.

Flush toilet: A sanitary flushable fixture in general use for the disposal of human excrement.

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.

Forestry: Establishments primarily engaged in the operation of timber tracts, tree farms, forest nurseries, the gathering of forest products, or in performing forest services.

Freeway: A multiple-lane roadway carrying local, regional, and interstate traffic of relatively high volumes that permits access only at designated interchanges.

Frontage, building: The width in linear feet of each exterior wall of a building that faces a street or public way.

Frontage, road: The distance on which a parcel of land adjoins a public street or street right-of-way, including proposed streets within a subdivision of land approved by Rockdale County.

Fruit and vegetable market: An establishment engaged primarily in the retail sales of fresh fruits and vegetables. The term shall include permanent fruit and vegetable stands, fruit markets, permanent fruit stands, produce markets, permanent produce stands and vegetable markets (NAICS Code 445230).

Functionally dependent use or facility: See subsection 320-2.

Future land use map: A map, formerly known as the 2020 Comprehensive Land Use Plan Map, prepared as part of the Rockdale County Comprehensive Plan prepared pursuant to O.C.G.A. 50-8-1 and Chapter 110-

3-2, Minimum Standards and Procedures for Local Comprehensive Planning that divides land within the unincorporated area of Rockdale County into a series of land use categories listed in section 202-6 and serves as guidance for rezoning decisions made pursuant to Title 2.

Garage, attached: A garage that shares a common roof with a dwelling unit or that adjoins a dwelling unit with a common wall along a distance of at least ten feet.

Garage, two-car: A permanent enclosed structure having a paved floor area designed with adequate floor area, access, and egress for two standard automobiles.

Garbage: See Solid waste.

Gasoline station with convenience store: A gasoline station that includes a retail store that sells a limited line of groceries and household items.

General NPDES permit for construction activities: State issued National Pollutant Discharge Elimination System permit, regulating construction activities pursuant to subsection (f) of O.C.G.A. § 12-5-30, the "Georgia Water Quality Control Act".

Georgia Stormwater Management Manual: See Stormwater management manual.

Governing authority: The Board of Commissioners of Rockdale County, Georgia.

Grade: A reference plane representing the average of finished ground level adjoining the building at all exterior walls. When the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or between the building and a point six feet from the building, whichever is closer.

Grade, percentage of: The rise or fall of a slope in feet and tenths of a foot for each 100 feet of horizontal distance.

Grading: Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling, and shaping or any combination thereof and shall include the land in its cut and filled condition.

Greenhouse: A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants for subsequent sale or personal enjoyment.

Greenspace: Permanently protected areas of a site that are preserved in a natural state meeting the standards of the Georgia Greenspace Program.

Greenway, stream: An area along the course of any state waters to be maintained in an undisturbed and natural condition for both recreation and conservation that may contain limited minor land disturbances, such as trails and picnic areas.

Gross vehicle weight rating (GVWR): The rating applied by a vehicle manufacturer, and represents the maximum total weight of vehicle, cargo, people, fuel, and other fluids together.

Ground elevation: The original elevation of the ground surface prior to cutting or filling.

Groundwater recharge area: Any portion of the earth's surface where water infiltrates into the ground to replenish an aquifer.

Group day care home: Any place operated by a person(s), partnership, association or corporation wherein are received for pay for group care not less than seven nor more than 18 children under 18 years of age for less than 24 hours without transfer of legal custody and which is required to be licensed or commissioned by Bright from the Start, Georgia Department of Early Care and Learning.

Grubbing: Removing roots and stumps from land that has been cleared, but not grading.

Guest house: An attached or detached accessory building that provides living quarters for guests, may or may not contain a kitchen or cooking facility.

Halfway house: A licensed home for inmates on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently.

Hardship: A condition of significant practical difficulty in using a lot because of physical problems relating solely to the size, shape, or topography of the lot in question which are not economic difficulties, and which are not self-imposed.

Hazardous material: Any substance that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment.

Hazardous waste: Any solid waste which has been defined as a hazardous waste in regulations, promulgated by the administrator of the United States Environmental Protection Agency pursuant to the federal act, which are in force and effect on February 1, 1988, codified as 40 C.F.R. Section 261.3.

Height: The vertical distance of a structure other than a building measured from the average elevation of the finished grade surrounding the structure to the highest point of the structure. When referring to a telecommunications antenna it shall mean the vertical distance from the base of the antenna to the highest point of the tower, or any appurtenance attached to it.

Height, building: The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the roof if a flat roof; to the deck line of mansard roofs; and to the mean height level between eaves and ridge of gable, hip, and gambrel roofs. Does not include steeples, cupolas, decorative towers, antennas, and mechanical equipment attached to a building.

Height, telecommunications facility. The vertical distance from grade to the highest point of the tower and its appurtenances, grade being the average level of the pre-existing or finished surface of the ground adjacent to the exterior of the tower, whichever is lower. When referring to a telecommunications antenna it shall mean the vertical distance from the base of the antenna to its highest point.

Highest adjacent grade: See section 320-2.

Historic resources: Landmarks, districts, sites, structures, or buildings which have historic, cultural, or archaeological significance by virtue of being eligible for listing on the National Register of Historic places, listed as such by the state Historic Preservation Office, or identified as such in the Rockdale County Comprehensive Plan.

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.

Home occupation: An occupation customarily carried on by an occupant of a dwelling unit as a secondary use which is clearly incidental to the use of the dwelling unit for residential purposes, and operated in accordance with applicable provisions of Title 2, sections 218-1 and 218-13.

Hospital: An establishment providing physical or mental health services, in-patient or overnight accommodations, and mental or surgical care of the sick or injured. Includes health clinics and sanatoriums.

Hotel: A building in which short-term (less than 21 days) lodging or board and lodging is provided and offered to the public for compensation and in which ingress and egress to and from each sleeping room is generally made through the interior of the building.

Hotel, extended stay: Any building containing six or more guest rooms rented or leased for sleeping purposes, for a period not to exceed 60 days, that contain kitchen facilities for food preparation including, but not limited to, refrigerators, stoves, and ovens.

Hydrologic soil group (HSG): A natural resource conservation service classification system in which soils are categorized into four runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and product much more runoff.

Impervious: A material that water cannot pass through or be absorbed by.

Impervious cover or surface: Areas which significantly prevent or impede the natural infiltration of stormwater into the soil. Common impervious surfaces include, but are not limited to, rooftops, buildings, streets, roads, sidewalks, walkways, patio areas, driveways, parking lots, concrete and asphalt surfaces, storage areas, compacted gravel and soil surfaces, awning, and other fabric or plastic coverings, and other surfaces which prevent or impede the natural infiltration of stormwater runoff which existed prior to development. Impervious surface also includes unpaved graded aggregate base (GAB), or crusher run.

Impoundment: The water or liquid substance that is or will be stored by a dam - commonly referred to as the reservoir.

Industrial activity: Activities subject to NPDES industrial permits as defined in 40 CFR, Section 122.26 (b)(14).

Industrial park: A tract of land subdivided and developed according to a comprehensive development plan in a manner which provides a landscaped setting for two or more industrial establishments.

Industrial stormwater permit: A national pollutant discharge elimination system (NPDES) permit issued to an industry or group of industries that regulates the pollution control strategies.

Industrialized building: Any structure or component thereof which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof.

Industrialized home: A residential structure that is, either wholly or in substantial part, made, fabricated, formed or assembled in one or more factory-built sections or panels in manufacturing facilities for assembly and installation on a building site. An industrialized home is manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to or destruction thereof and which, when completed, meets, or exceeds the requirements of, and all development standards for, conventionally constructed site-built housing. Any industrialized home must be designed to be permanently connected to a site-built foundation. No industrialized home shall be constructed with a chassis, as defined in 24 CFR 3280.902(a). It is the intent of this definition to include structures or components which are included within O.C.G.A. § 8-2-111(3) and 7 CFR 3550.10 or which are approved pursuant to the rules and regulations of the Georgia Department of Community Affairs and which bear an insignia of approval issued by the commissioner thereof.

Infiltration: The process of percolating stormwater runoff into the subsoil.

Intermodal terminal facility: An industrial establishment in which freight is transferred in containerized form from truck to railroad cars for transportation.

Issuing authority: Rockdale County.

Junk: Any scrap, waste, reclaimable material, or debris, whether or not stored, for sale or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed, or other use or disposition.

Junked vehicle: Any wrecked or non-operable dismantled or abandoned automobile, truck, boat, motorcycle, or similar device.

Junkyard: See Open yard storage business.

Kennel, hobby: An accessory use for the keeping of up to seven dogs or cats or other small animals or any combination thereof (except litters of animals of not more than six months of age) is carried on for the purpose of showing, training, or breeding. Such use specifically excludes any operation for which a fee or other compensation is charged and also excluded any commercial use.

Kennel, pet boarding: Any use where up to 21 dogs or cats or other small animals or any combination thereof (except litters of animals of not more than six months of age) are maintained for boarding, grooming, sitting, training, breeding, or similar purpose for a fee or other compensation is carried on.

Kindergarten: A school for pre-elementary school children ages five and six.

Kiosk: A freestanding structure upon which temporary information and/or posters, notices, and announcements are posted or displayed electronically.

Kitchen facilities: A room used to prepare food containing, at a minimum, a sink and a stove or oven.

Landscape strip: Land area located within the boundary of a lot and required to be set aside and used for landscaping upon which only limited encroachments are authorized.

Land development: Any land disturbing activity, including but not limited to clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting, and filling of land, construction, paving and any other installation of impervious surface. Land development excludes agricultural uses.

Land development activity or activities: Those actions or activities that comprise, facilitate, or result in land development.

Land development project: A single or phased discrete land development undertaking.

Land disturbance: Any land or vegetation changes, including, but not limited to, clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting, and filling of land, that do not involve construction, paving or any other installation of impervious surface, but not including agriculture.

Land disturbance activity or activities: Those actions or activities which comprise, facilitate, or result in land disturbance. See subsection 306-2.

Land disturbance permit: See Permit, land disturbance.

Land disturbance project: A single or phased discrete land disturbance undertaking.

Landfill: See solid waste handling facility. The term "landfill" shall include construction and demolition debris landfill, hazardous waste landfill, industrial waste landfill, inert waste landfill, monofill, sanitary landfill and private landfill. The term "landfill" shall not include approved on-site disposal of inert waste at a building, land disturbing, or development site.

Landfill, construction, and demolition waste: A landfill in which construction/demolition waste is disposed. Construction/demolition waste means waste building materials and rubble resulting from construction, remodeling, repair and demolition operations on pavements, houses, commercial waste, wood, bricks, metal, concrete, wallboard, paper, cardboard, inert waste landfill material and other non-putrescible wastes which have a low potential for groundwater contamination.

Landfill, inert waste: A disposal facility regulated by department of natural resources accepting only wastes that will not cause production of leachate (a liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such wastes) of environmental concern.

Only the following waste may be deposited in the inert landfill: earth and earth-like products, concrete, cured asphalt, rock, bricks, yard trimmings, stumps, limbs, and leaves. This definition specifically excludes any transfer stations, recycling stations, household materials or the storage of these items to be taken to another location.

Landfill, private: A privately owned and operated landfill for the purpose of profit. This may be each or all of the above types of landfills.

Landfill, sanitary (municipal): Disposal sites, approved by the board of commissioners, and owned by a municipality or by a political subdivision of the state, where putrescible solid wastes are disposed of in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying earth cover thereon.

Landing area: The area of an airport or private airstrip used for landing, taking-off or taxiing of aircraft.

Laundromat: A business that provides self-service, coin-operated washing, drying and/or ironing machines for clothing and similar laundry.

Library: A public facility for the use, but not sale, of literary, musical, artistic or reference material.

Liquefied petroleum gases: As defined in O.C.G.A. § 10-1-262, any material that is composed predominantly of any of the following hydrocarbons, or mixtures of the same: propane, propylene, butane (normal butane or isobutane), and butylene.

Livestock: Any animal raised for food, raw materials, or pleasure, and customarily kept on a farm including, but not limited to, beef and dairy cattle, sheep, swine, poultry, horses, mules, donkeys, goats, turkeys, bison, llama, emus, and pot-bellied pigs.

Litter: Sand, gravel, slag, brickbats, rubbish, waste material, tin cans, refuse, garbage, trash, debris, dead animals, discarded materials of every kind and description or paper products of every kind and description including, but not limited to, advertising materials, newspapers, promotional papers, letters, bills, publications, or other writings.

Loading space: A space within the principal building or on the same lot, providing for the standing, loading, or unloading of trucks, and other carriers.

Lot: A portion, plot, or parcel of land separated from other portions, plots, or parcels by a graphic description as on a subdivision plat of record or survey map and intended for transfer of ownership or for building development.

Lot area: The total area within the boundaries of a lot.

Lot, conforming: A lot that meets all requirements of the UDO and is not a nonconforming lot.

Lot coverage: The percentage of the total area of a lot that is occupied by buildings.

Lot, corner: A lot abutting upon two or more streets at their intersection. See section 214-3.

Lot, double frontage: A lot other than a corner lot abutting two streets.

Lot, flag (or panhandle lot): A prohibited lot not meeting minimum frontage requirements and where access to the lot from a public road is achieved by a narrow strip of land.

Lot, interior: A lot with a single street frontage.

Lot of record: A lot, the plat for which has been lawfully recorded in the office of the clerk of the Superior Court of Rockdale County, or a lot, the deed of which has been lawfully recorded in the office of the clerk of the Superior Court of Rockdale County.

Lot remnant: Any portion or portions of a lot not suitable for building upon because of size or topography and remaining after the transfer of other portions of said lot to adjoining lots or rights-of-way.

Lot width: The width of a lot at the required front setback line measured parallel to the street right-of-way or in the case of a curvilinear street, parallel to the chord of the arc between the intersection of the side lot lines and the street right-of-way line.

Lowest floor: See Floor, lowest.

Major intersection: Intersection of an arterial with another arterial or major collector in accordance with the latest Federal Functional Classification System for Rockdale County.

Major thoroughfare: A public street, road, or highway that is classified as a collector street, minor arterial, or principal arterial in the latest Federal Functional Classification System for Rockdale County.

Major woody roots: First order tree roots, originating at the "root collar" and growing horizontally in the soil to a distance of between three and 15 feet from the tree's trunk.

Manual for on-site sewage management systems: The technical handbook currently adopted and periodically updated by EPD. The manual for On-Site Sewage Management Systems and its provisions are herein adopted unless inconsistent with other provisions of law or regulation and is hereafter referred to as the "Manual for On-Site Sewage Management Systems".

Manual or manual for erosion and sediment control in Georgia: Manual published by the GASWCC as of January 1 of the year in which the land disturbing activity was permitted and amendments to the manual as approved by the GASWCC up until the date of the NOI.

Manufactured home, class A: A manufactured home fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying it is constructed in compliance with the Federal Manufactured Home and Standards Act (42 USC 5401—5445) and meeting each of the following development standards:

- (1) Minimum width of the installed home shall be in excess of 20 feet over at least 70 percent of its length.
- (2) The pitch of the home's roof has a factory-installed fixed, nominal, or true minimum vertical rise of four feet for each 12 feet of horizontal run, and the roof is finished with a type of shingle that is commonly used in conventional residential construction.
- (3) The roof of the home has a minimum six-inch factory installed roof overhang on each of the dwelling's perimeter walls.
- (4) Exterior wall materials shall consist of brick, masonry, or stone, or siding consisting of wood, hardboard, aluminum, or vinyl, covered, or painted, but in no case exceeding the reflectivity of gloss white paint. Corrugated materials are not permitted for exterior walls.
- (5) Exterior roof materials shall consist of asphalt or composition shingle, wood shake, wood shingle, standing seam metal, clay, or ceramic tile, but not including corrugated metal, plastic, or fiberglass.

Manufactured home, class B: A manufactured home fabricated in an off-site facility for installation or assembly at the building site, bearing label certifying it is constructed in compliance with the Federal Manufactured Home and Safety Standards Act (42 USC 5401—5445) but which does not satisfy the criteria necessary to qualify the unit as a class A manufactured home.

Manufactured home, class C: A structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on-site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or

without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein; and manufactured prior to June 15 1976. A "mobile home" as defined O.C.G.A. § 8-2-131 is a class C manufactured home within the meaning of this Code.

Manufactured home lot: A parcel of land, legally created, pursuant to the Code of Rockdale County in effect at the time and meeting the requirements of Title 3 or the subdivision requirements in effect at the time that the lot was approved and located in a manufactured home park which is intended and used for the placement of a single manufactured home and for the exclusive use of its occupants.

Manufactured home park, existing: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or before the effective date of these regulations, or before March 6, 1975.

Manufactured home park or subdivision, new: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after March 6, 1975.

Massage apparatus: See section 22-71.

Massage establishment: See section 22-71.

Massage; massages; Massage therapy: See section 22-71.

Massage therapist: See section 22-71.

Materials recovery facility (MRF): A solid waste handling facility that provides for the extraction from solid waste of recoverable materials, materials suitable for use as a fuel or soil amendment, or any combination of such materials.

Mean sea level: The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. This term is synonymous with National Geodetic Vertical Datum (NGVD) or the North American Vertical Datum (NAVD) of 1988.

Metropolitan River Protection Act: A state law, O.C.G.A. § 12-5-440 et. seq., which addresses environmental and developmental matters in certain metropolitan river corridors and their drainage basins.

Mineral extraction: See Mining.

Mining: The extraction of minerals, including solids, such as coal and ores; liquids, such as crude petroleum; and gases, such as natural gases. The term mining includes quarrying; ground-water diversion; soil removal; milling, such as crushing, screening, washing, and flotation; and other preparation customarily done at the mine site as part of a mining activity.

Mini-warehouse and self-storage unit: A building or group of buildings that contain(s) individual, compartmentalized stalls or lockers used for storage, including accessory office, but not including retail sale on the premises, commercial repair or other services, manufacturing, outside storage, or any other commercial use.

Mobile food vendor is a motorized, wheeled vehicle designed and utilized for the preparation and sale of food and non-alcoholic beverage items to the general public, and whose operations are self-contained within the confines of the vehicle. Such vehicles shall operate in accordance with state law and the rules and regulations for food service of the Rockdale County Environmental Health Department.

Mobile home: See Manufactured home, class C.

Modular home: A factory-manufactured single-family dwelling that is constructed in one or more sections and complies with the definition of "industrialized home."

Motel: A building or a group of buildings containing sleeping accommodations for short-term (less than 21 days) rental primarily to the motoring public and in which ingress and egress to and from each sleeping room is generally on the outside of the building.

Motor vehicle sales: An open area, other than a right-of-way or public parking area, used for display, sale, or rental of new or used motor vehicles in operable condition. See section 218-13.

Moved-in house: A single-family dwelling (not including a manufactured home or modular home) that is transported over land in Rockdale County in one or more sections and intended for erection on permanent footings on a conforming lot in Rockdale County for use as a permitted dwelling unit, subject to the regulations of UDO chapter 110 and section 302-52.

Museum: A building having public significance by reason of its architecture or former use or occupancy or a building serving as a repository for a collection of objects of interest, intended to be used by the public for viewing and which may include as an accessory use the sale of goods to the public.

National Geodetic Vertical Datum (NGVD): Vertical control used as a reference for establishing varying elevations within the floodplain (as corrected in 1929).

National pollutant discharge elimination system (NPDES) storm water discharge permit: A permit issued by the Georgia EPD under authority delegated pursuant to 33 USC 1342 (b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable to an individual, group, or general area-wide basis.

Natural ground surface: The ground surface in its original state before any grading, excavation, or filling.

Natural vegetative buffer or buffer area: A river corridor containing the flora native to that area. The natural floras for specific areas are described in Georgia Geologic Survey Bulletin 114, "The Natural Environment of Georgia." Habitats for endangered and threatened species may require human management of the river corridor in order to maintain those species.

New development: A land development activity on a previously undeveloped site.

New manufactured home park: See manufactured home park, new.

Nonconforming characteristic(s) of building or structure: A building or structure, legally existing on the effective date of the UDO, but which fails to comply with one or more of the regulations adopted under the terms of the UDO which are applicable to said building or structure, including, but not limited to, setbacks, lot frontage, lot area, building height, off street parking or loading, buffers, landscaping, or any other applicable development regulation.

Nonconforming, legal: A lot of record, structure or use that does not comply with the current requirements of the UDO, but was lawfully established and authorized in accordance with former regulations of Rockdale County prior to the adoption, revision, or amendment of the requirements in the UDO making the lot of record, structure, or use noncompliant.

Nonconforming lot: A lot of record that meets the definition of "Nonconforming, legal" or a lot of record lawfully created and recorded in the office of the clerk of the Superior Court of Rockdale County prior to January 15, 1984.

Nonconforming use of land, or nonconforming use of land and building(s), or

Nonconforming use of land and structure(s): A use of land and building(s) or a use of land and structure(s), in combination, legally existing on the effective date of the UDO, but that is not an authorized use of land and

building(s) or land and structure(s), in combination, under the terms of this UDO in the district in which such use is located.

Nonconforming use requiring special use permit: A use of land, or land and building(s) or structure(s) in combination, legally existing on the effective date of the UDO, but which is not an authorized use as of right under the terms of Title 2 in the district in which such use is located but rather is authorized only upon approval of a special use permit by the board of commissioners.

Non-point source pollution: A form of water pollution that does not originate from a discrete point such as a sewage treatment plant or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials, and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Non-point source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal, and urban runoff sources.

Nonresidential district (commercially or industrially zoned property): Any of the following zoning districts: CID, OI, NC, C1, C2, MXD, M1, and M2.

Non-stormwater discharge: Any discharge to the county's separate storm sewer system that is not composed entirely of stormwater.

North American Vertical Datum (NAVD) of 1988: A vertical control used as a reference for establishing varying elevations within a floodplain.

NPDES (National Pollutant Discharge Elimination System): A provision of the Clean Water Act pursuant to 33 U.S.C. Section 1342(b) that prohibits discharge of pollutants into waters of the United States.

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

Nursery: Establishments primarily engaged in retailing nursery and garden products, such as trees, shrubs, plants, seeds, bulbs, and sod, which are predominantly grown elsewhere. These establishments may sell a limited amount of a product they grow themselves.

Nursing home: An institution or a distinct part of an institution that is licensed or approved to provide health care under medical supervision for 24 or more consecutive hours to two or more patients who are not related to the institution's management or its members by marriage, blood, or adoption.

Occupied structure: See Structure, occupied.

Office, professional: A land use that includes one or more buildings that are primarily used for services rendered by occupations with specialized knowledge or expertise such as architects, engineers, lawyers, doctors, bankers, realtors, financial and insurance services, and similar services, as opposed to buildings used for manufacturing, storage, or sale of goods.

Office-warehouse: A structure which may include space for an office for administration or sales and related space for temporary storage or assembly or repair of goods, equipment, or products.

On-site sewage management system: A sewage management system other than a public or community sewage treatment system serving one or more buildings, mobile homes, recreational vehicles, residences, or other facilities designed or used for human occupancy or congregation. Such term shall include, without limitation, conventional and chamber septic tank systems, and experimental and alternative on-site management systems that may be approved by the Rockdale County Environmental Health Department and Rockdale Department of Water Resources.

Open space: Areas that are primarily undeveloped and reserved to provide separation, resource protection, scenic enjoyment, recreation, or amenity to abutting developed property and that are not included in minimum lot areas required in Title 2.

Open yard storage business: Any commercial or non-commercial activity except a materials recovery facility or recycling center, which involves the sale, storage, wrecking, dismantling, processing or sorting of waste, discarded or salvaged paper, rags, machinery, equipment or other junk, including automobiles, trucks and similar motor vehicles; where those materials are commonly stored in an open area outside any building as defined in this section; provided, however, that businesses engaged predominantly in the repair or sale of new or used motor vehicles and other machines shall not be included in the term "open yard storage business" if those vehicles and machines are in operating condition and ready for sale or, if non-operational, those vehicles or machines are stored in a building as defined in this section.

Outdoor recreation facilities: Facilities including greenways, trails, bikeways, paths, tennis courts, ball fields, playfields, courts, golf courses, swimming pools, clubhouses, lockers, bicycle facilities, equestrian facilities, beaches, docks, seating areas, amphitheaters, stages, band shells, community buildings, fountains, plazas, patios, decks, lawns, picnic shelters and picnic areas, landscaping and land containing outdoor recreation structures and facilities.

Outdoor recreation, commercial: Any establishment whose main purpose is to provide the general public with facilities for active, outdoor recreational activities and entertainment where tickets are sold, or fees are collected for participation in the activity. Outdoor commercial recreation facilities include but are not limited to outdoor fairs and amusement parks, water slides and parks, golf driving ranges and miniature golf courses, baseball batting cages, paintball facilities, tracks for motor sports, and other similar activities.

Outdoor storage: The keeping, in an unenclosed area, of any goods, material, merchandise, or vehicles in the same place for more than twenty-four hours whether for storage, display, processing or sale. See section 218-13.

Overbank flood protection: Measures taken to prevent an increase in the frequency and magnitude of out-of-banks flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain), and that are intended to protect downstream properties from flooding for the two-year through 25-year frequency storm events.

Overlay district: A zoning district that encompasses one or more underlying zones and that may vary the requirements, uses, and standards of the underlying zone.

Owner: The legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, or other person, firm, or corporation, in control of the site.

Owners of record: The owner(s) of property as specified on the deed to the lot of record.

Parcel: Any tract of land that has a deed and is shown as a unit on the latest county tax assessment records.

Parks and playgrounds: Public or community land, open spaces, or recreation areas including such areas represented on a plat of a subdivision as dedicated, reserved or to be reserved, for recreational purposes.

Parking lot: Any area designed for temporary (less than 48 hours) storage of motor vehicles of the motoring public in normal operating condition.

Parking, off-street: A temporary (less than 48 hours) storage area for a motor vehicle that is directly accessible to an access aisle and that is not located on a dedicated street right-of-way.

Parking, on-street: Areas along curbs of a street that are authorized for temporary (less than 48 hours) storage of automobiles belonging to owners, tenants, customers, or visitors of adjacent or nearby properties.

Parking structure: A covered or sheltered structure of two or more stories designed, constructed, and used for the parking of automobiles.

Paved: An area which is covered by asphalt, concrete, brick, or pavers meeting the specifications of the department of public service and engineering. Pervious paving materials are subject to approval by the director.

Pawnshop and/or pawnbroker: Any business or person engaged in whole or in part in the business of lending money on the security of pledged goods, or in the business of purchasing tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time, or in the business of purchasing tangible personal property from persons or sources other than manufacturers or licensed dealers as a part of or in conjunction with the business activities described in this paragraph. The term is intended to include title pawn shops.

Pedestrian way: Crosswalk or other areas designed and marked exclusively for pedestrian traffic.

Pennant: Any lightweight plastic, fabric, or other material, whether or not containing a message, suspended from a rope, wire or string and designed to move in the wind.

Percentage of grade: See Grade, percentage of.

Perennial stream: A stream that flows throughout the whole year as indicated by a blue line on the USGS Quad map.

Perennial river: A river or section of a river that flows continuously throughout the year.

Permit: The authorization necessary to conduct a land-disturbing activity, land development activity, building construction, or other activity regulated by Rockdale County that requires an official authorization as provided in the UDO.

Permit, building: A permit issued by the director, or his designee to the owner that is required for undertaking any construction, alteration, addition, or repair of a structure under the provisions of Title 3.

Permit, land disturbance: the permit issued by the director to the owner that is required for undertaking any land-disturbing or land development activity under the provisions of the UDO.

Permitted use: See Authorized use.

Permittee: Any entity that has submitted a notice of intent.

Person: Any individual, partnership, firm, company, agency, association, joint venture, public or private corporation, organization, society, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of this state, any interstate body, or any other legal entity.

Personal care home: Building(s) in which is provided housing, meals, and 24-hour continuous watchful oversight for one or more ambulatory adults and which is licensed as a personal care home by the Office of Regulatory Services of the State of Georgia Department of Human Resources, including:

- (1) *Personal care home, congregate:* A personal care home which offers care to 16 or more persons.
- (2) *Personal care home, family:* A personal care home which offers care to not more than six persons.
- (3) *Personal care home, group:* A personal care home which offers care to at least seven but not more than 15 persons.

Personal services: Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel. Personal services include, but are not limited to, laundry, including

cleaning and pressing service, beauty shops, barbershops, manicure, shoe repair, tanning salons and health clubs, clothing rental, tailor shops, and domestic services, but specifically excluding adult entertainment.

Pet, household: A domestic animal, not including fish or livestock, which is cared for by members of a household for companionship.

Place of assembly: A premises where a group of persons congregates for a common reason, over short periods of time and typically at regular intervals for civic, cultural, fraternal, political, religious, or social purposes. In the context of this code, places of assembly are further described as places where the occupancy of the premises follow a predictable pattern independent of customary retail business hours. Places of assembly share similar attributes in operations, parking requirements, traffic impact, building and fire safety requirements and infrastructure needs.

For the purposes of this code, places of assembly shall include banquet hall, events center, performing arts theater, concert hall, convention center, auditorium, place of worship, and civic and social organization.

Place of worship: A facility providing for the regular assembly of persons who share a common, religious faith as a primary use, and controlled by a legally established religious body to sustain public worship and accessory uses. Includes synagogue, church, temple, mosque, or other similar place of worship and organized religious or spiritual activities.

Plan, concept: Written and graphic documents submitted to the director for review that document the intent of a developer in a conceptual form, indicating the types, general arrangement, and density of uses, extent and pattern of subdivision, and the relationship of the intended uses to surrounding tracts.

Plan, ES&PC: An erosion, sedimentation, and pollution control plan prepared pursuant to chapter 306.

Planned center: One or more commercial land uses, or establishments developed under unified control, to be planned, developed, operated, and maintained as a whole, having one or more structures with appurtenant common areas.

Planning commission: The Conyers-Rockdale County Planning Commission.

Plat: A map, plan or other graphic layout of a land lot, lot, tract, parcel, or subdivision indicating the location and boundaries of one or more properties along with improvements subject to the UDO.

Plat, final: A finished drawing or map of a subdivision or development site plan, meeting all of the requirements of the UDO and approved by Rockdale County and fully certified for recording pursuant to Title 3. See chapter 302.

Plat, preliminary: A tentative plan of a proposed subdivision or development meeting the specified requirements of this chapter and showing the layout in sufficient detail to allow an evaluation of the proposed project. See chapter 302.

Playschool: A school for pre-kindergarten children ranging in age from three to four years.

Pollution susceptibility: When used in relation to groundwater recharge areas, the relative vulnerability of an aquifer to being polluted from spills, discharges, leaks, impoundments, applications of chemicals, injections, and other human activities in the recharge area.

Pollution susceptibility maps: Maps of relative vulnerability to pollution prepared by the department of natural resources, using the DRASTIC methodology. Pollution susceptibility maps categorize the land areas of the State into areas having high, medium, and low groundwater pollution potential.

Potentially hazardous foods: Foods requiring temperature control for safety because they are capable of supporting the rapid growth of pathogenic or toxigenic microorganisms, or the growth and toxin production of *Clostridium botulinum*.

Pre-application conference: An initial, informal, and non-binding stage of development review at which the developer may make known concept plan proposals and the director may hold discussions of those proposals with the developer regarding the development regulations and other issues related to the development.

Pre-kindergarten (Pre-K): An educational program for Georgia's four-year olds to prepare children for kindergarten.

Premises: Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Primary permittee: The owner or the operator or both of a tract of land for a construction project.

Principal use: The principal purpose for which a lot or the principal building thereon is designed, arranged, or intended, and for which it is or may be used, occupied, or maintained.

Private road: See Road, private.

Private street: See Street, private.

Privy: A structure (and necessary appurtenances) used for the sanitary disposal or storage of human wastes without the aid of water carriage; the term does not include chemical, composting, portable or incinerator toilets.

Professional: When used in connection with "use" and "occupancy" of a use or occupancy by persons generally engaged in rendering personal, executive, sales, or administrative services or activities, including accountants, architects, professional engineers and land surveyors, doctors, lawyers, insurance offices, real estate offices, religious organizations, stockbrokers, and administrative agencies considered professional in character. The term, however, does not include repairs or sales of tangible personal property stored or located within the structure nor any use that would create any loud noise or noxious odors within Rockdale County.

Project: The entire proposed development, regardless of the size of the area of land to be disturbed.

Property, adjacent: Property that is either abutting or on the opposite side of a common street, right-of-way, or easement that separates it from the subject property. In order for the parcels on opposite sides of an easement or right-of-way to be adjacent, it must be possible for a projected property line of one parcel to cross the street and intersect the property line of the adjacent parcel. Properties separated by a railroad track or freeway are not abutting or adjacent.

Property interest: The ownership of property, including any percentage of ownership less than total ownership.

Protected river: Any perennial river or watercourse with an average annual flow of 400 cubic feet per second as determined by appropriate U.S. Geological Survey documents. However, those segments of rivers covered by the Metropolitan River Protection Act or the Coastal Marshland Protection Act are specifically excluded from the definition of a protected river. In coastal areas, the seaward limit of any protected river shall be the inland limit of the jurisdiction of the Coastal Marshlands Protection Act.

Protected zone: All lands that fall outside of the buildable area of a parcel, all areas of the parcel required to remain in open space according to the provisions of Title 2 of the UDO or the administrative standards established herein, and all areas required as landscaping strips according to provisions of Title 2 of the UDO or Administrative Standards established herein.

Protection area or riparian protection area: With respect to a stream, river, lake, or impoundment, the combined areas of all required riparian buffers and setbacks applicable to such riparian.

Protective covenants: Recorded restrictions imposed by private parties running with the title to the land and specifying the manner in which land may be used, developed, or improved with the intent of protecting and preserving the physical and economic integrity of any given area. Protective covenants are not enforced by Rockdale County Government.

Provider: The occupant of the residence and the registrant of the family day care home who is also the person that primarily provides care in the family day care home.

Public entity: A federal, state, county or municipal government, or any agency, authority or public utility of such government that is legally established to provide public services to the citizens of Rockdale County.

Public facilities: A use conducted by, or a facility or structure owned or managed by a unit of government and intended to provide for needs of the public.

Public hearing: An official session of any elected or appointed board advertised according to law.

Public improvement: Any street, park, water line, sanitary drainage system or similar improvement installed to serve abutting, or nearby private or public property constructed by either a private entity or a public agency and ultimately owned and maintained by a public entity.

Public sewer: A common sewer controlled by a government agency or public utility, in this case Rockdale County.

Public street: Right-of-way dedicated to or owned by a public government agency for the purpose of providing principal access to abutting property.

Public uses: Buildings, structures and uses of land by a unit of government, including but not restricted to government administration, water treatment facilities, streets, libraries, public schools, parks, playgrounds, recreation centers and fire stations.

Public utility: Any publicly, privately, or cooperatively owned line, facility, or system for producing, collecting, transmitting, or distributing communications, power, electricity, light, heat, gas, oil products, water, steam, waste, stormwater not connected with highway drainage, and other similar services and commodities, including publicly owned fire and police and traffic signals and lighting systems, which directly or indirectly serve the public or any part thereof.

Public water system: A system for the provision of piped water to the public for human consumption, if such system has at least 15 service connections, or regularly serves an average of at least 25 individuals daily, at least 60 days out of the year.

Quadrangle map: The most recently published USGS 7.5-minute topographic map prepared at a scale of 1:24,000.

Quarry: A mine where rock, ore, stone, sand, and similar materials are excavated for sale or for off-site use. Quarry includes rock crushing, asphalt plants, the production of dimension stone, and similar activities.

Real property: Any tract or parcel of land and, if developed, any buildings or structures located on the land.

Recovered materials processing facility: See Recycling center.

Recreation, center: A building or portion of a building designed and equipped for the conduct of sports, exercise, leisure time activities or other recreational activities, operated for profit or not-for-profit and which can be open only to bona fide members and guests of the organization or open to the public for a fee.

Recreational vehicle: A vehicle that is:

- (1) Built on a single chassis.

- (2) 450 square feet or less when measured at the largest horizontal projection.
- (3) Designed to be self-propelled or permanently tow-able by a truck or car.
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Recreational vehicle parks and campgrounds: Any area that is occupied or intended for occupancy by transients using recreational vehicles, mobile trailers or tents as temporary living quarters for recreation, education or vacation purposes and is open to the public.

Recycled water system means a water system that captures, and reuses water previously used in wash or rinse cycles.

Recycling center: Any facility utilized for the purpose of collecting, sorting, processing, and shipping materials to be recycled including, but not limited to, plastics, glass, paper, and aluminum whenever such use is principal to the site.

Rehabilitation center: A facility operated for the purpose of assisting in the rehabilitation of disabled persons which provides one or more of the following types of services:

- (1) Testing, fitting, or training in the use of prosthetic devices.
- (2) Prevocational or conditioning therapy.
- (3) Physical, corrective, or occupational therapy.
- (4) Adjustment training or evaluation or control of special disabilities; or a facility in which a coordinated approach is made to the physical, mental, and vocational evaluation of disabled persons and an integrated program of physical restoration and prevocational training is provided under competent professional supervision and direction.

Related or related children: Children that are related to the provider, the registrant of a family day care home, within the second degree of consanguinity or affinity by either blood or marriage (i.e. sons, daughters, grandchildren, nieces, nephews, first cousins), or under legal guardianship, custody or state regulated foster care of the provider.

Required yard: See Yard, required.

Research and development: A business that engages in research, or research and development, of innovative ideas in technology-intensive fields. Development and construction of prototypes may be associated with this use.

Reserve strip: A strip or parcel of land along, around or between properties, the sole purpose of which is to restrict access.

Reservoir: A governmentally owned impoundment of water for the primary purpose of providing water to one or more governmentally owned public drinking water systems. This excludes the multipurpose reservoirs owned by the U.S. Army Corps of Engineers.

Reservoir boundary: The edge of a water supply reservoir defined by its normal pool level.

Residential district (residentially zoned property): Any of the following zoning districts: A-R, W-P, CRS, CSD, CSO, R-1, R-2, MUR, and RM, as well as prior zoning districts M-H, P-C, R-1A, R-1B and R-3.

Restaurant: An establishment in which the primary purpose is preparing, serving, and consuming food and beverages.

Restaurant, fast-food: An establishment that offers quick food service, which is accomplished through a limited menu of items, and in which orders are not generally taken at the customer's table, and food is generally served in disposable wrapping or containers.

Retaining wall: See Wall, retaining.

Retention facility, stormwater: A pond, pool, or basin used for the permanent storage of stormwater runoff.

Rezoning action: Legislative action by the board of commissioners adopting an amendment to the Title 2 of the zoning ordinance that has the effect of rezoning real property from one zoning classification to another.

Right-of-way: A strip of land dedicated to, designated, reserved, or purchased by Rockdale County for the purpose of pedestrian or vehicular access or utility line installation.

Right-of-way line: The dividing line between a lot, tract or parcel of land and a contiguous right-of-way.

Riparian: Belonging or related to the bank of a river, stream, lake, pond, or impoundment.

Riverbank: The rising ground, bordering a river, which serves to confine the water to the natural channel during the normal course of flow.

River corridor: All land, inclusive of islands, not regulated under the Metropolitan River Protection Act (O.C.G.A. §§ 12-5-440 through 12-5-457), or the Coastal Marshland Protection Act (O.C.G.A. §§ 12-5-280 through 12-5-293), in areas of a protected river and being within 100 feet horizontally on both sides of the river as measured from the riverbanks. The 100-foot buffer shall be measured horizontally from the uppermost part of the riverbank, usually marked by a break in slope. Although not within the measured 100-foot-wide buffer, the area between the top of the bank and the edge of the river shall be treated by local governments in the same manner as the river corridor and shall be included within the River Corridor Protection Plan. Because stream channels move due to natural processes such as meandering, riverbank erosion, and jumping of channels, the river corridor may shift with time. For the purposes of these standards, the river corridor shall be considered to be fixed at its position at the beginning of each review period for local comprehensive plans. Any shift in the location of the protected river after the start of the review period will require a revision of the boundaries of the river corridor at the time of the next review by the department of community affairs.

Road, private: Any privately owned and maintained access way serving two or more parcels of land that is intended to provide access for motorized vehicles, including safety and emergency equipment and that is not dedicated to the county or maintained by the county and that meets the provisions of section 332-7.

Road, public: Any right-of-way set aside for public travel as defined in O.C.G.A. § 32-1-3(24).

Rockdale water resources: The administrative department within the county government that is responsible for the planning, design, construction and maintenance of the Rockdale County water and wastewater systems.

Root respiration: An active process occurring throughout the feeder root system of trees, and involving the consumption of oxygen and sugars with the release of energy and carbon dioxide. Root respiration facilitates the uptake and transport of minerals and nutrients essential for tree survival.

Root collar: The point of attachment of major woody roots to the tree trunk, usually at or near the ground line and associated with a marked swelling of the tree trunk.

Rope roots: An extensive network of woody second order roots arising from major woody roots, occurring within the surface 12 to 18 inches of local soils, and with an average size ranging from .25 to one-inch diameter. The primary function of rope roots is the transport of water and nutrients, and the storage of food reserves.

Runoff: See Nonpoint source pollution.

Sand pit: A surface mine or excavation used for the removal of sand, gravel, or fill dirt for sale or for use off-site.

Sanitary sewer or sewer: A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of groundwater, storm waters and surface waters that are not admitted intentionally.

Sawmill: A facility where logs or partially processed boards are sawn, split, shaved, stripped, chipped, or otherwise processed to produce wood products, not including the processing of timber for use on the same lot by the owner or resident of that lot.

School: A public or private facility that provides a curriculum of elementary or secondary academic instruction.

School, private: Any building or group of buildings the use of which meets state requirements for elementary, secondary, or higher education and which does not secure the major part of its funding from any governmental agency.

School, private residential: A private school or similar institution with residential facilities and accessory kitchen, dining, and recreational facilities for program participants.

Screening: A method of shielding, obscuring, or buffering one use or building from another use or building by fencing, walls, densely planted vegetation, natural vegetation, including a transitional buffer or other means; a visual and acoustical barrier which is of such nature and density that provides year-round maximum capacity from the ground to a height of at least six feet.

Secondary permittee: An individual builder, utility contractor that conducts a construction activity within a common development.

Sediment: See section 306-2.

Sedimentation: See section 306-2.

Septic tank: An approved watertight tank designed or used to receive sewage from a building sewer and to affect separation and organic decomposition of sewage solids, and discharging sewage effluent to an absorption field or other management system.

Setback: With respect to a stream, river, lake, or impoundment, the area extending beyond any riparian buffer applicable to the stream, river, lake, or impoundment in which certain structures, including buildings, septic tanks, and septic tank drain fields, are prohibited.

Setback: The shortest distance between the right-of-way of a street or an adjacent property line or lot line and the nearest wall of the building or structure on a lot as prescribed in section 206. Principal buildings may not be placed within a required setback.

Sewage: See Wastewater.

Sewage treatment system: A system that provides primary treatment and disposal, including absorption field components, devices and appurtenances intended to be used for disposal of sewage by soil absorption, but does not include a conventional or chamber septic tank system.

Sewer: A pipe or conduit that carries wastewater or stormwater.

Sewer tap fee: A fee assessed to new users of the county wastewater system to provide the funds necessary for operation and maintenance of the system and to renew, extend and/or improve the system where said renewals, extensions and/or improvements are necessitated by the reduced available wastewater system capacity caused by the new users' demands.

Shelter, homeless: See Transitional housing facility.

Shopping center: A group of commercial establishments, planned, and developed as a unit, with common off-street parking provided on the property.

Sign: An object, device, display, structure, or part thereof which is used to advertise, identify, display, or direct attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Further defined in chapter 230 of this Code of Ordinances.

Significant recharge areas: Those areas mapped by the Department of Natural Resources in Hydrologic Atlas 18 (1989 edition). Mapping of recharge areas is based on outcrop area, lithology, soil type thickness, slope, density of lithologic contacts, geologic structure, the presence of karst, and potentiometric surface. Significant recharge areas are as follows in the various geologic provinces of Georgia:

- (1) In the Valley and Ridge and in the Cumberland Plateau, significant recharge areas outcrop areas of carbonate rock where low slope (less than eight percent slope) conditions prevail. Such areas commonly are characterized by karst topography (caves and sinkholes).
- (2) In the Piedmont and in the Blue Ridge, rocks have little primary porosity, with most groundwater being stored in the overlying soils. The significant recharge areas are those with thicker soils. Field mapping indicates that thick soils in the Piedmont and Blue Ridge are characterized by a density of two or more geologic contacts per four squares miles (source: 1976 1:500,000 Geologic Map of Georgia) and slopes lower than eight percent.
- (3) In the Coastal Plain, the significant recharge areas are the surface outcroppings of the large and extensively used drinking water aquifers (e.g., the Floridian, the Clayton, etc.) and soils having high permeability according to the 1976 1:750,000 Soils Association Map of Georgia.

Site: Any plot, parcel or area of land or combination of contiguous lots or parcels of land.

Site built home: A dwelling unit constructed on the building site from basic materials delivered to the site, and which is constructed in accordance with the International Building Code (IBC).

Soil and water conservation district approved plan: See section 306-2.

Soil compaction: A change in soil physical properties which includes an increase in soil weight per unit volume, and a decrease in soil pore space. Soil compaction is caused by repeated vibrations, frequent traffic, and weight.

Solid waste: Any garbage or refuse; sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility; and other discarded material including solid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and community activities, but does not include recovered materials; solid or dissolved materials in domestic sewage; solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit under 33 U.S.C. Section 1342; or source, special nuclear, or byproduct material as defined by the federal Atomic Energy Act of 1954, as amended.

Solid waste handling: The storage, collection, transportation, treatment, utilization, processing, or disposal of solid waste or any combination of such activities.

Solid waste handling facility: Any facility the primary purpose of which is the storage, collection, transportation, treatment, utilization, processing, or disposal, or any combination thereof, of solid waste as approved by department of natural resources.

Solid waste transfer station/materials recovery facilities: Any facility that the primary purpose is the collection, temporary storage, or transportation, or any combination thereof, of municipal solid waste (defined as solid waste derived from households, including garbage, trash, and sanitary waste in septic tanks, and includes solid waste from single-family and multifamily residences, hotels and motels, bunkhouses, campgrounds, picnic grounds, day use recreation areas, and commercial establishments, but does not include solid waste from mining, agricultural or silvicultural operations, or industrial processes or operations, per the Georgia Comprehensive Solid Waste Management Act, O.C.G.A. § 12-8-20 et seq.) and that may provide for the extraction of recoverable materials, materials suitable for use as a fuel or soil amendment, or any combination of such materials.

Special event: Any organized activity having as its purpose recreation, entertainment or education, such as a festival, carnival, celebration, foot or vehicle race, parade, procession, block party, or similar assembly which takes place on private property, or on Rockdale County public property including public streets, sidewalks, rights-of-way, or parks, and which will affect the ordinary use of such public property through impacts such as street closings, unlawful parking, impeding emergency access, unsanitary conditions, blocking ingress and egress to private property, and similar impacts, except as exempted under subsection 218-2(1).

Special use: A use listed in section 218-1 as being permitted if it meets stated conditions and is approved by the board of commissioners of Rockdale County.

Sprinkler system: For fire protection purposes, an integrated system of underground and overhead piping designed in accordance with fire protection engineering standards.

Standalone construction project: Construction activities that are not part of a common development where the primary permittee chooses not to use secondary permittees.

Start of construction: See Construction, start of.

State: State of Georgia.

State waters: See section 306-2.

Storage tank, bulk: An above ground container used for the storage of large volumes of liquids, solids, or gases, which may or may not include such flammable materials as petroleum.

Storm drain: A drain or sewer for conveying surface water, groundwater, subsurface water, or unpolluted water from any source.

Storm sewer system: Any facility designed or used for collecting and/or conveying stormwater, including but not limited to any roads with drainage systems, highways, streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and manmade or altered drainage channels, reservoirs, and other drainage structures, and which is:

- (1) Publicly owned or maintained.
- (2) Not combined with sanitary sewer.
- (3) Not part of a publicly owned treatment works.

Storm shelter: A structure or portion of a structure intended to provide protection to human life during periods of danger from storms or other emergencies.

Stormwater or stormwater runoff: Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Stormwater management: The collection, conveyance, storage, treatment, and disposal of stormwater runoff in a manner intended to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety, and general welfare.

Stormwater management facility: Any infrastructure that controls or conveys stormwater runoff.

Stormwater management manual: The Georgia Stormwater Management Manual is presumed to be the latest edition as defined on the Georgia Stormwater Management Manual website at www.georgiastormwater.com. Updates, errata, and revisions will be provided on the website.

Stormwater management facility, off-site: Any facility outside the project boundary that is or will be used for transporting and managing of storm water runoff, including, but not limited to, culverts, detention ponds, storm drains, flumes, and headwater pools. Easements for the purpose of transporting and managing of storm water runoff shall be obtained for any off-site facility with prior approval obtained from the director.

Stormwater management, on-site: The design and construction of a facility or facilities necessary to control stormwater runoff within and for a single development.

Stormwater management facility, on-site: Any facility within the project boundary used for the purpose of transporting or managing storm water runoff, including, but not limited to, culverts, detention ponds, storm drains, flumes, and headwater pools.

Stormwater management plan: A document describing how existing runoff characteristics will be affected by a land development project and containing measures for complying with the provisions of chapter 310.

Stormwater management, regional: The design and construction of a facility necessary to control storm water runoff; whether within or outside of a development and serving one or more developments.

Stormwater management system: The entire set of structural and non-structural stormwater management facilities and practices that are used to capture, convey, and control the quantity and quality of the stormwater runoff from a site.

Stormwater runoff, or runoff, or stormwater: Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

Story: That portion of a building having a height greater than six feet between the surface of the floor occupied and the ceiling above it, not including cellars, basements, mechanical rooms, and parking floors that do not extend more than three feet above finished grade or mechanical rooms, tanks or structures not designed for occupancy that are placed on the roof of a building and occupying less than ten percent of the area of the floor below.

Stream: Any waterway, beginning at either: the location of a spring, seep, or groundwater outflow that sustains stream flow; or a point in the stream channel with a drainage area to that point of 25 acres or more.

Stream bank: The sloping land that contains the stream channel and the normal flows of the stream.

Stream channel: The portion of a watercourse that contains the base flow of the stream.

Street: A way for vehicular traffic, whether designated as an avenue, boulevard, road, highway, expressway, lane, alley, or other way.

Street, centerline of: A line that is halfway between the right-of-way lines of a street,

Street classifications: Streets are classified according to the latest Federal Functional Classification System for Rockdale County. See section 332-1.

Street, dead end: A street that must be exited at the same point as is entered but not a cul-de-sac.

Street, half: A street or road adjacent to a subdivision tract boundary where only half the required right-of-way and road improvements are provided within the proposed subdivision and the responsibility for the other half is undecided or is left to the adjacent property owner.

Street jog: The incidence where two streets or two portions of a single street are separated by a relatively short distance, usually at their intersection with another street.

Street, private: Any privately owned and maintained access way serving two or more lots or parcels that is intended to provide access for motorized vehicles, including safety and emergency equipment, that is not dedicated to the county or maintained by the county and that meets the provisions of section 332-7.

Street, private residential: Any privately owned and maintained access way serving two or more single family residential lots that is intended to provide access for pedestrians and motorized vehicles, including service, safety, and emergency equipment, that is not dedicated to the county or maintained by the county and that includes streets, curb and gutter, and sidewalks that meet the provisions of UDO Chapter 332. All private residential streets shall be gated.

Street, public: See Road, public.

Street, stub: An extension of the right-of-way of a street in a subdivision extending to the property boundary of the tract being developed and intended to provide continuity of the street pattern between subdivisions or between the individual phases of the same subdivision.

Structural erosion and sedimentation control practices: See section 306-2.

Structure: Any fixed object that is constructed or erected on the ground or attached to something on the ground, including, but not limited to, towers, fences, posts, walls and walled or roofed buildings, but not including tents, flags, balloons, or vehicles.

Structure, accessory: A structure detached from the principal building located on the same lot and customarily incidental and subordinate in area, extent, and purpose to the principal building or use. Where a structure is attached to the main building in a substantial manner, as by a wall, such structure shall be considered part of the main building.

Structure, flood-prone: A walled and roofed building that is principally above ground, a manufactured home, a gas, or liquid storage tank.

Structure, occupied: A building with one or more rooms intended for use by humans for dwelling, commerce, industry, or public services, and including buildings intended for the installation, storage, or use of equipment, merchandise, or machinery related to such use, subject to regulations and permitting procedures of the UDO.

Subdivider: Any person, firm, corporation or duly authorized agent or other legal entity who undertakes the subdivision of land as defined in this chapter.

Subdivision: The division of one or more lots of record lawfully in existence at the time of enactment of the UDO into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development, and includes all division of land whether or not they involve a new street or a change in existing streets, and includes resubdivision, and where appropriate to the context, relates to the process of subdividing or to the land or area subdivided.

Subdivision plat: A drawing prepared by a land surveyor currently registered in the State of Georgia indicating a proposed division of a tract or parcel of land into two or more lots, building sites or other divisions for the purpose of sale, legacy, gift, or division in kind, or building or other development.

Substantial damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Market value may be determined from tax appraisal or another estimate provided by a certified professional appraiser.

Substantial improvement: See subsection 320-2.

Substantially improved existing manufactured home parks or subdivisions: See subsection 320-2.

Supportive commercial use: Use that is located on the same lot or parcel with a principal permitted use in a zoning district and that is established for the sole convenience of nearby residents, employees, patients, patrons, or visitors within walking distance. Supportive uses include, but are not limited to, cafeterias, gift shops, clothes stores, bookstores, newsstands, and snack bars or other uses identified as supportive uses in section 218-1 of the UDO.

Surface water: Waters of the state located on the ground surface such as lakes, reservoirs, rivers, streams, and creeks.

Suspended solids or total suspended solids or TSS: Total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as non-filterable residue.

Swimming pool: A facility designed and intended for water contact activities that serves the public, a club or other membership-based organization.

Swimming pool, home: A facility designed and intended for water contact activities that serves a single-family dwelling.

Telecommunications tower: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers and monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular communications towers, and other similar structures.

Temporary building: A structure without any foundation or footings that is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased. See section 218-13.

Temporary use: Land uses established for a limited duration with the intent to discontinue such use within a designated time period.

Temporary use, accessory: A use meeting the definition of an accessory use, building or structure that is established for a limited duration with the intent to discontinue such use within a designated time period. See chapter 218.

Temporary use, commercial retail: Commercial uses established for a limited duration with the intent to discontinue such use within a designated time period. See section 218-13.

Timber harvesting: The felling, loading, and transporting of timber products for gain. The term "tree harvesting" includes forestry, silviculture, selective tree harvesting, and thinning of trees as prescribed by best management practices of the Georgia Forestry Commission. See section 328-37.

Tower or telecommunications tower: Any structure that is designed or constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structure, but not including amateur radio antennas.

Townhouse: A single-family dwelling unit that is erected in a row as part of a single building consisting of three or more dwellings on adjoining lots, each being separated from the adjoining unit or units by an approved fire-resistant party wall or walls extending from the basement or cellar floor to the roof along the dividing lot line.

Trail, bike: See Trail, multiuse.

Trail, multi-use: A corridor designed for one or more alternative forms of transportation including pedestrians, joggers, skaters, and slow-moving vehicles such as strollers, bicycles, and golf carts.

Transitional housing facility: A building or buildings in which is provided long-term but not permanent living accommodations for one or more persons who have no permanent residence and are in need of long-term housing assistance, and in which may also be provided meals and social services including counseling and substance abuse recovery assistance.

Transport containers: Standardized reusable vessels that were: (1) originally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods, or commodities; and/or (2) originally designed for or capable of being mounted or moved by rail, truck, or ship by means of being mounted on a chassis or similar transport device.

Transport roots: System or framework of tree roots comprised of major woody roots and rope roots.

Tree: Any self-supporting, woody perennial plant usually having a single trunk diameter of 1½ inches or more which normally attains a mature height of a minimum of ten feet.

Tree canopy: See Canopy, tree.

Tree, co-dominant: A tree whose crown extends above the tops of surrounding trees and receives direct sunlight from above and from the side.

Tree density factor: A unit of measure used to prescribe and calculate required tree coverage on a site. Unit measurements are based upon tree size.

Tree, dominant: A tree whose crown extends into the tops of surrounding trees and receives direct sunlight from above but limited sunlight from the side.

Tree preservation and replacement plan: A drawing which depicts the boundaries and dimensions of a given lot or lots for which a land disturbance permit or building permit is sought and which includes all of the information required in section 302-63 and section 328, article II.

Tree removal: The unauthorized intentional or negligent killing of trees on a parcel of land. Such acts shall include but not be limited to cutting of trees, to damage inflicted upon the root system of a tree or trees by the application of toxic substances, by the operation of equipment and vehicles, by storage of materials, by the change of natural grade due to unapproved excavation or filling, or by the unauthorized alteration of natural physical conditions, including drainage patterns.

Tree replacement: The replacement of trees and landscape plant materials into the minimum required landscape areas, as determined by the Development Regulations of Rockdale County.

Trout streams: See section 306-2.

Truck, heavy: Trucks, including truck tractors, and similar vehicles with two or more rear axles.

Truck, light: Trucks and similar vehicles with single rear axles.

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.

Use: The purpose or activity for which land or buildings are designed, arranged, or intended or for which land or buildings are occupied or maintained.

Use, accessory: A use of land or a building, or portion thereof, customarily incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use.

User, wastewater: Any person who contributes, causes, or permits the contribution of wastewater into the county wastewater system.

Utility: Public or private water, stormwater, or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, stormwater systems, railroads, similar services and all equipment and structures necessary to provide such services for utilities licensed or authorized to serve Rockdale County.

Variance: A grant of relief of the terms of Title 2 pursuant to section 238-9 that will not be contrary to the public interest and where, owing to conditions peculiar to the property (and not the applicant), a literal enforcement of the regulations would result in unnecessary and undue hardship.

Variance, administrative: A grant of relief of the terms of Title 2 that is subject to review and action by the department pursuant to section 238-14.

Vegetative erosion and sedimentation control measures: See section 306-2.

Vehicle: A mechanical device with wheels or treads for transporting people and/or loads. Vehicles include automobiles, motorcycles, trucks, cranes, earth moving equipment, trailers, and other similar conveyances.

Vehicle, commercial: Vehicles with a gross vehicle weight rating (GVWR) of 10,001 pounds or more used as a part of a business (including a non-profit organization), including, but not limited to, any vehicle which falls into one or more of the following categories:

- (1) Truck tractor;

- (2) Semi-trailer, which shall include flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box-type enclosures;
- (3) Vehicles of a type that are commonly used for the delivery of ice cream, milk, bread, fruit, or similar vending supply commercial or delivery trucks. This category shall include vehicles of a similar nature which are also of a type commonly used by electrical, plumbing, heating, and cooling, and other construction-oriented contractors;
- (4) Tow trucks;
- (5) Commercial hauling trucks;
- (6) Vehicle repair service trucks;
- (7) Vehicles with blades attached for plowing or grading;
- (8) Construction vehicle, such as a bulldozer, backhoe, and similar vehicles;
- (9) A vehicle which has permanently mounted outside brackets or holders for ladders, tools, pipes, or other similar equipment;
- (10) Passenger carrying vehicles with more than 15 passengers including the driver;
- (11) Combinations of vehicles (such as a truck pulling a trailer or other equipment), and
- (12) Vehicles that carry hazardous materials.

Veterinary services: Establishments where animals or pets are given medical treatment and are cared for during the time of such treatment. Use as a kennel shall be limited to short time boarding and shall be only incidental to such hospital use.

Wall, foundation: A wall constructed on footings or piers and designed to bear the load of a building or major structure.

Wall, retaining: A structure constructed and erected between lands of different elevations to protect structures and/or to prevent erosion, and not used as a foundation.

Wastewater: The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water and storm water that may be present.

Wastewater, domestic: Wastewater discharged into the wastewater system from domestic sources such as toilets, washing machines, dishwashers, sinks, showers, and bathtubs from normal household usage.

Wastewater facilities: The structures, equipment and processes required to collect, carry away and treat domestic and non-domestic wastewater and to dispose of the effluent.

Wastewater system or county wastewater system: The total wastewater disposal facilities owned and operated by the county, also the administrative framework which operates the facilities.

Watercourse: See section 306-2.

Water supply reservoir: A governmentally owned impoundment of water for the primary purpose of providing water to one or more governmentally owned public drinking water systems. This excludes the multipurpose reservoirs owned by the U.S. Army Corps of Engineers.

Water supply watershed: The area of land upstream of a governmentally owned public drinking water intake.

Water system or county water system: The total water treatment and distribution facilities owned and operated by the county, also the administrative framework which operates the facilities.

Watershed: The land area that drains into a particular stream, river, lake, or impoundment.

Well: An excavation or opening into the ground by which groundwater is sought or obtained.

Wetlands: Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Wetlands, jurisdictional: Wetlands subject to permits issued by the U.S. Army Corps of Engineers.

Window, drive-through: An opening in the wall of a building or structure designed and intended to be used to provide for sales to and/or service to patrons who remain in their vehicles.

Yard: An open space between the property line and the wall of the principal building, on the same lot, such space being open, unoccupied, and unobstructed by buildings or structures from ground to sky except for authorized landscaping, driveways, parking, sidewalks, signs, lighting standards, encroachments and accessory buildings that are expressly permitted.

Yard, front: A yard extending the full width of the lot or parcel and situated between the right-of-way line of the abutting street and the front yard line of the principal building or structure.

Yard, rear: A yard extending the full width of the lot or parcel and extending from the rear line of the lot to the rear yard line of the principal building or structure.

Yard, required: A yard situated between a lot line or property line and the setback line established by the zoning district for the principal building or structure.

Yard, side: A yard extending the full depth of a lot or parcel and situated between the side yard line and side property line of the lot or parcel and the side of the building facing such property line.

Zoning district: One or more sections of the county as set forth in Title 2 and delineated and designated on the zoning maps, within which the zoning regulations are uniform.

Zoning maps: A series of numbered maps of the county, depicting the locations of zoning classifications set forth in Title 2 and other expository material, each of which is entitled "Zoning Map, Rockdale County, Georgia," and referenced to an index map.

Section II

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

Section III

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 22 **DAY OF** June, 2021.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**



Oz Nesbitt, Sr., Chairman




Sherri L. Washington, Esq., Commissioner Post I

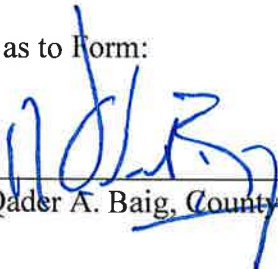


Dr. Doreen Williams, Commissioner Post II

Attest:

By: 
Jennifer Rutledge, County Clerk

Approved as to Form:

By: 
M. Qader A. Baig, County Attorney

First Reading: 2/23/2021

Second Reading: 6/22/2021