

AN ORDINANCE TO AMEND THE TEXT OF SEC. 218-1 (TABLE OF PERMITTED USES) AND SEC. 218-13 (STANDARDS OF USE AND DEVELOPMENT) OF THE UNIFIED DEVELOPMENT ORDINANCE OF ROCKDALE COUNTY, AS AMENDED, ADDING MINERAL EXTRACTION - DIMENSIONAL STONE TO THE A-R (AGRICULTURAL-RESIDENTIAL) ZONING DISTRICT AND ESTABLISHING SUPPLEMENTAL REGULATIONS RELATED THERETO; TO REPEAL CONFLICTING ORDINANCES 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, Section 218-1 of the Unified Development Ordinance provides the permitted uses within each Zoning District; and

WHEREAS, mineral extraction – river and stream sand is currently included as a special use, subject to supplemental regulations, in the A-R Zoning District; and

WHEREAS, mineral extraction – dimensional stone is considerably different than other mineral extraction processes and industries; and

WHEREAS, dimensional stone extraction involves drilling and cutting which generates less noise and dust than other mineral extraction processes; and

WHEREAS, dimensional stone extraction involves relatively low outputs to ensure that the extraction process preserves the stone in substantially intact large blocks; and

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

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

Section I

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

NAICS Code	Uses	Supplemental Reg?	A-R
	Mineral Extraction – Dimensional Stone	Yes	C

Section II

That Section 218-13 entitled “Standards of use and development” is hereby amended by adding the following:

(t1) *Mineral Extraction/Dimensional Stone.*

(1.) *Standards*

- a. Dimensional stone extraction shall be limited to property and/or joined properties not less than 85 acres in area.

- b. Extraction activities shall be not less than 25 feet from any adjacent right of way and not less than 50 feet from interior property lines. Extraction activities may be authorized within 50 feet of an interior property line (in no case less than 25 feet) with the express written consent of adjacent property owners.
- c. Setback areas shall be adequately landscaped to achieve 75 percent opacity within 2 years of operation.
- d. Blasting and crushing shall be expressly prohibited.
- e. Extraction activities shall be prohibited between the hours of 6:00pm and 7:30am Monday through Friday, weekends, and federal holidays.
- f. Ingress and egress points shall be limited to paved arterials and state highways, and improved subject to the requirements of Rockdale County Stormwater and Transportation Departments.
- g. All improved and maintained entrances shall be fenced and locked during non-business hours. The property shall be adequately posted and such notice filed with the proper county authority.
- h. Grading or other construction activity on the site may not alter existing natural drainage ways in such a way as to adversely affect an adjacent parcel of land either by increasing or redirecting the drainage flow over that parcel, or by impeding the drainage ways flowing from that parcel.
- i. Natural creeks, streams, rivers, lakes, or other bodies of water shall not be altered in course or relocated by the Operator, unless such alteration or relocation has been specifically approved by applicable state and federal agencies and the Board of Commissioners.
- j. Operations shall not adversely impact adjacent properties and shall comply with the performance standards of this Section.
- k. Noise generated by mineral extraction activities shall not exceed the standards set forth in any applicable law or regulation including, but not limited to, the Official Code of Georgia, the Department of Natural Resources regulations, and the Rockdale County Code of Ordinances (whichever is the most stringent).
- l. Waste drill fluids generated on-site shall be contained on-site in a securely fenced location and/or transported from the site and disposed of in an environmentally safe and legal manner.
- m. A drainage plan, dust abatement plan, noise abatement plan, emergency operations plan, and a comprehensive reclamation plan shall be submitted and approved prior to any extraction activities. Said plans shall demonstrate compliance with any and all applicable rules and regulations.
- n. The site of the extraction activity shall be restored to a usable condition subject to a comprehensive reclamation plan. Reclamation activities shall be completed not later than 2 years from cessation of extraction, unless otherwise extended by the Board of Commissioners.
- o. This use shall conform to all county, state and federal laws.

Section III

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

Section IV

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

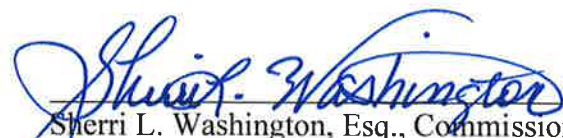
EFFECTIVE DATE: This Ordinance shall become effective as of the date hereof.

ADOPTED AND APPROVED THIS 12 **DAY OF** September, 2023.

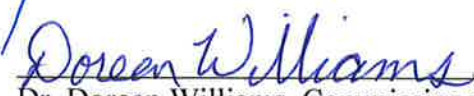
**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**



Osborn 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: 6/13/2023

Second Reading: 9/12/2023