

ROCKDALE PLANNING COMMISSION MEETING

February 12, 2026, at 6:00 PM
Rockdale County Assembly Hall
901 Main St NW, Conyers, GA, 30012



AGENDA

1. **Call to Order:**
 - A. Invocation.
 - B. Pledge of Allegiance.
2. **Determination of a Quorum:**
 - A. Roll Call.
3. **Approval of the Agenda.**
4. **Approval of the Minutes:**
 - A. January 8, 2026
5. **Rules of Procedure for Public Hearings.**
6. **Unfinished Business: NONE**
7. **New Business:**

ITEM R-1:	CUP-2025-02
PURPOSE:	To authorize a Special Use Permit for 2522 Ashland Trace to allow the operation of an in-home daycare.
LOCATION:	2522 Ashland Trace SW
PARCEL:	032D010086
SIZE:	0.64 acres
APPLICANT:	Barbara Johnson
OWNER:	Barbara Johnson

ITEM R-2:	REZ2025-12
PURPOSE:	A request by Quick Drop Towing and Recovery to rezone three parcels totaling 5.65 acres located at 2525 Lake Rockaway Road, 2539 Old Covington HWY SW, and 2481 Old Covington HWY SW from M-1 (Limited Industrial) District to M-2 (General Industrial) District to permit an expansion of allowable industrial uses on site.
LOCATION:	2525 Lake Rockaway Road, 2539 Old Covington HWY SW, and 2481 Old Covington HWY SW
PARCEL:	0100010032, 0100010017, 0100010018
SIZE:	1.04; 2.84; and 1.77 acres
APPLICANT:	Quick Drop Towing and Recovery
OWNER:	Curtis McMurry

ITEM R-3:	FLUM2025-06
PURPOSE:	A request by Quick Drop Towing and Recovery to amend the Future Land Use Map Category of parcel 0100010018 from Commercial to Light Industrial permit an expansion of allowable industrial uses on the site.
LOCATION:	2481 Old Covington HWY SW
PARCEL:	0100010018
SIZE:	1.77 acres
APPLICANT:	Quick Drop Towing and Recovery
OWNER:	Curtis McMurry

ITEM R-4:	TEXT2026-01
PURPOSE:	TEXT2026-01- An ordinance to amend the text of certain definitions within Title 1; repealing and replacing certain base zoning district and overlay zoning district regulations within Title 2; Amending certain use regulations of the Unified Development Ordinance of Rockdale County, Georgia, as amended; providing for codification; providing for conflicts; providing for severability; providing for applicability; and for other purposes.
APPLICANT:	County Staff

ITEM R-4:	TEXT2026-02
PURPOSE:	TEXT2026-02 - An ordinance repealing and replacing certain chapters of Title 3, Development and Permitting, of the Rockdale County Unified Development Ordinance; providing for codification; providing for conflicts; providing for severability; providing for applicability; and for other purposes.
APPLICANT:	County Staff

8. Reports:

The next regularly scheduled Rockdale County Planning Commission meeting will be on:

Date	Day	Time	Location	Address
March 12, 2026	THU	6:00 PM	Assembly Hall	901 Main St NW, Conyers, GA, 30012

9. Adjournment.



ROCKDALE PLANNING COMMISSION
January 8, 2026 at 6:00 PM
Rockdale County Assembly Hall
901 N Main St NW, Conyers, GA, 30012

MINUTES

[The video is on Facebook](#)

MEMBERS' PRESENT:

John Lee Peterson, Chair
Marlessia Yancey, Vice Chair
Danny Forrester
Ernestine Stovall-Goolsby
Angelique McClendon

STAFF PRESENT:

Brandon White, Director
Lara Parker, Deputy Director
Jessica Pollett, Project Manager
Aischa Paul, Admin. Operations Coordinator
Kierston McDaniel, Development Plan Review Specialist
Ryan Saddler, Planner

MEMBERS ABSENT:

1. **Call to Order:** John Lee Peterson, Chair; called the meeting to order at 6:00 p.m. for the items on the agenda. The agenda is attached hereto and is now made a part of these minutes.
 - A. Invocation: Commissioner Danny Forrester
 - B. Pledge of Allegiance
 - C. Determination of a Quorum
 - a. Roll Call
2. **Approval of the Agenda:** Vice Chair Yancey moved to approve the amended agenda. Commissioner Forrester seconded the motion. The motion passed unanimously.
3. **Approval of the Minutes:** Commissioner McClendon moved to approve the minutes of October 9, 2025, as written. Commissioner Forrester seconded the motion. The motion passed unanimously.
4. **Rules of Procedure for Public Hearings:** A pre-recording of the rules and procedures for public hearings was played aloud for members and the public.
5. **Old Business:** None
6. **New Business:**

ITEM R-1:	REZ2025-10
PURPOSE:	To rezone 1.46 acres from C-1 (Local Commercial District) to C-2 (General Commercial District) to permit an expansion of allowable commercial uses on the site.
LOCATION:	2992 HWY 155 SW
PARCEL:	003001014D
SIZE:	1.46 acres
APPLICANT:	DGN Atlanta LLC

STAFF REPORT: Planner Ryan Saddler presented the case files and provided an overview of the staff report. Staff recommended approval of the rezoning request with six conditions.

THE APPLICANT: DGN Atlanta LLC

PUBLIC COMMENTS: N/A

PLANNING COMMISSION QUESTIONS AND COMMENTS: **Commissioner** Stovall-Goolsby asked for clarification on the hours of operation and whether rezoning to C-2 would allow uses such as bike shops or smoke shops. Commissioner McClendon identified a typographical error in the evaluation of the future land use request. Vice Chair Yancey inquired about the structure and construction of the vehicle emissions station. Commissioner McClendon requested clarification regarding the aesthetics of the station and whether it would be a permanent structure. Chairman Petterson asked whether customers would receive both emissions documentation and a decal.

BOARD VOTE/ RECOMMENDATION: Vice Chair Yancey moved to approve the request for REZ2025-10. Commissioner Forrester seconded the motion, and the motion carried.

ITEM R-2:	FLUM2025-04
PURPOSE:	To amend the Future Land Use Map Category of subject property 2992 HWY 155 SW from Low Density Residential/Agriculture to Commercial to permit an expansion of allowable commercial uses on the site.
LOCATION:	2992 HWY 155 SW
PARCEL:	003001014D
SIZE:	1.4 acres
APPLICANT:	DGN Atlanta LLC

STAFF REPORT: Planner referenced the previously presented case files and staff report. No additional presentation was made.

THE APPLICANT: DGN Atlanta LLC

PUBLIC COMMENTS:

N/A

PLANNING COMMISSION QUESTIONS AND COMMENTS:

No additional questions or comments were made; discussion occurred during the rezoning request.

BOARD VOTE/ RECOMMENDATION:

Commissioner Stovall-Goolsby moved to approve the request for FLUM2025-04. Commissioner Forrester seconded the motion, and the motion carried.

ITEM R-3:	TEXT2025-14
PURPOSE:	An ordinance to amend the text of Sec. 218-1 (Permitted Use Table), and Sec. 218-13 (Standards of Use and Development) Subsection (mmm2) of the Unified Development Ordinance of Rockdale County, Georgia, as amended, regarding short-term rentals; and amending the supplemental regulations related thereto; to repeal conflicting ordinances and for other purposes
APPLICANT:	County Staff

STAFF REPORT: Project Manager Jessica Pollett presented the case files and reviewed the proposed text amendments regarding short-term rentals.

THE APPLICANT: County Staff

PUBLIC COMMENTS:

Bridget Williams – Opposed

Rohandip Singh - Support

PLANNING COMMISSION QUESTIONS AND COMMENTS:

Commissioner McClendon asked for clarification on how the proposed caps of 350 and 200 were established, whether the amendments contain any potential loopholes, and whether landlords would be required to maintain a log for short-term rentals. He also inquired whether the rental caps would limit the number of short-term rentals that could be owned by a single corporation to prevent concentration of ownership, and what type of public notice would be provided under the proposed regulations.

Vice Chair Yancey requested information regarding the allowable duration of short-term rentals and the procedure that would be followed if more than 200 applications were submitted. She also asked whether businesses would be provided with guidelines to assist with compliance and how the regulations would apply to the 45 units located in unincorporated housing.

Commissioner Stovall-Goolsby questioned whether existing short-term rentals would be grandfathered under the proposed amendments and whether a short-term rental permit could

be transferred upon the sale of a home.

Chair Peterson asked how the new process would be enforced.

BOARD VOTE/ RECOMMENDATION:

Vice Chair Yancey moved to approve the amendment of TEXT2025-14 with a recommendation of 300 applications. Commissioner McClendon seconded the motion, and the motion passed unanimously.

7. Reports:

A. Rockdale Stovall-Goolsby:

B. The Board of Commissioners will hold the Zoning Public Hearing for county items in person at 6:00 PM at 901 Main Street NW, Conyers, GA 30012, in the auditorium.

C. The Next Regularly Scheduled Planning Commission Meeting will be in person on.

Date	Day	Time	Location	Address
TBA	THU	6:00 PM	Assembly Hall	901 Main St NW, Conyers, GA, 30012

8. Adjournment:

Commissioner McClendon made a motion to adjourn the meeting. Commissioner Stovall-Goolsby seconded the motion, and it passed unanimously. The meeting was adjourned at 7:14pm.

BOARD OF COMMISSIONERS

JANICE VAN NESS, CHAIR & CEO
TUWANYA C. SMITH, COMMISSIONER POST I
DR. DOREEN WILLIAMS, COMMISSIONER POST II

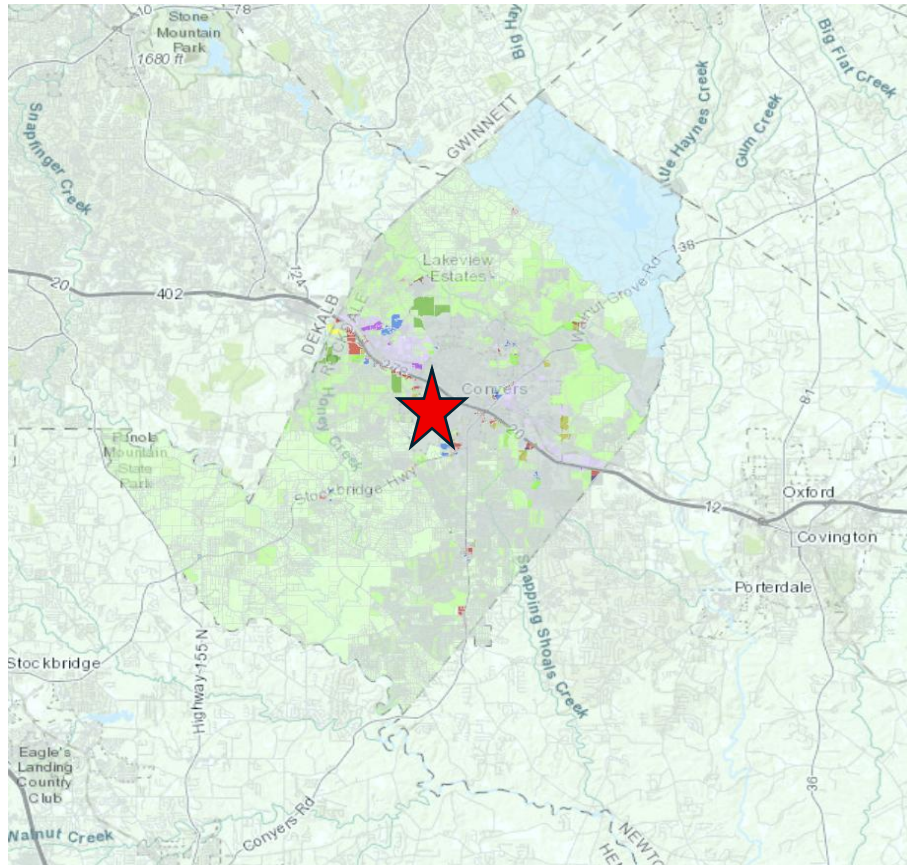


DEPARTMENT OF PLANNING & DEVELOPMENT

BRANDON WHITE, DIRECTOR
PHONE: (770) 278-7100
planningandzoning@rockdalecountyga.gov

PLANNING COMMISSION
ROCKDALE COUNTY PLANNING STAFF REPORT

Case Number: CUP2025-02
Address: 2522 ASHLAND TR SW
Tax Parcel ID: 032D010086
Site Area: 0.64 acres
Current Zoning: R-1 Single Family-Residential
Future Land Use: Medium Density Residential
Existing Conditions: Single-family residence
Request: A Special Use Permit to allow the operation of a day care, family day care home with at least 3 children, but not more than 6 children within the R-1 zoning district.
Applicant: Barbara Johnson
Owner: Barbara Johnson
Staff Recommendation: *Withdrawn*
PC Hearing Date: February 12, 2026
BOC Hearing Date: February 26, 2026



BOARD OF COMMISSIONERS

JANICE VAN NESS, CHAIR & CEO
TUWANYA C. SMITH, COMMISSIONER POST I
DR. DOREEN WILLIAMS, COMMISSIONER POST II



DEPARTMENT OF PLANNING & DEVELOPMENT

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**PLANNING COMMISSION AND BOARD OF COMMISSIONERS
ROCKDALE COUNTY PLANNING STAFF REPORT**

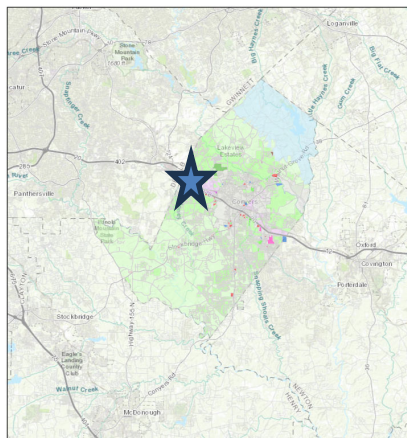
Case Number: REZ2025-12 FLUM2025-06
Address: 2565 Lake Rockaway Road, 2539 Old Covington HWY SW, and 2481 Old Covington HWY SW
Tax Parcel ID: 0100010032, 0100010017, 0100010018
Site Area: 5.65 acres
Current Zoning: M-1 (Limited Industrial)
Existing Conditions: Impound lot
Zoning Request: A request by Quick Drop Towing and Recovery to rezone three parcels totaling 5.65 acres located at 2525 Lake Rockaway Road, 2539 Old Covington HWY SW, and 2481 Old Covington HWY SW from M-1 (Limited Industrial) District to M-2 (General Industrial) District to permit an expansion of allowable industrial uses on site.

FLUM Request: A request by Quick Drop Towing and Recovery to amend the Future Land Use Map Category of parcel 0100010018 from Commercial to General Industrial permit an expansion of allowable industrial uses on the site.

Applicant: Quick Drop Towing and Recovery
Owner: Curtis McMurry

Staff Recommendation: *Withdrawn*

PC Hearing Date: February 12, 2026
BOC Hearing Date: February 26, 2026



AN ORDINANCE TO AMEND THE TEXT OF CERTAIN DEFINITIONS WITHIN TITLE 1; REPEALING AND REPLACING CERTAIN BASE ZONING DISTRICT AND OVERLAY ZONING DISTRICT REGULATIONS WITHIN TITLE 2; AMENDING CERTAIN USE REGULATIONS OF THE UNIFIED DEVELOPMENT ORDINANCE OF ROCKDALE COUNTY, GEORGIA, AS AMENDED; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; AND FOR OTHER PURPOSES.

WHEREAS, Subpart B – Planning and Development of The Code of Rockdale County, Georgia, as amended, governs land use and zoning; and

WHEREAS, the Board of Commissioners has determined that amendments to the Unified Development Ordinance are necessary to update definitions, revise base and overlay zoning district standards, and amend certain use regulations in order to promote the public health, safety, and welfare; and

WHEREAS, the proposed amendments have been reviewed in accordance with applicable public hearing and notice requirements;

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

Title 1 (Administration), Chapter 102 (General Provisions) are hereby repealed in their entirety and replaced with the provisions set forth in Exhibit “A”, Chapter 106 (Definitions), of the Rockdale County Unified Development Ordinance is hereby amended, as set forth in Exhibit “A,” attached hereto and incorporated herein by reference.

Section II

Title 2 (Land Use and Zoning), Chapter 202 (General Provisions), Section 202-6, of the Rockdale County Unified Development Ordinance is hereby repealed in its entirety and replaced with the provisions set forth in Exhibit “B,” attached hereto and incorporated herein by reference.

Section II

Title 2 (Land Use and Zoning), Chapter 206 (Base Zoning Districts), Sections 206-1, 206-2, 206-3, 206-4, 206-5, 206-6, 206-7, 206-8, 206-11, 206-14, and 206-18, of the Rockdale County Unified Development Ordinance are hereby repealed in their entirety and replaced with the provisions set forth in Exhibit “C,” attached hereto and incorporated herein by reference.

Section IV

Title 2 (Land Use and Zoning), Chapter 210 (Overlay Zoning Districts), Sections 210-1 and 210-2, of the Rockdale County Unified Development Ordinance are hereby repealed in their entirety and replaced with the provisions set forth in Exhibit “D,” attached hereto and incorporated herein by reference.

Section V

Title 2 (Land Use and Zoning), Chapter 214 (Standards Applying to All Districts), Sections 214-14, of the Rockdale County Unified Development Ordinance are hereby repealed in their entirety and replaced with the provisions set forth in Exhibit “E,” attached hereto and incorporated herein by reference.

Section VI

Title 2 (Land Use and Zoning), Chapter 218 (Use Regulations), Sections 218-1 and 218-13, of the Rockdale County Unified Development Ordinance are hereby amended, as set forth in Exhibit “F,” attached hereto and incorporated herein by reference.

Section VII

The amendments adopted herein shall be codified as part of the Rockdale County Unified Development Ordinance. The County Attorney, Clerk, or codifier is authorized to renumber, reletter, and reformat sections as necessary for codification purposes, provided no substantive changes are made.

Section VIII

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section IX

If any section, subsection, sentence, clause, or provision of this Ordinance is held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section X

This Ordinance shall apply to all applications submitted on or after the effective date. Applications deemed complete prior to the effective date may proceed in accordance with the regulations in effect at the time of submission, unless otherwise expressly provided herein.

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

ADOPTED AND APPROVED THIS _____ DAY OF _____, 2026

(Signatures continued on following page)

ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS

JaNice Van Ness, Chair & CEO

Tuwanya C. Smith, 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: _____

Second Reading: _____

EXHIBIT “A”

**Repeal and Replace Title 1, Chapter 102 (General Provisions) & Amend Title 1, Chapter 106
(Definitions)**

Repeal and Replace Title 1, Chapter 102 General Provisions

Article 1: General Provisions

1.1 Title.

This shall be known as "The Unified Development Ordinance of Rockdale County, Georgia" and may be referred to herein as “this Code,” or “UDO,” or “this Ordinance.”

1.2 Purpose.

The UDO is enacted by the Board of Commissioners in order to promote the public health, safety, morals, and general welfare of the residents of Rockdale County, Georgia and to implement the Rockdale County Comprehensive Plan. To these ends, the UDO is intended to achieve the following purposes:

- A. To guide and regulate the orderly growth, development, redevelopment, and preservation of Rockdale County in accordance with the adopted comprehensive plan and with long-term objectives, principles, and standards deemed beneficial to the interest and welfare of the people.

- B. To protect the established character and the social and economic well-being of both private and public property.
- C. To promote, in the public interest, the efficient utilization of land.
- D. To promote the preservation of open space.
- E. To provide for adequate light, air, convenience of access, and safety from fire, flood, and other dangers.
- F. To reduce or prevent congestion in the public streets.
- G. To facilitate the creation of a convenient, attractive, and harmonious community.
- H. To encourage an aesthetically attractive environment, both built and natural, and to provide for regulations that protect and enhance these aesthetic considerations.
- I. To provide a basis for establishing the future need for law enforcement and fire protection, transportation, water, sewage, flood protection, schools, parks, recreational facilities, and other public facilities and services.
- J. To protect against the destruction of, or encroachment upon, historic areas.
- K. To protect against overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, and loss of life or health from fire, flood or other danger.
- L. To encourage economic development activities that provide desirable employment and enlarge the tax base.
- M. To ensure the perpetual conservation, preservation, and enjoyment of the unique natural and physical resources of the county, including forested areas, watersheds, streams, viewsheds, and archaeological sites and the protection of water quality as the county grows.
- N. To achieve compliance with all applicable state and federal laws and regulations.
- O. To provide for and promote housing for all income groups and all citizens within the county.
- P. To establish high quality standards for buildings, land development, and subdivision regulations for the protection of the environment and the security of buyers and users of developed property in Rockdale County.
- Q. To provide adequate and safe construction standards for streets, sidewalks, drainage, utilities, and other public improvements.
- R. To provide a method of administration and procedure that ensures due process and equal protection for the citizens and property owners of Rockdale County.
- S. To establish a just balance between the rights of owners of property and the public interest of all the citizens of Rockdale County.
- T. To provide for protection of the constitutional rights and obligations of all citizens within the county.
- U. To provide penalties for violations and remedies for enforcement hereof; and for other purposes.

1.3 Authority.

- A. This UDO is enacted based on the authority vested in Rockdale County by the State of Georgia, including but not limited to the Georgia Constitution Article IX, Section 2, Paragraph IV, the Zoning Procedures Law, O.C.G.A. Chapter 36-66-1 et seq.
- B. The UDO shall take effect and shall be in force upon its adoption by the Board of Commissioners of Rockdale County, Georgia.

1.4 Jurisdiction.

The provisions of this UDO shall apply to all properties within the jurisdiction of unincorporated Rockdale County, Georgia and shall govern the use and development of land. No land or structure shall be used or reused, no structure shall be erected, and no existing structure shall be moved, added to, enlarged, or altered except in conformity with this UDO.

1.5 Application of Ordinance.

A. Minimum Requirements.

1. The provisions of this UDO are intended to be minimum requirements, unless otherwise specified. Where the provisions of this UDO impose greater restrictions than other ordinances, the provisions of this UDO shall prevail. Where the provisions of another ordinance impose greater restrictions, the other ordinance shall prevail.

B. Conflicting Provisions.

1. These regulations are not intended to abrogate, annul, repeal, or in any way impair or interfere with the existing provisions of other public laws, ordinances, or regulations, unless otherwise specified. Where these regulations conflict with other provisions of public law, ordinances and regulations, the more restrictive requirements shall apply.
2. The enforcement and interpretation of this UDO shall not be affected by deed restrictions, covenants, or easements, other than those made as a condition of approval under this UDO, other ordinances, or any predecessor ordinances.
3. The issuance of any approval, certificate, or permit in accordance with the standards and requirements of this UDO shall not relieve the recipient of such approval, certificate, or permit from the responsibility of complying with all other applicable requirements from any other city, county, state, or federal agency having jurisdiction over structures or land for which the approval, certificate, or permit was issued.

C. Delegation of Authority. The head of an agency or department or other officer referenced in this UDO may authorize subordinates to perform any action or duty which such officer is authorized to perform under this UDO unless the terms of the provision or section specify otherwise. In the event of a vacancy, the individual serving in a supervisory or acting capacity may delegate such authority as necessary to carry out the provisions of this UDO.

D. Effect of Zoning Conditions.

1. The adoption of this UDO shall not repeal or invalidate any special use or conditional approval, or any condition imposed upon a prior rezoning or development approval. Where zoning conditions have been applied to a property or use through a Map Amendment or Special Use permit process, all development shall be subject to such conditions.
2. All conditions shall be met prior to issuance of certificates of completion/occupancy for any development within the area subject to a Map Amendment or Special Use permit, unless expressly stated in the condition itself.

E. Effective Date.

1. The provisions of this Code become effective immediately upon adoption. Likewise, the term "Effective Date" shall refer to any subsequent adoption of any amendments.

F. Severability.

1. It is the intent of the Board of Commissioners to adopt each and every provision of this Unified Development Ordinance. In the event any provision is found to be

unenforceable, it is the intent of the Board of Commissioners that the reviewing Court give said provision the broadest legally permissible interpretation. In the event that a provision is found to be unconstitutional or unlawful and not otherwise amenable to a narrowing constriction, it is the intent of the Board of Commissioners that the offending language be severed, and all remaining and independent provisions of this UDO remain in full force and effect.

1.6 Transitional Provisions.

A. Purpose.

1. The purpose of this Section shall be to establish the procedures for handling violations, submittals, and previously approved items that existed as of the Effective Date of this UDO.

B. Violations Continue.

1. Any violation of previous zoning ordinances shall continue to be a violation under this UDO and be subject to penalties and enforcement under this UDO unless the use, development, or activity complies, in its entirety, with the provisions of this UDO. The prosecution of violations which occurred under previous ordinances shall continue until resolved.

C. Prior nonconformities and nonconforming uses.

1. Any use, plan, structure, or property that was nonconforming under prior ordinances shall be considered a nonconformity under this UDO. The provisions of Section 20.4, Nonconforming Situations shall be applicable to all nonconformities that existed prior to adoption of this UDO. Any use, plan, structure, or property that was previously nonconforming that becomes conforming because of adoption of this UDO shall no longer be considered a nonconformity, provided that all applicable provisions of this UDO are complied with.

D. Effect of this Ordinance on Properties Approved with Conditions of Approval.

1. Properties approved under any legislative or quasi-judicial decisions prior to the effective date of this ordinance remain in full force and effect. In some cases, those conditions were imposed by action of the Board of Commissioners to apply specifically to an approved decision and in some cases, those conditions reference the text of a prior zoning ordinance which specifically applies as a condition of rezoning and incorporated into the text of the rezoning condition.
2. It is the intent under this UDO to incorporate and maintain those same conditions as they apply to those certain properties although conditions may reference a prior zoning ordinance.
3. Enforcement of those conditions shall remain in full force and effect under this ordinance as it was under the Ordinance in effect at the time the zoning districts and conditions were adopted.
4. In no event shall these zoning districts or conditions imposed thereon be considered nonconforming as that term is defined and used in this UDO. However, any amendments to the aforesaid zoning districts or to the conditions applicable thereto applied for after the adoption of this ordinance shall be subject to and governed by the procedures, requirements, and restrictions of this UDO.

E. Effect of this Ordinance on Legislative and Quasi-Judicial Applications Submitted and Prior Approvals.

1. Applications Submitted. Any activity for which a valid and complete legislative or quasi-judicial application authorized by a previous ordinance has been received prior to the adoption of this Ordinance, may proceed to completion of the zoning application.
2. Effect upon Validity of Applications and Other Authorizations. The adoption of this Ordinance shall not be construed to affect the validity of any application lawfully submitted prior to the Effective date of this Ordinance, so long as:
 - a. Such application has not expired by its own terms and has not been inactive for six (6) consecutive months, unless extended by the Director of Planning and Development for good cause shown.
 - b. Any future change in the use or development of the property, including any discretionary alteration to the approved application made on behalf of the applicant, or any additional requests, shall conform to the most recent version of this UDO.
3. Approved Zoning Applications. Any development or project for which a legislative or quasi-judicial application has been approved under this provision may proceed to completion of the applicable permitting processes provided herein.

F. Effect of this Ordinance on Permit Applications Submitted and Prior Approvals.

1. Applications Submitted. Any development or building activity for which a valid and complete application for a Land Disturbance Permit or Building Permit has been received prior to the Effective Date of this Ordinance may, at the applicant's option, proceed to completion, and permits, occupational tax certificates, and other authorizations may be issued as though this Ordinance had not been adopted.
2. Approved Permits and other Authorizations. Any development or building activity for which a Land Disturbance Permit or Building Permit has been issued prior to the adoption of this Ordinance may, at the applicant's option, proceed to completion, and permits may be issued as though the Ordinance had not been adopted. Permits shall be determined issued if all fees have been paid and the appropriate permit documentation has been released to the applicant by the county.
3. Effect upon Validity of Applications, Permits, and Other Authorizations. The adoption of this Ordinance shall not be construed to affect the validity of any permit lawfully issued prior to the Effective date of this Ordinance, so long as:
 - a. Such permit has not by its own terms expired;
 - b. Actual building or land development construction is commenced prior to the expiration of such permit;
 - c. Applications, permits, and other authorizations comply with the process and timing outlined for expirations outlined herein.
 - d. Actual building or land development construction is carried on pursuant to said permit and limited to and in strict accordance with said permit; and
 - e. Any future change in the use or development of the property or any structure thereon, including any discretionary modification to the permit, shall conform with the most recent version of this UDO.
4. Effect upon Validity of Concurrent Applications. If any development or building activity requires a series of applications (e.g., land disturbance permit, variance, building permit, occupational tax certificate), and at least one application was lawfully filed prior to the

AN ORDINANCE TO AMEND THE TEXT OF CERTAIN DEFINITIONS WITHIN TITLE 1; REPEALING AND REPLACING CERTAIN BASE ZONING DISTRICT AND OVERLAY ZONING DISTRICT REGULATIONS WITHIN TITLE 2; AMENDING CERTAIN USE REGULATIONS OF THE UNIFIED DEVELOPMENT ORDINANCE OF ROCKDALE COUNTY, GEORGIA, AS AMENDED; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; AND FOR OTHER PURPOSES.

WHEREAS, Subpart B – Planning and Development of The Code of Rockdale County, Georgia, as amended, governs land use and zoning; and

WHEREAS, the Board of Commissioners has determined that amendments to the Unified Development Ordinance are necessary to update definitions, revise base and overlay zoning district standards, and amend certain use regulations in order to promote the public health, safety, and welfare; and

WHEREAS, the proposed amendments have been reviewed in accordance with applicable public hearing and notice requirements;

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

Title 1 (Administration), Chapter 102 (General Provisions) are hereby repealed in their entirety and replaced with the provisions set forth in Exhibit “A”, Chapter 106 (Definitions), of the Rockdale County Unified Development Ordinance is hereby amended, as set forth in Exhibit “A,” attached hereto and incorporated herein by reference.

Section II

Title 2 (Land Use and Zoning), Chapter 202 (General Provisions), Section 202-6, of the Rockdale County Unified Development Ordinance is hereby repealed in its entirety and replaced with the provisions set forth in Exhibit “B,” attached hereto and incorporated herein by reference.

Section II

Title 2 (Land Use and Zoning), Chapter 206 (Base Zoning Districts), Sections 206-1, 206-2, 206-3, 206-4, 206-5, 206-6, 206-7, 206-8, 206-11, 206-14, and 206-18, of the Rockdale County Unified Development Ordinance are hereby repealed in their entirety and replaced with the provisions set forth in Exhibit “C,” attached hereto and incorporated herein by reference.

Section IV

Title 2 (Land Use and Zoning), Chapter 210 (Overlay Zoning Districts), Sections 210-1 and 210-2, of the Rockdale County Unified Development Ordinance are hereby repealed in their entirety and replaced with the provisions set forth in Exhibit “D,” attached hereto and incorporated herein by reference.

Section V

Title 2 (Land Use and Zoning), Chapter 214 (Standards Applying to All Districts), Sections 214-14, of the Rockdale County Unified Development Ordinance are hereby repealed in their entirety and replaced with the provisions set forth in Exhibit “E,” attached hereto and incorporated herein by reference.

Section VI

Title 2 (Land Use and Zoning), Chapter 218 (Use Regulations), Sections 218-1 and 218-13, of the Rockdale County Unified Development Ordinance are hereby amended, as set forth in Exhibit “F,” attached hereto and incorporated herein by reference.

Section VII

The amendments adopted herein shall be codified as part of the Rockdale County Unified Development Ordinance. The County Attorney, Clerk, or codifier is authorized to renumber, reletter, and reformat sections as necessary for codification purposes, provided no substantive changes are made.

Section VIII

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section IX

If any section, subsection, sentence, clause, or provision of this Ordinance is held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section X

This Ordinance shall apply to all applications submitted on or after the effective date. Applications deemed complete prior to the effective date may proceed in accordance with the regulations in effect at the time of submission, unless otherwise expressly provided herein.

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

ADOPTED AND APPROVED THIS _____ DAY OF _____, 2026

(Signatures continued on following page)

ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS

JaNice Van Ness, Chair & CEO

Tuwanya C. Smith, 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: _____

Second Reading: _____

EXHIBIT “A”

**Repeal and Replace Title 1, Chapter 102 (General Provisions) & Amend Title 1, Chapter 106
(Definitions)**

Repeal and Replace Title 1, Chapter 102 General Provisions

Article 1: General Provisions

1.1 Title.

This shall be known as "The Unified Development Ordinance of Rockdale County, Georgia" and may be referred to herein as “this Code,” or “UDO,” or “this Ordinance.”

1.2 Purpose.

The UDO is enacted by the Board of Commissioners in order to promote the public health, safety, morals, and general welfare of the residents of Rockdale County, Georgia and to implement the Rockdale County Comprehensive Plan. To these ends, the UDO is intended to achieve the following purposes:

- A. To guide and regulate the orderly growth, development, redevelopment, and preservation of Rockdale County in accordance with the adopted comprehensive plan and with long-term objectives, principles, and standards deemed beneficial to the interest and welfare of the people.

- B. To protect the established character and the social and economic well-being of both private and public property.
- C. To promote, in the public interest, the efficient utilization of land.
- D. To promote the preservation of open space.
- E. To provide for adequate light, air, convenience of access, and safety from fire, flood, and other dangers.
- F. To reduce or prevent congestion in the public streets.
- G. To facilitate the creation of a convenient, attractive, and harmonious community.
- H. To encourage an aesthetically attractive environment, both built and natural, and to provide for regulations that protect and enhance these aesthetic considerations.
- I. To provide a basis for establishing the future need for law enforcement and fire protection, transportation, water, sewage, flood protection, schools, parks, recreational facilities, and other public facilities and services.
- J. To protect against the destruction of, or encroachment upon, historic areas.
- K. To protect against overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, and loss of life or health from fire, flood or other danger.
- L. To encourage economic development activities that provide desirable employment and enlarge the tax base.
- M. To ensure the perpetual conservation, preservation, and enjoyment of the unique natural and physical resources of the county, including forested areas, watersheds, streams, viewsheds, and archaeological sites and the protection of water quality as the county grows.
- N. To achieve compliance with all applicable state and federal laws and regulations.
- O. To provide for and promote housing for all income groups and all citizens within the county.
- P. To establish high quality standards for buildings, land development, and subdivision regulations for the protection of the environment and the security of buyers and users of developed property in Rockdale County.
- Q. To provide adequate and safe construction standards for streets, sidewalks, drainage, utilities, and other public improvements.
- R. To provide a method of administration and procedure that ensures due process and equal protection for the citizens and property owners of Rockdale County.
- S. To establish a just balance between the rights of owners of property and the public interest of all the citizens of Rockdale County.
- T. To provide for protection of the constitutional rights and obligations of all citizens within the county.
- U. To provide penalties for violations and remedies for enforcement hereof; and for other purposes.

1.3 Authority.

- A. This UDO is enacted based on the authority vested in Rockdale County by the State of Georgia, including but not limited to the Georgia Constitution Article IX, Section 2, Paragraph IV, the Zoning Procedures Law, O.C.G.A. Chapter 36-66-1 et seq.
- B. The UDO shall take effect and shall be in force upon its adoption by the Board of Commissioners of Rockdale County, Georgia.

Effective Date of this UDO, then, at the applicant's request, all concurrent or related applications necessary to complete the same development program may be reviewed under the ordinance in effect at the time the first application was deemed complete, provided that:

- a. Same owner/applicant. The property owner and applicant remain the same as identified in the vested application. A change in ownership/applicant terminates this provision unless a written assignment and assumption of the vested application is filed with the Director of Planning and Development within sixty (60) days of the change, expressly agreeing to be bound by the same plans and conditions.
- b. Substantial conformity. Each related application implements the same development program shown in the vested submittal (e.g., approved or reviewed site plan) and does not materially increase intensity, change use, or alter key conditions.
- c. Filing window (sunset). All related applications are filed within twenty-four (24) months of the vested application being deemed complete. The Director of Planning and Development may grant one written extension of up to twelve (12) months for good cause shown. The filing window is tolled for periods of county or external agency-caused delay, a duly adopted moratorium, or a court-ordered stay, as documented in the record.
- d. Identification. Related applications authorized under this section shall be identified during review of the vested application or included in the documentation submitted with it (e.g., a development site plan that demonstrates the intent for such applications). Applications not so identified shall be added by amendment within ninety (90) days of the vested application's completeness determination.
- e. Compliance standard. Related applications shall be approved if they comply with the prior ordinance referenced above and all applicable conditions of approval for the vested application.

1.7 Powers and Duties of the Department of Planning and Development.

- A. Duties. The Department of Planning and Development, which includes the building inspector and other such inspectors, shall have the responsibility of interpreting, administering, and enforcing the provisions of the UDO unless specifically provided otherwise. In particular, the department shall have the following powers and duties under the UDO:
 1. Authorization. The department is authorized to review and make final decisions regarding permits and other development requests authorized in the UDO.
 2. Duty. It shall be the duty of the department to administer and enforce the provisions of the UDO.
 3. Applications. The department shall accept and process applications and make recommendations or final decisions, as appropriate, for comprehensive plan amendments, official zoning map or text amendments, variances, special use permits, appeals, concept plans, preliminary and final plats, permits, licenses, and certificates of occupancy or any other such business including matters scheduled for public hearing by the Board of Commissioners, the Planning Commission or the Board of Adjustment, as required by this UDO.
 4. Reporting. The Department of Planning and Development shall research facts and prepare reports for the Board of Commissioners, the Planning Commission, and the

Board of Adjustment related to their actions in the matters described in the UDO. Those reports shall be in writing on a form prescribed by the department and shall be made part of the public record.

5. Maps. The department shall maintain, update and interpret the official zoning map, future land use map, and other maps required for the administration of the UDO, including all amendments thereto.
6. Review. The department shall receive and review applications and plans for land disturbance permits, land development permits, and building permits to ensure conformity with the requirements of the UDO and other relevant state and county regulations and approve, approve with conditions, or deny said applications.
7. Zoning verification. In response to a written request by the property owner or owner's authorized agent, the department may issue a statement identifying the current zoning of a parcel of the UDO. The fee for such a zoning verification shall be established by a fee schedule adopted by the Board of Commissioners.
8. Administrative variances. The department shall receive, review, grant, grant with conditions, or deny administrative variances where authorized in the UDO. The fee for administrative variances shall be established by the a fee schedule adopted by the Board of Commissioners.

1.8 Adoption of Certain Codes.

- A. Pursuant to O.C.G.A. Section 8-2-25 and other applicable authority, the latest edition of each of the following Georgia State Minimum Standard Codes, as adopted and amended by the Georgia Department of Community Affairs, shall be applicable and enforced:
 1. International Building Code.
 2. International Fuel Gas Code.
 3. International Mechanical Code.
 4. International Plumbing Code.
 5. International Fire Code.
 6. International Energy Conservation Code.
 7. International Residential Code.
 8. International Property Maintenance Code.
 9. National Electrical Code.
- B. In each of the codes referenced above, when reference is made to the duties of certain officials named in the codes, the county officer who has duties corresponding to those of the named official in the code shall be deemed to be the county officer responsible for enforcing the provisions of the code.

Amend Title 1, Chapter 106 (Definitions)

3.2.4 Definitions.

As used in the UDO, the following terms shall have the meaning set forth below, except where otherwise specifically set forth in Section 3.2.3, Rules of precedence.

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 any point or along a common boundary or property line. Properties separated by a street or right-of-way are adjacent, but not abutting.

Accessory building: See Building, accessory.

Accessory Dwelling Unit: A residential dwelling unit, but not a mobile home, located on the same lot as a single-family dwelling unit, either within the same building as the single-family dwelling unit or in a detached building. Secondary dwelling units shall be developed in accordance with the standards set forth in the UDO and only in those zoning districts where the use is listed as a special review use. The secondary dwelling is 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.

Accessory ground sign: A ground sign which is secondary and subordinate in size and appearance to a primary ground sign.

Accessory structure: See Structure, accessory.

Accessory use: See Use, accessory.

Accidental discharge: A discharge prohibited by ordinance, which occurs by chance, and without planning or thought prior to occurrence.

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

Addition (to an existing building): Any walled and roofed expansion to the perimeter or height of a building.

Adjacent: Located near or next to another property, including properties separated by a street, alley, easement, or other right-of-way, but may not share a common boundary or property line.

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 Planning and Development 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.

Agri-tourism: An agriculturally based operation or activity that brings visitors to a farm for purposes of direct to consumer sales, agricultural education, hospitality, recreation or entertainment in order to generate supplemental income for the farmer.

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.

Air or gas filled device: An inflatable sign using forced air or other gas to support its structure. Air or gas filled devices may require the use of a power source to remain inflated.

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, noncommercial 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.

Animal services, limited: A use that provides grooming or training services for dogs, cats, or other small domestic animals, where animals are not boarded, housed overnight, or kept on the premises except during service hours.

Animal services, general: A use that provides animal care or handling services beyond those classified as limited animal services, including boarding, daycare, overnight care, breeding, or similar activities for dogs, cats, or other animals, and where animals may be kept on the premises outside normal service hours.

Animated sign: A sign or portion of a sign which changes physical position by any movement including rotation; or which gives the visual impression of movement; or which displays blinking, flashing or varying intensity of light.

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:

- A. Class A: Up to 6 colonies per parcel
- B. Class B: 7 to 14 colonies per parcel
- C. 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.

unenforceable, it is the intent of the Board of Commissioners that the reviewing Court give said provision the broadest legally permissible interpretation. In the event that a provision is found to be unconstitutional or unlawful and not otherwise amenable to a narrowing constriction, it is the intent of the Board of Commissioners that the offending language be severed, and all remaining and independent provisions of this UDO remain in full force and effect.

1.6 Transitional Provisions.

A. Purpose.

1. The purpose of this Section shall be to establish the procedures for handling violations, submittals, and previously approved items that existed as of the Effective Date of this UDO.

B. Violations Continue.

1. Any violation of previous zoning ordinances shall continue to be a violation under this UDO and be subject to penalties and enforcement under this UDO unless the use, development, or activity complies, in its entirety, with the provisions of this UDO. The prosecution of violations which occurred under previous ordinances shall continue until resolved.

C. Prior nonconformities and nonconforming uses.

1. Any use, plan, structure, or property that was nonconforming under prior ordinances shall be considered a nonconformity under this UDO. The provisions of Section 20.4, Nonconforming Situations shall be applicable to all nonconformities that existed prior to adoption of this UDO. Any use, plan, structure, or property that was previously nonconforming that becomes conforming because of adoption of this UDO shall no longer be considered a nonconformity, provided that all applicable provisions of this UDO are complied with.

D. Effect of this Ordinance on Properties Approved with Conditions of Approval.

1. Properties approved under any legislative or quasi-judicial decisions prior to the effective date of this ordinance remain in full force and effect. In some cases, those conditions were imposed by action of the Board of Commissioners to apply specifically to an approved decision and in some cases, those conditions reference the text of a prior zoning ordinance which specifically applies as a condition of rezoning and incorporated into the text of the rezoning condition.
2. It is the intent under this UDO to incorporate and maintain those same conditions as they apply to those certain properties although conditions may reference a prior zoning ordinance.
3. Enforcement of those conditions shall remain in full force and effect under this ordinance as it was under the Ordinance in effect at the time the zoning districts and conditions were adopted.
4. In no event shall these zoning districts or conditions imposed thereon be considered nonconforming as that term is defined and used in this UDO. However, any amendments to the aforesaid zoning districts or to the conditions applicable thereto applied for after the adoption of this ordinance shall be subject to and governed by the procedures, requirements, and restrictions of this UDO.

E. Effect of this Ordinance on Legislative and Quasi-Judicial Applications Submitted and Prior Approvals.

1. Applications Submitted. Any activity for which a valid and complete legislative or quasi-judicial application authorized by a previous ordinance has been received prior to the adoption of this Ordinance, may proceed to completion of the zoning application.
2. Effect upon Validity of Applications and Other Authorizations. The adoption of this Ordinance shall not be construed to affect the validity of any application lawfully submitted prior to the Effective date of this Ordinance, so long as:
 - a. Such application has not expired by its own terms and has not been inactive for six (6) consecutive months, unless extended by the Director of Planning and Development for good cause shown.
 - b. Any future change in the use or development of the property, including any discretionary alteration to the approved application made on behalf of the applicant, or any additional requests, shall conform to the most recent version of this UDO.
3. Approved Zoning Applications. Any development or project for which a legislative or quasi-judicial application has been approved under this provision may proceed to completion of the applicable permitting processes provided herein.

F. Effect of this Ordinance on Permit Applications Submitted and Prior Approvals.

1. Applications Submitted. Any development or building activity for which a valid and complete application for a Land Disturbance Permit or Building Permit has been received prior to the Effective Date of this Ordinance may, at the applicant's option, proceed to completion, and permits, occupational tax certificates, and other authorizations may be issued as though this Ordinance had not been adopted.
2. Approved Permits and other Authorizations. Any development or building activity for which a Land Disturbance Permit or Building Permit has been issued prior to the adoption of this Ordinance may, at the applicant's option, proceed to completion, and permits may be issued as though the Ordinance had not been adopted. Permits shall be determined issued if all fees have been paid and the appropriate permit documentation has been released to the applicant by the county.
3. Effect upon Validity of Applications, Permits, and Other Authorizations. The adoption of this Ordinance shall not be construed to affect the validity of any permit lawfully issued prior to the Effective date of this Ordinance, so long as:
 - a. Such permit has not by its own terms expired;
 - b. Actual building or land development construction is commenced prior to the expiration of such permit;
 - c. Applications, permits, and other authorizations comply with the process and timing outlined for expirations outlined herein.
 - d. Actual building or land development construction is carried on pursuant to said permit and limited to and in strict accordance with said permit; and
 - e. Any future change in the use or development of the property or any structure thereon, including any discretionary modification to the permit, shall conform with the most recent version of this UDO.
4. Effect upon Validity of Concurrent Applications. If any development or building activity requires a series of applications (e.g., land disturbance permit, variance, building permit, occupational tax certificate), and at least one application was lawfully filed prior to the

E. Effect of this Ordinance on Legislative and Quasi-Judicial Applications Submitted and Prior Approvals.

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 - b. Any future change in the use or development of the property, including any discretionary alteration to the approved application made on behalf of the applicant, or any additional requests, shall conform to the most recent version of this UDO.
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AN ORDINANCE TO AMEND THE TEXT OF CERTAIN DEFINITIONS WITHIN TITLE 1; REPEALING AND REPLACING CERTAIN BASE ZONING DISTRICT AND OVERLAY ZONING DISTRICT REGULATIONS WITHIN TITLE 2; AMENDING CERTAIN USE REGULATIONS OF THE UNIFIED DEVELOPMENT ORDINANCE OF ROCKDALE COUNTY, GEORGIA, AS AMENDED; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; AND FOR OTHER PURPOSES.

WHEREAS, Subpart B – Planning and Development of The Code of Rockdale County, Georgia, as amended, governs land use and zoning; and

WHEREAS, the Board of Commissioners has determined that amendments to the Unified Development Ordinance are necessary to update definitions, revise base and overlay zoning district standards, and amend certain use regulations in order to promote the public health, safety, and welfare; and

WHEREAS, the proposed amendments have been reviewed in accordance with applicable public hearing and notice requirements;

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

Title 1 (Administration), Chapter 102 (General Provisions) are hereby repealed in their entirety and replaced with the provisions set forth in Exhibit “A”, Chapter 106 (Definitions), of the Rockdale County Unified Development Ordinance is hereby amended, as set forth in Exhibit “A,” attached hereto and incorporated herein by reference.

Section II

Title 2 (Land Use and Zoning), Chapter 202 (General Provisions), Section 202-6, of the Rockdale County Unified Development Ordinance is hereby repealed in its entirety and replaced with the provisions set forth in Exhibit “B,” attached hereto and incorporated herein by reference.

Section II

Title 2 (Land Use and Zoning), Chapter 206 (Base Zoning Districts), Sections 206-1, 206-2, 206-3, 206-4, 206-5, 206-6, 206-7, 206-8, 206-11, 206-14, and 206-18, of the Rockdale County Unified Development Ordinance are hereby repealed in their entirety and replaced with the provisions set forth in Exhibit “C,” attached hereto and incorporated herein by reference.

Section IV

Title 2 (Land Use and Zoning), Chapter 210 (Overlay Zoning Districts), Sections 210-1 and 210-2, of the Rockdale County Unified Development Ordinance are hereby repealed in their entirety and replaced with the provisions set forth in Exhibit “D,” attached hereto and incorporated herein by reference.

Section V

Title 2 (Land Use and Zoning), Chapter 214 (Standards Applying to All Districts), Sections 214-14, of the Rockdale County Unified Development Ordinance are hereby repealed in their entirety and replaced with the provisions set forth in Exhibit “E,” attached hereto and incorporated herein by reference.

Section VI

Title 2 (Land Use and Zoning), Chapter 218 (Use Regulations), Sections 218-1 and 218-13, of the Rockdale County Unified Development Ordinance are hereby amended, as set forth in Exhibit “F,” attached hereto and incorporated herein by reference.

Section VII

The amendments adopted herein shall be codified as part of the Rockdale County Unified Development Ordinance. The County Attorney, Clerk, or codifier is authorized to renumber, reletter, and reformat sections as necessary for codification purposes, provided no substantive changes are made.

Section VIII

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section IX

If any section, subsection, sentence, clause, or provision of this Ordinance is held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section X

This Ordinance shall apply to all applications submitted on or after the effective date. Applications deemed complete prior to the effective date may proceed in accordance with the regulations in effect at the time of submission, unless otherwise expressly provided herein.

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

ADOPTED AND APPROVED THIS _____ DAY OF _____, 2026

(Signatures continued on following page)

ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS

JaNice Van Ness, Chair & CEO

Tuwanya C. Smith, 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: _____

Second Reading: _____

EXHIBIT “A”

**Repeal and Replace Title 1, Chapter 102 (General Provisions) & Amend Title 1, Chapter 106
(Definitions)**

Repeal and Replace Title 1, Chapter 102 General Provisions

Article 1: General Provisions

1.1 Title.

This shall be known as "The Unified Development Ordinance of Rockdale County, Georgia" and may be referred to herein as “this Code,” or “UDO,” or “this Ordinance.”

1.2 Purpose.

The UDO is enacted by the Board of Commissioners in order to promote the public health, safety, morals, and general welfare of the residents of Rockdale County, Georgia and to implement the Rockdale County Comprehensive Plan. To these ends, the UDO is intended to achieve the following purposes:

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- B. To protect the established character and the social and economic well-being of both private and public property.
- C. To promote, in the public interest, the efficient utilization of land.
- D. To promote the preservation of open space.
- E. To provide for adequate light, air, convenience of access, and safety from fire, flood, and other dangers.
- F. To reduce or prevent congestion in the public streets.
- G. To facilitate the creation of a convenient, attractive, and harmonious community.
- H. To encourage an aesthetically attractive environment, both built and natural, and to provide for regulations that protect and enhance these aesthetic considerations.
- I. To provide a basis for establishing the future need for law enforcement and fire protection, transportation, water, sewage, flood protection, schools, parks, recreational facilities, and other public facilities and services.
- J. To protect against the destruction of, or encroachment upon, historic areas.
- K. To protect against overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, and loss of life or health from fire, flood or other danger.
- L. To encourage economic development activities that provide desirable employment and enlarge the tax base.
- M. To ensure the perpetual conservation, preservation, and enjoyment of the unique natural and physical resources of the county, including forested areas, watersheds, streams, viewsheds, and archaeological sites and the protection of water quality as the county grows.
- N. To achieve compliance with all applicable state and federal laws and regulations.
- O. To provide for and promote housing for all income groups and all citizens within the county.
- P. To establish high quality standards for buildings, land development, and subdivision regulations for the protection of the environment and the security of buyers and users of developed property in Rockdale County.
- Q. To provide adequate and safe construction standards for streets, sidewalks, drainage, utilities, and other public improvements.
- R. To provide a method of administration and procedure that ensures due process and equal protection for the citizens and property owners of Rockdale County.
- S. To establish a just balance between the rights of owners of property and the public interest of all the citizens of Rockdale County.
- T. To provide for protection of the constitutional rights and obligations of all citizens within the county.
- U. To provide penalties for violations and remedies for enforcement hereof; and for other purposes.

1.3 Authority.

- A. This UDO is enacted based on the authority vested in Rockdale County by the State of Georgia, including but not limited to the Georgia Constitution Article IX, Section 2, Paragraph IV, the Zoning Procedures Law, O.C.G.A. Chapter 36-66-1 et seq.
- B. The UDO shall take effect and shall be in force upon its adoption by the Board of Commissioners of Rockdale County, Georgia.

Effective Date of this UDO, then, at the applicant's request, all concurrent or related applications necessary to complete the same development program may be reviewed under the ordinance in effect at the time the first application was deemed complete, provided that:

- a. Same owner/applicant. The property owner and applicant remain the same as identified in the vested application. A change in ownership/applicant terminates this provision unless a written assignment and assumption of the vested application is filed with the Director of Planning and Development within sixty (60) days of the change, expressly agreeing to be bound by the same plans and conditions.
- b. Substantial conformity. Each related application implements the same development program shown in the vested submittal (e.g., approved or reviewed site plan) and does not materially increase intensity, change use, or alter key conditions.
- c. Filing window (sunset). All related applications are filed within twenty-four (24) months of the vested application being deemed complete. The Director of Planning and Development may grant one written extension of up to twelve (12) months for good cause shown. The filing window is tolled for periods of county or external agency-caused delay, a duly adopted moratorium, or a court-ordered stay, as documented in the record.
- d. Identification. Related applications authorized under this section shall be identified during review of the vested application or included in the documentation submitted with it (e.g., a development site plan that demonstrates the intent for such applications). Applications not so identified shall be added by amendment within ninety (90) days of the vested application's completeness determination.
- e. Compliance standard. Related applications shall be approved if they comply with the prior ordinance referenced above and all applicable conditions of approval for the vested application.

1.7 Powers and Duties of the Department of Planning and Development.

- A. Duties. The Department of Planning and Development, which includes the building inspector and other such inspectors, shall have the responsibility of interpreting, administering, and enforcing the provisions of the UDO unless specifically provided otherwise. In particular, the department shall have the following powers and duties under the UDO:
 1. Authorization. The department is authorized to review and make final decisions regarding permits and other development requests authorized in the UDO.
 2. Duty. It shall be the duty of the department to administer and enforce the provisions of the UDO.
 3. Applications. The department shall accept and process applications and make recommendations or final decisions, as appropriate, for comprehensive plan amendments, official zoning map or text amendments, variances, special use permits, appeals, concept plans, preliminary and final plats, permits, licenses, and certificates of occupancy or any other such business including matters scheduled for public hearing by the Board of Commissioners, the Planning Commission or the Board of Adjustment, as required by this UDO.
 4. Reporting. The Department of Planning and Development shall research facts and prepare reports for the Board of Commissioners, the Planning Commission, and the

Board of Adjustment related to their actions in the matters described in the UDO. Those reports shall be in writing on a form prescribed by the department and shall be made part of the public record.

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1.8 Adoption of Certain Codes.

- A. Pursuant to O.C.G.A. Section 8-2-25 and other applicable authority, the latest edition of each of the following Georgia State Minimum Standard Codes, as adopted and amended by the Georgia Department of Community Affairs, shall be applicable and enforced:
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- B. In each of the codes referenced above, when reference is made to the duties of certain officials named in the codes, the county officer who has duties corresponding to those of the named official in the code shall be deemed to be the county officer responsible for enforcing the provisions of the code.

Amend Title 1, Chapter 106 (Definitions)

3.2.4 Definitions.

As used in the UDO, the following terms shall have the meaning set forth below, except where otherwise specifically set forth in Section 3.2.3, Rules of precedence.

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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.

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

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AN ORDINANCE TO AMEND THE TEXT OF CERTAIN DEFINITIONS WITHIN TITLE 1; REPEALING AND REPLACING CERTAIN BASE ZONING DISTRICT AND OVERLAY ZONING DISTRICT REGULATIONS WITHIN TITLE 2; AMENDING CERTAIN USE REGULATIONS OF THE UNIFIED DEVELOPMENT ORDINANCE OF ROCKDALE COUNTY, GEORGIA, AS AMENDED; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; AND FOR OTHER PURPOSES.

WHEREAS, Subpart B – Planning and Development of The Code of Rockdale County, Georgia, as amended, governs land use and zoning; and

WHEREAS, the Board of Commissioners has determined that amendments to the Unified Development Ordinance are necessary to update definitions, revise base and overlay zoning district standards, and amend certain use regulations in order to promote the public health, safety, and welfare; and

WHEREAS, the proposed amendments have been reviewed in accordance with applicable public hearing and notice requirements;

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

Title 1 (Administration), Chapter 102 (General Provisions) are hereby repealed in their entirety and replaced with the provisions set forth in Exhibit “A”, Chapter 106 (Definitions), of the Rockdale County Unified Development Ordinance is hereby amended, as set forth in Exhibit “A,” attached hereto and incorporated herein by reference.

Section II

Title 2 (Land Use and Zoning), Chapter 202 (General Provisions), Section 202-6, of the Rockdale County Unified Development Ordinance is hereby repealed in its entirety and replaced with the provisions set forth in Exhibit “B,” attached hereto and incorporated herein by reference.

Section II

Title 2 (Land Use and Zoning), Chapter 206 (Base Zoning Districts), Sections 206-1, 206-2, 206-3, 206-4, 206-5, 206-6, 206-7, 206-8, 206-11, 206-14, and 206-18, of the Rockdale County Unified Development Ordinance are hereby repealed in their entirety and replaced with the provisions set forth in Exhibit “C,” attached hereto and incorporated herein by reference.

Section IV

Title 2 (Land Use and Zoning), Chapter 210 (Overlay Zoning Districts), Sections 210-1 and 210-2, of the Rockdale County Unified Development Ordinance are hereby repealed in their entirety and replaced with the provisions set forth in Exhibit “D,” attached hereto and incorporated herein by reference.

Section V

Title 2 (Land Use and Zoning), Chapter 214 (Standards Applying to All Districts), Sections 214-14, of the Rockdale County Unified Development Ordinance are hereby repealed in their entirety and replaced with the provisions set forth in Exhibit “E,” attached hereto and incorporated herein by reference.

Section VI

Title 2 (Land Use and Zoning), Chapter 218 (Use Regulations), Sections 218-1 and 218-13, of the Rockdale County Unified Development Ordinance are hereby amended, as set forth in Exhibit “F,” attached hereto and incorporated herein by reference.

Section VII

The amendments adopted herein shall be codified as part of the Rockdale County Unified Development Ordinance. The County Attorney, Clerk, or codifier is authorized to renumber, reletter, and reformat sections as necessary for codification purposes, provided no substantive changes are made.

Section VIII

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section IX

If any section, subsection, sentence, clause, or provision of this Ordinance is held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section X

This Ordinance shall apply to all applications submitted on or after the effective date. Applications deemed complete prior to the effective date may proceed in accordance with the regulations in effect at the time of submission, unless otherwise expressly provided herein.

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

ADOPTED AND APPROVED THIS _____ DAY OF _____, 2026

(Signatures continued on following page)

ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS

JaNice Van Ness, Chair & CEO

Tuwanya C. Smith, 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: _____

Second Reading: _____

EXHIBIT “A”

**Repeal and Replace Title 1, Chapter 102 (General Provisions) & Amend Title 1, Chapter 106
(Definitions)**

Repeal and Replace Title 1, Chapter 102 General Provisions

Article 1: General Provisions

1.1 Title.

This shall be known as "The Unified Development Ordinance of Rockdale County, Georgia" and may be referred to herein as “this Code,” or “UDO,” or “this Ordinance.”

1.2 Purpose.

The UDO is enacted by the Board of Commissioners in order to promote the public health, safety, morals, and general welfare of the residents of Rockdale County, Georgia and to implement the Rockdale County Comprehensive Plan. To these ends, the UDO is intended to achieve the following purposes:

- A. To guide and regulate the orderly growth, development, redevelopment, and preservation of Rockdale County in accordance with the adopted comprehensive plan and with long-term objectives, principles, and standards deemed beneficial to the interest and welfare of the people.

- B. To protect the established character and the social and economic well-being of both private and public property.
- C. To promote, in the public interest, the efficient utilization of land.
- D. To promote the preservation of open space.
- E. To provide for adequate light, air, convenience of access, and safety from fire, flood, and other dangers.
- F. To reduce or prevent congestion in the public streets.
- G. To facilitate the creation of a convenient, attractive, and harmonious community.
- H. To encourage an aesthetically attractive environment, both built and natural, and to provide for regulations that protect and enhance these aesthetic considerations.
- I. To provide a basis for establishing the future need for law enforcement and fire protection, transportation, water, sewage, flood protection, schools, parks, recreational facilities, and other public facilities and services.
- J. To protect against the destruction of, or encroachment upon, historic areas.
- K. To protect against overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, and loss of life or health from fire, flood or other danger.
- L. To encourage economic development activities that provide desirable employment and enlarge the tax base.
- M. To ensure the perpetual conservation, preservation, and enjoyment of the unique natural and physical resources of the county, including forested areas, watersheds, streams, viewsheds, and archaeological sites and the protection of water quality as the county grows.
- N. To achieve compliance with all applicable state and federal laws and regulations.
- O. To provide for and promote housing for all income groups and all citizens within the county.
- P. To establish high quality standards for buildings, land development, and subdivision regulations for the protection of the environment and the security of buyers and users of developed property in Rockdale County.
- Q. To provide adequate and safe construction standards for streets, sidewalks, drainage, utilities, and other public improvements.
- R. To provide a method of administration and procedure that ensures due process and equal protection for the citizens and property owners of Rockdale County.
- S. To establish a just balance between the rights of owners of property and the public interest of all the citizens of Rockdale County.
- T. To provide for protection of the constitutional rights and obligations of all citizens within the county.
- U. To provide penalties for violations and remedies for enforcement hereof; and for other purposes.

1.3 Authority.

- A. This UDO is enacted based on the authority vested in Rockdale County by the State of Georgia, including but not limited to the Georgia Constitution Article IX, Section 2, Paragraph IV, the Zoning Procedures Law, O.C.G.A. Chapter 36-66-1 et seq.
- B. The UDO shall take effect and shall be in force upon its adoption by the Board of Commissioners of Rockdale County, Georgia.

Effective Date of this UDO, then, at the applicant's request, all concurrent or related applications necessary to complete the same development program may be reviewed under the ordinance in effect at the time the first application was deemed complete, provided that:

- a. Same owner/applicant. The property owner and applicant remain the same as identified in the vested application. A change in ownership/applicant terminates this provision unless a written assignment and assumption of the vested application is filed with the Director of Planning and Development within sixty (60) days of the change, expressly agreeing to be bound by the same plans and conditions.
- b. Substantial conformity. Each related application implements the same development program shown in the vested submittal (e.g., approved or reviewed site plan) and does not materially increase intensity, change use, or alter key conditions.
- c. Filing window (sunset). All related applications are filed within twenty-four (24) months of the vested application being deemed complete. The Director of Planning and Development may grant one written extension of up to twelve (12) months for good cause shown. The filing window is tolled for periods of county or external agency-caused delay, a duly adopted moratorium, or a court-ordered stay, as documented in the record.
- d. Identification. Related applications authorized under this section shall be identified during review of the vested application or included in the documentation submitted with it (e.g., a development site plan that demonstrates the intent for such applications). Applications not so identified shall be added by amendment within ninety (90) days of the vested application's completeness determination.
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- A. Duties. The Department of Planning and Development, which includes the building inspector and other such inspectors, shall have the responsibility of interpreting, administering, and enforcing the provisions of the UDO unless specifically provided otherwise. In particular, the department shall have the following powers and duties under the UDO:
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- B. In each of the codes referenced above, when reference is made to the duties of certain officials named in the codes, the county officer who has duties corresponding to those of the named official in the code shall be deemed to be the county officer responsible for enforcing the provisions of the code.

Amend Title 1, Chapter 106 (Definitions)

3.2.4 Definitions.

As used in the UDO, the following terms shall have the meaning set forth below, except where otherwise specifically set forth in Section 3.2.3, Rules of precedence.

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 any point or along a common boundary or property line. Properties separated by a street or right-of-way are adjacent, but not abutting.

Accessory building: See Building, accessory.

Accessory Dwelling Unit: A residential dwelling unit, but not a mobile home, located on the same lot as a single-family dwelling unit, either within the same building as the single-family dwelling unit or in a detached building. Secondary dwelling units shall be developed in accordance with the standards set forth in the UDO and only in those zoning districts where the use is listed as a special review use. The secondary dwelling is 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.

Accessory ground sign: A ground sign which is secondary and subordinate in size and appearance to a primary ground sign.

Accessory structure: See Structure, accessory.

Accessory use: See Use, accessory.

Accidental discharge: A discharge prohibited by ordinance, which occurs by chance, and without planning or thought prior to occurrence.

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

Addition (to an existing building): Any walled and roofed expansion to the perimeter or height of a building.

Adjacent: Located near or next to another property, including properties separated by a street, alley, easement, or other right-of-way, but may not share a common boundary or property line.

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 Planning and Development 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.

Agri-tourism: An agriculturally based operation or activity that brings visitors to a farm for purposes of direct to consumer sales, agricultural education, hospitality, recreation or entertainment in order to generate supplemental income for the farmer.

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.

Air or gas filled device: An inflatable sign using forced air or other gas to support its structure. Air or gas filled devices may require the use of a power source to remain inflated.

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, noncommercial 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.

Animal services, limited: A use that provides grooming or training services for dogs, cats, or other small domestic animals, where animals are not boarded, housed overnight, or kept on the premises except during service hours.

Animal services, general: A use that provides animal care or handling services beyond those classified as limited animal services, including boarding, daycare, overnight care, breeding, or similar activities for dogs, cats, or other animals, and where animals may be kept on the premises outside normal service hours.

Animated sign: A sign or portion of a sign which changes physical position by any movement including rotation; or which gives the visual impression of movement; or which displays blinking, flashing or varying intensity of light.

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:

- A. Class A: Up to 6 colonies per parcel
- B. Class B: 7 to 14 colonies per parcel
- C. 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.

Applicant: A person or entity that submits an application under this UDO, including a property owner or a duly authorized agent of the owner.

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 future-conditions flood hazard: The land area that would be inundated by the one-percent-annual-chance flood based on future-conditions hydrology (100-year future-conditions flood).

Area of shallow flooding: A designated AO or AH Zone on a community's flood insurance rate map (FIRM) with a one percent or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard: the land area subject to a one percent or greater chance of flooding in any given year. This includes all floodplain and flood prone areas at or below the base flood elevation designated as Zones A, A1-30, A-99, AE, AO, AH, and AR on a community's flood insurance rate map (FIRM).

Arterial: See Street classifications.

Authorized use: A use authorized in a zoning district pursuant to this UDO.

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, major painting services, and the dismantling, crushing, or recycling of motor vehicles or vehicle components. This is distinguished from a salvage yard.

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.

Balloon: An inflatable device typically made of latex, vinyl or mylar using forced air or other gas to support its structure.

Banner: A type of temporary sign made of fabric or similar material, intended to be hung either with or without a frame.

Bar: Uses that cater primarily to adults, 21 years of age and older and that sell and serve beer, wine, or alcoholic liquor for on-premises consumption as their principal business. Typical uses include bars, taverns, brewpubs, and tasting rooms.

Barber pole, traditional: A type of wall sign utilized by a licensed barber, made of a striped vertical cylinder which may rotate and may have a ball on top.

Barndominium (Barn House): A non-traditional single-family detached dwelling structure comprised of the following:

- A. A single-family detached dwelling unit, with heated floor area that separately meets the required minimum heated floor area of the underlying zoning district; and
- B. An attached barn, garage, or private workshop space.
- C. A barn (or other structure) detached from the dwelling shall not be included within this definition.

Base flood: The flood having a one percent chance of being equaled or exceeded in any given year, also known as the 100-year flood.

Base flood elevation: The highest water surface elevation anticipated at any given location during the base flood.

Basement: That portion of a building that is partly or completely below grade and has at least six and one-half 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.

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): These include sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the 'Manual for Erosion and Sediment Control in Georgia' published by the commission as of January 1 of the year in which the land-disturbing activity was permitted.

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.

BMP landscaping plan: A design for vegetation and landscaping that is critical to the performance and function of the BMP, including how the BMP will be stabilized and established with vegetation. It shall include a layout of plants and plant names (local and scientific).

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.

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 ordinance, to 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.

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.

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 having a roof and supported by columns or walls, intended for the shelter, enclosure, or support of persons, animals, or property.

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: A non-basement building which has its lowest elevated floor raised above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Building height: The vertical distance measured from the grade plane of a building to the highest point of roof. Chimney, flues, and other structures or equipment incidental to the primary use of the building or site shall not be used in determining building height.

Building permit: See Permit, building.

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

Building wall: An exterior loadbearing or non-loadbearing 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 (four and one-half 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 sign: A type of wall sign affixed to, superimposed on or painted on any canopy, which is a roof-like structure extended over a sidewalk or walkway or vehicle access area.

Capital improvement: An improvement with a useful life often years or more, by new construction or other action, which increases the service capacity of a public facility.

Capital improvements element: A component of the Rockdale County Comprehensive Plan that sets out projected needs for system improvements during the planning horizon established therein, a schedule of capital improvements that will meet the anticipated need for system improvements, and a description of anticipated funding sources for each required improvement, as most recently adopted or amended by the county Board of Commissioners.

Car wash, conveyor: 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: 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: A commercial car wash where the customers wash their cars themselves with spray wands and brushes.

Cellar: That portion of a building that is partly or completely below grade and has a height less than six and one-half 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.

Certified personnel: A person who has successfully completed the appropriate certification course approved by the Georgia Soil and Water Conservation Commission.

Chairman: Chairman of the Rockdale County Board of Commissioners.

Channel: A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

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.

Clean Water Act (CWA): The Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), and any subsequent amendments thereto.

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 noncommercial 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.

Coastal marshlands: Shall have the same meaning as in O.C.G.A. § 12-5-282.

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 this UDO, with or without re-subdivision of such lots.

Commencement of construction: Initiation of physical construction activities as authorized by a development or building permit.

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

Common plan of development (or larger common plan of development): A contiguous area where multiple separate and distinct construction activities will be taking place at different times on different schedules under one plan of development for sale.

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.

Community work program: The component of the Rockdale County Comprehensive Plan that lays out the specific activities the county plans to undertake during the five years following adoption of the plan.

Completion of construction: The issuance of the final certificate of occupancy or completion by the appropriate governmental jurisdiction. The date of completion is the date on which such certificate is issued.

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.

Concert: a public performance (as of music or dancing).

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.

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 sequencing plan: A document noting the sequence of construction and identification of infiltration zones for protection during staged installation of permanent post-construction BMPs to ensure suitable site conditions such as avoiding soil compaction by heavy equipment in areas designated for infiltration BMPs.

Convention center: A building or set of buildings designed to hold many people and used for meetings or events.

Cottage food consumer: A person who is a member of the public, who 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 Planning and Development, of approving all tree protection plans for land development or building construction in unincorporated Rockdale County required pursuant to the UDO.

CPESC: Certified Professional in Erosion and Sediment Control with current certification by EnviroCert, Inc., which is also referred to as CPESC or CPESC, Inc.

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.

Crisis Center: Crisis centers shall include the following subcategories:

- A. **Crisis Service Center (CSC):** A facility providing short-term, time-limited crisis intervention, generally consisting of a single episode of care, designed to stabilize individuals and transition them to an appropriate level of service. CSCs are generally open twenty-four (24) hours per day, seven (7) days per week, and provide walk-in capacity for assessment, stabilization, and referral.
- B. **Crisis Stabilization Unit (CSU):** A medically monitored, short-term residential program licensed by the Georgia Department of Behavioral Health and Developmental Disabilities (DBHDD) and designated as an emergency receiving and evaluating facility. A CSU provides psychiatric stabilization and detoxification services twenty-four (24) hours per day, seven (7) days per week. Where a CSU operates a CSC and/or temporary observation area in conjunction with the CSU, such components shall be considered part of the CSU.

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.

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: A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to the excavated surface. Also known as excavation.

Dam: 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.

- C. Any artificial barrier, including appurtenant works, constructed in conjunction with the reclamation of surface mined land, and meeting the requirements of subsection A above, and when improper operation or failure would result in probable loss of human life.

Data Management and Processing: Use involving a building or premise in which the majority of the use is occupied by computers and/or telecommunications and related equipment, including supporting infrastructure, cooling systems, electrical systems, and water-based or energy-intensive processes, where information is processed, transferred and/or stored. The following describe the subcategories of Data Management and Processing Center uses:

- A. Data Center. A facility or portion of a facility housing networked computer systems and telecommunications equipment used for remote storage, processing, and distribution of data.
- B. High Intensity Data Processing Facility. A data management and processing use characterized by exceptionally high electrical demand, cooling requirements, or water consumption, including but not limited to facilities supporting artificial intelligence (AI), machine learning, high-performance computing, cloud computing at hyperscale, or commercial cryptocurrency mining. Such facilities typically utilize dense server configurations, specialized cooling systems (including liquid or evaporative cooling), and continuous or near-continuous operations, and may present elevated risks related to heat generation, fire safety, noise, energy demand, or infrastructure impacts.
- C. Colocation or Micro-Data Facility. A data management and processing use characterized by either of the following:
 - 1. Colocation Facility.
 - a. A client company leasing dedicated space to host their own infrastructure. Typically, the client company has sole access to the hardware and full responsibility for managing it; or
 - b. A client company leasing dedicated servers, storage, and networking hardware from the provider in which the provider offers administration and management services; or
 - 2. Micro-Data Facility. A small-scale data processing and storage facility that is accessory and subordinate to an established, permitted principal use on the same site, and that is intended solely to support the internal operational, security, or information-technology needs of that principal use. A micro-data facility shall not be designed or operated for commercial data hosting, co-location, cloud services, or off-site third-party use

Day: A calendar day, unless otherwise specifically identified as a "work" or "business" day or other designation when used in the text.

Daycare: Uses providing care and supervision for children or adults away from their primary residence for less than 24 hours per day.

Small daycare. A daycare use for four (4) or fewer individuals.

Large daycare. A daycare use for five (5) or more individuals.

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 Planning and Development of Rockdale County.

Design professional: A professional licensed by the State of Georgia in the field of: engineering, architecture, landscape architecture, forestry, geology, or land surveying; or a person that is a Certified Professional in Erosion and Sediment Control (CPESC) with a current certification by EnviroCert, Inc. Design Professionals shall practice in a manner that complies with applicable Georgia law governing professional licensure.

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 approval: Any written authorization, such as issuance of a building permit, land disturbance permit, or other approval for grading or site development, or other forms of official action required by local law or regulation which authorizes the commencement of construction.

Development impact fee: A payment of money imposed upon development as a condition of development approval to pay for a proportionate share of the cost of system improvements needed to serve new growth and development.

Development permit: An official authorization issued by the Director of Planning and Development 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 four and one-half feet above the ground. If a tree splits into multiple trunks below four and one-half 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 Planning and Development, or their designee.

Distillery or winery: An establishment where wine or malt beverages are manufactured (brewed, rectified, or blended), bottled, packaged, and/or distributed for wholesale and/or retail distribution.

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

Double-faced sign: A sign which has two display areas against each other or where the interior angle formed by the display areas is 60 degrees or less, where one face is designed to be seen from one direction and the other face from another direction.

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: A device composed of a virtually nonerodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for stormwater management, drainage control, or flood control purposes.

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.

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, 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. Includes apartments and condominium dwelling units.

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 townhomes.

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.

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.

Easement rights: An easement right which shall inure to the benefit of the county in the form of either: (i) a conservation easement in relation to the reservoir buffer area; (ii) a conservation easement in relation to water quality protection; or (iii) an ingress/egress easement.

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.

Electronic sign: A type of sign where the message may be changed at intervals by electronic process or by remote control. Electronic signs are generally internally illuminated.

Elevated building: A non-basement building which has its lowest elevated floor raised above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Encumber: To legally obligate by contract or otherwise commit to use by appropriation or other official act of Rockdale County, Georgia.

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: A state agency, being a division within the Georgia Department of Natural Resources, charged with protecting Georgia's air, land, and water resources through the authority of state and federal environmental statutes.

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: The process by which land surface is worn away by the action of wind, water, ice or gravity.

Erosion, sedimentation and pollution control plan: A plan required by the Erosion and Sedimentation Act, O.C.G.A. Chapter 12-7, that includes, as a minimum protection at least as stringent as the State General Permit, best management practices, and requirements of this UDO.

Event center: See Convention center.

Excess capacity: That portion of the capacity of a public facility or system of public facilities which is beyond that necessary to provide adequate service to existing development at the adopted level-of-service standard.

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.

External illumination: Illumination device or system, independent of the sign face, projecting light primarily toward the sign.

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.

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 as distinguished from a group occupying a lodging space or group living facility.

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".

Feepayer: That person or entity who pays a development impact fee, or his or her legal successor in interest where the right or entitlement to any refund of previously paid development impact fees which is required by this chapter has been expressly transferred or assigned to the successor in interest. In the absence of an express transfer or assignment of the right or entitlement to any refund of previously paid development impact fees, the right or entitlement shall be deemed "not to run with the land."

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

Fill: A portion of land surface to which soil or other solid material has been added; the depth above the original ground surface or an excavation.

Final stabilization: All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures and areas located outside the waste disposal limits of a landfill cell that has been certified by EPD for waste disposal, 100 percent of the soil surface is uniformly covered in permanent vegetation with a density of 70 percent or greater, or landscaped according to the plan (uniformly covered with landscaping materials in planned landscape areas), or equivalent permanent stabilization measures as defined in the Manual (excluding a crop of annual vegetation and seeding of target crop perennials appropriate for the region). Final stabilization applies to each phase of construction.

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

Flag: A piece of fabric or other flexible material intended to be attached to a flagpole or similar device.

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. See Special event.

Flood (or flooding): A general and temporary condition of partial or complete inundation of normally dry land areas from:

- A. The overflow of inland or tidal waters; or
- B. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood hazard boundary map (FHBM): An official map of a community, issued by FEMA, where the boundaries of the flood, mudflow, and related erosion areas having special hazards have been designated.

Flood insurance rate map (FIRM): An official map of a community, issued by FEMA, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

Flood insurance study (FIS): The official report by FEMA providing an examination, evaluation and determination of flood hazards and corresponding flood profiles and water surface elevations of the base flood.

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).
- C. The more restrictive (wider) of either A or B, as described above, shall be used.

Flood pool area: The area lying between the 735 mean sea level (MSL) line and the 739.8 MSL line as established by the 100-year flood event.

Floodproofing: Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway (or regulatory floodway): The channel of a stream, river, or other watercourse and the adjacent areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

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 six and one-half 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 right-of-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.

Functionally dependent use or facility: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Future-conditions flood: The flood having a one percent chance of being equaled or exceeded in any given year based on future-conditions hydrology. Also known as the 100-year future-conditions flood.

Future-conditions flood elevation: The highest water surface elevation anticipated at any given location during the future-conditions flood.

Future-conditions floodplain: Any land area susceptible to flooding by the future-conditions flood.

Future-conditions hydrology: The flood discharges associated with projected land-use conditions based on a community's zoning maps, comprehensive land-use plans, and/or watershed study projections, and without consideration of projected future construction of stormwater management (flood detention) structures or projected future hydraulic modifications within a stream or other waterway, such as bridge and culvert construction, fill, and excavation.

Future land use map: A map, formerly known as the 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 and serves as guidance for rezoning decisions made pursuant to this UDO.

Garage, attached: A fully enclosed structure 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. Carports and other open or partially enclosed structures are not considered garages.

Garage/yard sale: A temporary sale of personal property, open to the public, conducted from or on a residential lot within a residential zoning district, for the purpose of disposing of household or personal items. This term includes, but is not limited to, sales commonly referred to as "garage," "yard," "lawn," "attic," "porch," "room," "backyard," "patio," "estate," "rummage," or similar sales, regardless of the name used. Any sale of similar character, scale, and duration shall be considered a garage/yard sale.

Garbage: See Solid waste.

Gasoline station: A facility that sells fuel for motor vehicles, including, but not limited to gasoline and diesel.

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".

General retail, small: Establishments of 3,000 square feet or fewer of gross floor area engaged in the sale or rental of goods for consumer or household use; excluding however, animal sales or services and building materials and/or supplies sales or rentals. Typical uses include the sale of consumer goods, art/craft objects, flower shops, gift shops, and boutiques.

Georgia Stormwater Management Manual: See Stormwater management manual.

Glamping: See Recreational vehicles park and campgrounds.

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.

Green infrastructure: An interconnected natural system and/or engineered system that strengthens and mimics natural hydrologic functions and processes through the use of plants and soil to slow, filter, evapotranspiration and infiltrate runoff close to its source; or the capture and reuse of runoff.

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.

Ground sign: A type of freestanding sign in which the entire bottom of the sign face or structure is permanently affixed and in contact with the ground, supported entirely by a base structure, and not mounted on a pole or attached to any part of a building.

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

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

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.

A. Small halfway house. A halfway house use for four (4) or fewer individuals.

B. Large halfway house. A halfway house use for five (5) or more individuals.

Hardship: A condition of significant practical difficulty in using a lot because of physical problems relating solely to the size, shape, topography, or other physical condition of the lot in question. Hardship relates only to the physical characteristics of the property, not the personal circumstances of the owner or user, and shall not be 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.

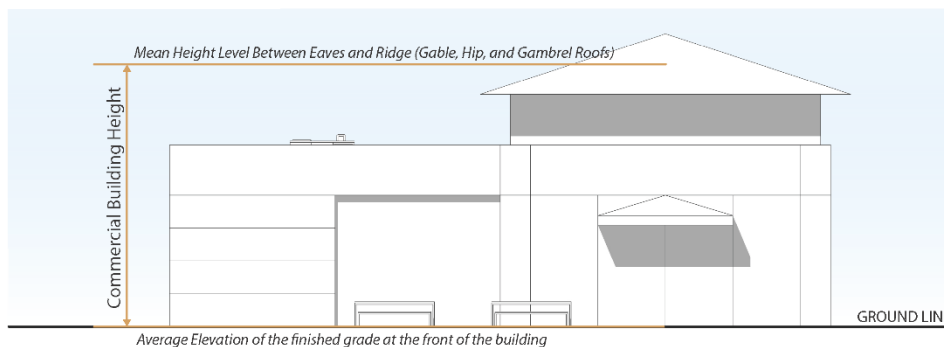


Figure 3.2.4 - Building Height.

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.

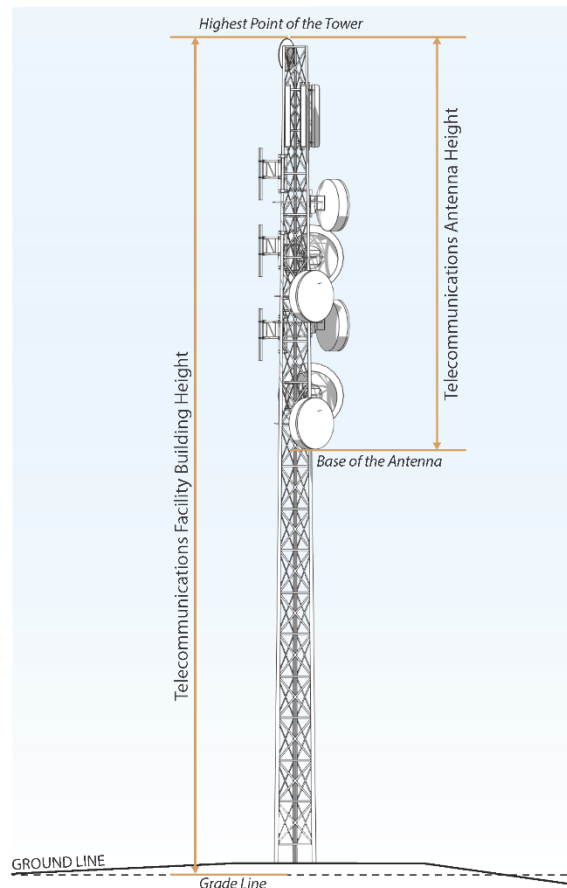


Figure 3.2.4 - Telecommunications Facility Height.

Hemp: the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

Hemp farming: The growing of hemp for agricultural purposes, as is sanctioned in State of Georgia law, §§ 2-23-1 — 2-23-12.

High-Capacity transit stop: A high-capacity transit stop is a designated location where transit vehicles designed to transport large volumes of passengers operate. These stops serve major public transportation modes such as Bus Rapid Transit (BRT), Arterial Rapid Transit (ART), Commuter Rail Transit (CRT), Light Rail Transit (LRT), and Heavy Rail Transit (HRT).

Highest adjacent grade: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

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.

Historic structure: Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- D. Individually listed on a local inventory of historic places by communities with historic preservation programs that have been certified either:
 1. By an approved state program as determined by the Secretary of the Interior, or
 2. Directly by the Secretary of the Interior in states without approved programs.

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 this UDO.

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.

Hotspot: A land use or activity on a site that has the potential to produce higher than normally found levels of pollutants in stormwater runoff. As defined by the stormwater director, hotspot land use may include gasoline stations, vehicle service and maintenance areas, industrial facilities (both permitted under the Industrial Stormwater General Permit and others), material storage sites, garbage transfer facilities, and commercial parking lots with high-intensity use.

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.

Hydrology: The scientific study of the properties, distribution, and effects of water as a liquid, solid, or gas on the Earth's surface, in the soil and underlying rocks, and in the atmosphere.

Illegal connection: Either of the following:

- A. Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the county's separate storm sewer system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the county's separate storm sewer system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or
- B. Any pipe, open channel, drain or conveyance connected to the county's separate storm sewer system, which has not been documented in, plans, maps, or equivalent records and approved by an authorized enforcement agency.

Illicit discharge: Any direct or indirect non-stormwater discharge to the county's separate storm sewer system, except as exempted in this UDO.

Impervious material: 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.

Inactivity: The absence of any substantive submittal, response, or action.

Incidental accessory building, or storage: An area used or intended for the storage of materials, refuse, or vehicles and equipment not in service. Storage areas shall not incorporate any other areas of project development such as parking areas, landscaping, and yard areas unless specifically authorized by the applicable land use regulations.

Individual assessment determination: A finding by the administrator that an individual assessment study does or does not meet the requirements for such a study as established by this chapter or, if the requirements are met, the fee calculated therefrom.

Individual assessment study: The engineering, financial, or economic documentation prepared by a fee payer or applicant to allow individual determination of a development impact fee other than by use of the applicable fee schedule.

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 general permit: The National Pollutant Discharge Elimination System (NPDES) permit issued by Georgia Environmental Protection Division to an industry for stormwater discharges associated with industrial activity. The permit regulates pollutant levels associated with industrial stormwater discharges or specifies onsite pollution control strategies based on Standard Industrial Classification (SIC) Code.

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 manufactured, in whole or in substantial part, in an off-site manufacturing facility as factory-built sections or components and transported to a building site for permanent installation on a site-built foundation, that is constructed in compliance with the Georgia State Minimum Standard Building Codes and approved by the Georgia Department of Community Affairs pursuant to O.C.G.A. § 8-2-111(3), as evidenced by a DCA insignia of approval. An industrialized home does not include a manufactured home constructed in accordance with the federal Manufactured Home Construction and Safety Standards, nor a structure constructed on or with a permanent chassis, as defined in 24 C.F.R. § 3280.902(a).
Infiltration: The process of percolating stormwater runoff into the subsoil.

Inspection and maintenance agreement: A written agreement providing for the long-term inspection, operation, and maintenance of the stormwater management system and its components on a site; or with respect to a land development project, which when properly recorded in the deed records constitutes a restriction or covenant on the title to a site or other land involved in a land development project.

Interior project directional sign: A sign located within a subdivision or planned center, intended to guide pedestrians and drivers.

Internal illumination: Illumination device or system attached to or integrated in the sign face. Includes backlit panels, neon and light boxes.

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 nonoperative 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, sitting, breeding, or similar purpose for a fee or other compensation is carried on. May also include Animal services, limited activities.

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 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: Any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land. Land disturbing activity does not include agricultural practices as described O.C.G.A. § 12-7-17(5) or silvicultural activities as described O.C.G.A. § 12-7-17(6) within areas zoned for these activities.

Land disturbance permit: See Permit, land disturbance.

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

Landfill: 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 and/or 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 nonputrescible 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 types of landfills defined by this ordinance.

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.

Larger common plan of development or sale: A contiguous area where multiple separate and distinct construction activities are occurring under one plan of development or sale. For the purposes of this subsection, "plan" means an announcement; piece of documentation such as a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, or computer design; or physical demarcation such as boundary signs, lot stakes, or surveyor markings, indicating that construction activities may occur on a specific plot.

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

Level of service: A measure of the relationship between service capacity and service demand for public facilities as established by Rockdale County, Georgia in terms of demand to capacity ratios or the comfort and convenience of use or service of such public facilities or both.

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

Linear feasibility program: A feasibility program developed by Rockdale County and submitted to the Georgia Environmental Protection Division, which sets reasonable criteria for determining when it would be infeasible to implement stormwater management standards for linear transportation projects being constructed by Rockdale County, other local governments, or State agencies.

Linear transportation projects: Construction projects on traveled ways including but not limited to roads, sidewalks, multi-use paths and trails, and airport runways and taxiways.

Liquified 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.

Local issuing authority: The governing authority of any county or municipality which is certified pursuant to subsection (a) O.C.G.A. § 12-7-8.

Lodging: The provision of temporary sleeping accommodations to the public or to paying guests for transient occupancy, typically for periods of less than thirty (30) consecutive days, with or without the provision of meals or kitchen facilities. Lodging is categorized into the following defined use types.

- A. **Bed and breakfast:** An owner-occupied single-family dwelling in which guest rooms that do not contain kitchen facilities are made available for overnight lodging, and where meals may be provided to guests.
- B. **Hotel:** A building in which lodging is provided and offered to the public for compensation, and in which ingress and egress to and from guest rooms is primarily through interior corridors or common areas.
- C. **Hotel, extended stay:** A hotel in which guest rooms are designed to accommodate longer-duration stays and include kitchen facilities for food preparation within individual guest rooms.
- D. **Motel:** A building or group of buildings containing sleeping accommodations for transient lodging, primarily serving the motoring public, in which ingress and egress to guest rooms is primarily from the exterior of the building.
- E. **Short-term rental:** A lodging use in which a dwelling unit, or any portion thereof, is made available to guests for temporary occupancy in exchange for compensation, where the dwelling unit retains its character as a residential use and is not operated as a hotel, motel, bed and breakfast, or similar commercial lodging establishment. A short-term rental may involve the rental of an entire dwelling unit or individual rooms within a dwelling unit and may be hosted or unhosted.

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.

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

Lot, flag: A lot having a narrow, elongated portion that provides connection to a public or private street or drive and a larger interior portion that expands beyond the narrow portion and forms the primary area of the lot.

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 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: A dwelling unit manufactured in accordance with the Secretary of Housing and Urban Development (HUD), the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., as amended, and meeting applicable standards of this UDO.

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 the UDO 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.

Mini-storage warehouses: A structure or group of structures for storage of customers' personal property, goods and/or wares where individual stalls or lockers are rented out to different tenants for storage and where no stall or locker exceeds 500 square feet of floor area with interior or exterior access to storage units, non-climate controlled or climate controlled, exterior metal doors.

Miscellaneous sign: A type of freestanding temporary sign placed by stakes, frames, or wire supports in the ground, not permanently installed, intended for short-term display, and constructed of lightweight materials.

Mixed-use building: A building that provides a mix of uses:

- A. Residential uses may be for lease as an apartment or for sale as a condominium, typically with the first floor(s) occupied by nonresidential uses that are permitted in the zoning district of the property and the upper floor(s) occupied with residential uses. May be side-by-side next to a nonresidential use on the same floor.
- B. Nonresidential uses that are permitted in the zoning district of the property may occupy the building. For instance, an office can be in the same building as retail, restaurant, or warehouse, etc. and vice versa.

Mobile food vendor: A motorized, wheeled vehicle designed and utilized for the preparation and sale of food and nonalcoholic 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: 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, 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.

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

Motor vehicle sales or rentals: 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.

Motor vehicle sales or rentals, remote: A type of motor vehicle sales or rental use where the point of sale or rental agreement occurs off-site, typically online or via telephone, but where vehicle pick-up can occur on-site by appointment only. This use is distinguished from an office use for an auto brokerage where there is no inventory stored on-site.

Multi-faced sign: A sign structure with more than two sign faces designed so that each face can be seen from a different direction.

Municipal separate storm sewer system (MS4): A conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches,

manmade channels or storm drains, owned or operated by Rockdale County, designed or used for collecting or conveying runoff and is not a combined sewer or part of a publicly owned treatment works.

Municipal separate storm sewer system (MS4) Permit: authorize public entities, such as cities, counties, transportation agencies, and military bases, to discharge pollutants from public stormwater systems to waters of the United [States].

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. A museum shall be considered a cultural exhibit in accordance with this UDO.

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 Resource Extraction: removal of naturally occurring geologic materials from land, including minerals, rock, stone, sand, gravel, clay, or soil, by mechanical or manual means. Natural resource extraction is categorized into the following defined use types, listed in increasing order of intensity. Where an activity qualifies as more than one type of natural resource extraction, the use shall be classified according to the most intensive applicable type.

Incidental Extraction: Natural resource extraction that is limited in scope and secondary to another primary use of the property, such as site development, construction, or land improvement.

Mineral Extraction: The removal of minerals, including rock, stone, sand, gravel, or clay, by mechanical or manual means, that does not constitute quarrying or mining.

Quarrying: Natural resource extraction involving the removal of stone, rock, or aggregate from an open excavation, pit, or similar surface operation, commonly associated with blasting, crushing, screening, or similar processing activities.

Mining: Natural resource extraction involving the removal of minerals through underground or large-scale surface operations, including drilling, blasting, tunneling, or removal of overburden, for off-site use, processing, or sale.

Natural riparian 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.

Nephelometric turbidity units (NTU): Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloiddally dispersed or suspended particles are present.

New development: Land disturbing activities, structural development (construction, installation or expansion of a building or other structure), and/or creation of impervious surfaces on a previously undeveloped site.

Noise ordinance: Refers to Rockdale County Code, Chapter 42, Article I., Section 42-1., Noises prohibited.

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 sign: A sign lawfully existing on the effective date of this chapter that does not conform to all the standards and regulations of the adopted or amended ordinance.

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.

Nonpoint 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. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal, and urban runoff sources.

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

Nonstructural stormwater management practice or nonstructural practice: Any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and includes, but is not limited to riparian buffers, open and greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.

Normal pool: The area of the reservoir impoundment contained within the 735-foot MSL contour line from which the reservoir buffer area, impervious surface setback, and the septic system setbacks are to be measured.

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.

Notice of intent (NOI): A notice of intent form provided by EPD for coverage under the state general permit.

Notice of termination (NOT): A notice of termination form provided by EPD to terminate coverage under the state general permit.

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.

Obsolete sign: A sign and/or sign structure which no longer correctly directs any person or no longer advertises a bona-fide business, product or service where such sign and/or structure is located.

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.

Offsite facility: A stormwater management facility located outside the boundaries of the site that it serves.

Onsite facility: A stormwater management facility located within the boundaries of the site that it serves.

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 County Department of Water Resources.

Open space: Areas that are intentionally planned, designed, and reserved as part of an approved development to provide separation, resource protection, scenic enjoyment, recreation, or amenity to abutting developed property, and that are not included in minimum lot areas required by this UDO. Open space does not include residual, incidental, or undeveloped pervious areas that remain due to dimensional constraints, buffers, setbacks, easements, or other development limitations unless such areas are expressly designated and approved as open space.

Open yard storage business: Any commercial or noncommercial 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 nonoperational, those vehicles or machines are stored in a building as defined in this UDO.

Operator: The party or parties that have:

Operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or

Day-to-day operational control of those activities that are necessary to ensure compliance with an erosion, sedimentation and pollution control plan for the site or other permit conditions, such as a person authorized to direct workers at a site to carry out activities required by the erosion, sedimentation and pollution control plan or to comply with other permit conditions.

Organic farming: Any primary use of a tract or parcel of land for the purpose of growing and harvesting, farming or any other use which contributes to the production of agricultural, floricultural or horticultural products for the purpose of beautification, education, outreach, agri-tourism, on-site sale or off-site-sales. All farming shall be conducted in a manner consistent with the USDA organic standards, codified in 7 CFR Part 205, Subpart C, including avoiding the use of prohibited pesticides, fertilizers, and/or synthetic substances. USDA organic certification pursuant to 7 CFR Part 205, Subpart E is not required. In order to secure its annual business license from the County, the operator shall produce documentation evidencing farming practices for the preceding year consistent with United States Department of Agriculture (USDA) organic standards, codified in 7 CFR Part 205, Subpart C. Greenhouses, hoop houses, trellises, raised beds, tool sheds, farm stands, and any other accessory structure used in the operation of an organic farm are permitted in the W-NR subzone. All structures, buildings or enclosed areas used for the operation shall be a minimum of 100 feet from all property lines. Equipment producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet from the nearest residential structure.

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 24 hours whether for storage, display, processing or sale.

Outfall: The location where stormwater in a discernible, confined and discrete conveyance, leaves a facility or site or, if there is a receiving water on site, becomes a point source discharging into that receiving water.

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 a 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: Community land, open spaces, or recreation areas, whether publicly or privately owned, including, but not limited to such areas represented on a plat of a subdivision as dedicated, reserved, or to be reserved for recreational purposes. Also, may include memorial gardens that are not used for the interment of human or animal remains. Does not include Nature Parks and Other Similar Institutions, or Zoos, Botanical Gardens, or Cemeteries.

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

Parking lots and structures—Business vehicles: A business that provides a parking area designed for the storage of vehicles that are in normal operating condition for the motoring public that may exceed 48 hours.

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 one or more stories designed, constructed, and used for the parking of automobiles.

Paved area: An area which is covered by asphalt, concrete, brick, or pavers meeting the specifications of the Department of Planning and Development. Pervious paving materials are subject to approval by the Director of Transportation.

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.

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: The permit required for new construction, completion of construction, or an interior finish pursuant to the applicable building code. As used herein, the term shall not include permits required for remodeling, rehabilitation, or other improvements to an existing structure provided there is no increase in the demand placed on those public facilities as defined herein.

Permit, land disturbance: the permit issued by the Department of Stormwater Management 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: The use of a dwelling unit to provide or arrange for the provision of housing, food service, and one or more personal services, including watchful oversight, for two (2) or more adults who are not related to the owner or administrator by blood or marriage. "Personal

services” include assistance with or supervision of self-administered medication and essential activities of daily living such as eating, bathing, grooming, and dressing. Personal care homes do not provide skilled nursing or other medical services or admit and retain residents who need continuous medical or nursing care. A personal care home shall be licensed by the Office of Regulatory Services of the State of Georgia Department of Human Resources, including:

- A. Personal care home, congregate: A personal care home which offers care to 16 or more persons.
- B. Personal care home, family: A personal care home which offers care to not more than six persons.
- C. 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.

Phase or phased construction: Sub-parts or segments of construction projects where the sub-part or segment is constructed and stabilized prior to completing construction activities on the entire construction site.

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 organizations.

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 of Planning and Development for review which 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 this UDO.

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 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 this UDO.

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.

Pollutant: Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; and noxious or offensive matter of any kind.

Pollution: The contamination or other alteration of the physical, chemical or biological properties of air or water by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color turbidity, or odor, or the discharge of any liquid, gaseous, solid, radioactive, or other substance as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

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.

Portable sign: A type of temporary sign designed to be transported or that is not permanently attached to the ground or a structure. Includes commercial signs carried, worn or held by people.

Post-construction stormwater management: Stormwater best management practices that are used on a permanent basis to control and treat runoff once construction has been completed in accordance with a stormwater management plan.

Post-development: The conditions anticipated to exist on site immediately after completion of the proposed development.

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*.

Practicability policy: The policy developed by Rockdale County in accordance with the latest edition of the Metropolitan North Georgia Water Planning District's Policy on Practicability Analysis for Runoff Reduction.

Pre-application meeting: An initial, informal, and nonbinding stage of development review at which the developer may make known concept plan proposals and the Director of Planning and Development, or their designee, may hold discussions of those proposals with the developer regarding the development regulations and other issues related to the development.

Pre-development: The conditions that exist on a site immediately before the implementation of the proposed development. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time before the first item being approved or permitted shall establish pre-development conditions.

Pre-development hydrology: The runoff curve number determined using natural conditions hydrologic analysis based on the natural, undisturbed condition of the site.

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.

Previously developed site: A site that has been altered by paving, construction, and/or land disturbing activity.

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.

Project improvements: Site improvements and facilities that are planned, designed, or built to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project, and are not "system" improvements. The character of the improvement shall control a determination of whether an improvement is a "project" improvement or a "system" improvement, and the physical location of the improvement on-site or off-site shall not be considered determinative of whether an improvement is a "project" improvement or a "system" improvement. If an improvement or facility provides or will provide more than incidental service or facility capacity to persons other than users or occupants of a particular project, the improvement or facility is a system improvement and shall not be considered a project improvement. No improvement or facility included in a plan for public facilities and approved for public funding by Rockdale County, Georgia shall be considered a project improvement.

Promotional banner-flag: A type of portable sign made of fabric or similar material, attached to a pole. Includes signs commercially known as "swooper," "feather," "wing," "blade," and "sail."

Properly designed: Designed in accordance with the design requirements and specifications contained in the "Manual for Erosion and Sediment Control in Georgia" (Manual) published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in

which the land-disturbing activity was permitted and amendments to the Manual as approved by the commission up until the date of NOI submittal.

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

Property owner: See "property interest".

Proportionate share: That portion of the cost of system improvements that is reasonably and fairly related to the service demands and needs of a project.

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 the UDO or the administrative standards established herein, and all areas required as landscaping strips according to provisions 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.

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. This includes but is not limited to (A) Parks, open space, and recreation areas and related facilities; (B) Public safety facilities, including fire and rescue facilities; and (C) Libraries and related facilities.

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 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.

Randy Poynter Lake (previously Big Haynes Creek Reservoir): The water impoundment project consisting of the impounded waters from Big Haynes Creek located in Rockdale County, Georgia.

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.

Recreation grounds and facilities: Land and structures owned or leased by a governmental entity and used or intended to be used for the purpose of public leisure activities such as picnic areas, sports facilities, fishing piers, boating ramps, related equipment storage and similar activities.

Recreational vehicle (RV): A vehicle that is:

- A. Built on a single chassis;
- B. Four hundred fifty square feet or less when measured at the largest horizontal projection;
- C. Designed to be self-propelled or permanently tow-able by a truck or car;
- D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use;
- E. May include accessory or appurtenant items customarily associated with recreational vehicle uses, such as awnings, slide-outs, utility hookups, or a tent; and
- F. A recreational vehicle shall not be used as temporary living quarters outside of approved recreational vehicle parks and campgrounds, except as otherwise permitted by this UDO.

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: 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.

Redevelopment: Structural development (construction, installation, or expansion of a building or other structure), creation or addition of impervious surfaces, replacement of impervious surfaces not as part of routine maintenance, and land disturbing activities associated with structural or impervious development on a previously developed site. Redevelopment does not include such activities as exterior remodeling.

Regional stormwater management facility (regional facility): Stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual properties may assist in the financing of the facility, and the requirement for onsite controls is either eliminated or reduced.

Regulatory 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 the basin being fully developed as shown on the current land use plan.

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:

Testing, fitting, or training in the use of prosthetic devices.

Prevocational or conditioning therapy.

Physical, corrective, or occupational therapy.

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.

Required yard: See Yard, required.

Repetitive loss: Flood-related damage sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

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 as defined by its normal pool level.

Reservoir buffer area: The area extending a horizontal distance of 150 feet outward from the normal pool elevation (735 feet MSL) and maintained as a natural or enhanced vegetated area around the reservoir.

Reservoir manager: The designated agency or employee of the board including the authorized representatives of the reservoir manager.

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 UDO that has the effect of rezoning real property from one zoning classification to another and/or amending conditions.

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 this UDO.

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.

Roadway drainage structure: A device such as a bridge, culvert, or ditch, composed of a virtually non-erodible material such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled roadway consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

Rockdale County Separate Storm Sewer System: Any facility designed or used for collecting, treating and/or conveying stormwater located in the unincorporated areas of Rockdale County, including but not limited to highways, county streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and man-made or altered drainage channels, reservoirs, and other drainage structures; and which is: 1) not a combined sewer, and 2) not part of a publicly-owned treatment works.

Rodeo: a public performance featuring bronco riding, calf roping, steer wrestling, and Brahma bull riding. See Special event.

Roof sign: A sign projecting over the coping of a flat roof, or wholly or partially over the ridge of a gable, hip or gambrel roof, and supported by or attached to said roof.

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.

Routine maintenance: Activities to keep an impervious surface as near as possible to its constructed condition. This includes ordinary maintenance activities, resurfacing paved areas, and exterior building changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.

Runoff: See Nonpoint source pollution.

Runoff reduction: The interception, evapotranspiration, infiltration, or capture and reuse of runoff.

Salvage yard: A use involving the outdoor or indoor storage, dismantling, processing, sale, recycling, or disposal of wrecked, inoperable, or discarded motor vehicles, vehicle parts, or other scrap materials, including junkyards and automobile recycling facilities.

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.

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: Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by wind, water, ice, or gravity as a product of erosion.

Sedimentation: The process by which eroded material is transported and deposited by the action of water, wind, ice or gravity.

Self-Storage/mini: A single-story commercial structure with interior or exterior access to storage units, non-climate controlled or climate-controlled, exterior metal doors, allows outside storage, and truck rental. See also Mini warehouse.

Self-storage, secured: A single-story or multi-story commercial structure with interior access to storage units that are not visible from the exterior of the structure, is climate controlled, and does not allow outside storage or truck rental.

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.

Service area: A geographic area defined by the Board of Commissioners in which a defined set of public facilities provide service to development within the area. Service areas shall be designated on the basis of sound planning or engineering principles or both.

Setback, stream: 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 this UDO. 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: A facility providing, without charge, single-night, temporary lodging, with or without meals, for people with no ordinary or regular home or residence address, such as cold night shelter.

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.

Sign structure: Poles, beams, columns, posts, foundation, cabinet or other means providing structural support for the sign.

Significant recharge areas: Those areas mapped by the Department of Natural Resources in Hydrologic Atlas 18 (1989 edition). Mapping 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:

- A. 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).
- B. 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.
- C. 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: An area of land where development is planned, which may include all or portions of one or more parcels of land. For subdivisions and other common plans of development, the site includes all areas of land covered under an applicable land development permit.

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).

Smoke or Vape Shop: Any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco/CBD, tobacco/CBD products, or tobacco/CBD paraphernalia; provided; however, that any grocery store, supermarket, convenience store or similar retail use that only sells conventional cigars, cigarettes, CBD, or tobacco as an ancillary

sale shall not be defined as a "smoke or vape shop." For the purposes of this chapter, "ancillary" shall mean that products constitute less than 25 percent of the business's aggregate retail sales.

Soil and water conservation district approved plan: An erosion, sedimentation and pollution control plan approved in writing by the Rockdale County Soil and Water Conservation District.

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, 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: A facility or site used for the collection, transfer, storage, processing, treatment, recovery, recycling, composting, or disposal of solid waste generated by residential, commercial, industrial, institutional, agricultural, or governmental activities. Solid waste handling facilities include, but are not limited to, landfills, materials recovery facilities (MRFs), composting facilities, transfer stations, recycling facilities, and similar uses, whether publicly or privately operated.

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, temporary: A temporary organized activity on private property that extends beyond the normal uses and standards allowed by the zoning ordinance of the county. Except as otherwise specifically provided, only those events held on commercial-zoned property are subject to the provisions of this ordinance. "Special event" includes, but is not limited to, art shows, sidewalk sales, pumpkin and Christmas tree sales, haunted houses, carnivals/fairs, grand openings, festivals, rodeos, home exhibitions, and church bazaars.

Special use: A use listed 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.

Stabilization: The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

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

State: State of Georgia.

State general permit: The National Pollution Discharge Elimination System (NPDES) general permit or permits for stormwater runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251, et seq., and O.C.G.A. § 12-5-30(f).

State waters: All rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of Georgia which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

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:

- A. Publicly owned or maintained.
- B. Not combined with sanitary sewer.
- C. 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 better site design practices: Non-structural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for non-structural stormwater management. Stormwater better site design includes conserving and protecting natural areas and greenspace, reducing impervious cover and using natural features for stormwater management.

Stormwater concept plan: An initial plan for post-construction stormwater management at the site that provides the groundwork for the stormwater management plan including the natural resources inventory, site layout concept, initial runoff characterization, and first round stormwater management system design.

Stormwater director: The Director of the Rockdale County Department of Stormwater Management.

Stormwater detention facilities: A detention facility for a subdivision of fee simple single-family residences, which is not located on the same lot with a single-family home but instead is located on an individual parcel of land not meant for other improvements.

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 of Stormwater Management.

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 the UDO.

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 standards: Those standards set forth in the UDO.

Stormwater management system: The entire set of structural and nonstructural 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 buffer area: The area extending a horizontal distance of 100 feet from the top of both banks of a perennial stream and maintained as a natural or enhanced vegetated area with no or limited minor land disturbances.

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

Stream protection area or protection area: With respect to a stream, the combined areas of all required buffers and setbacks applicable to such 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.

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, 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: Practices for the stabilization of erodible or sediment-producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sediment control practices are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures and sediment traps, etc. Such practices can be found in the publication Manual for Erosion and Sediment Control in Georgia.

Structural stormwater control: A structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow of such runoff.

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 re-subdivision, 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 by tax appraisal or another estimate provided by a certified professional appraiser.

Substantial improvement: Any reconstruction, rehabilitation, addition, or other improvement to a structure, taking place during a ten-year period, in which the cumulative cost equals or exceeds 50 percent of the market value of the structure prior to the improvement. The market value of the building means:

- A. The appraised value of the structure prior to the start of the initial repair or improvement, or
- B. In the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include those improvements of a structure required to comply with existing state or local health, sanitary, or safety code specifications which are the minimum necessary to assure safe living conditions, which have been identified by the code enforcement official. The term does not include any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Substation: An electric system facility that converts higher voltages to lower voltages within or separate from a data center to generate sufficient power at maximum efficiency; can operate independently for dedicated site once directly connected to transmission lines.

Surface water: Waters of the state located at 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 nonfilterable residue.

Swimming pool: A facility designed and intended for water contact activities which serves the public, neighborhood, 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.

System improvement costs: Costs incurred to provide additional public facilities capacity to serve new growth and development for planning, design and construction, land acquisition, land improvement, design and engineering related thereto, including the cost of constructing or reconstruction system improvements or facility expansions. System improvement costs include but are not limited to the construction contract price, surveying and engineering fees, related land acquisition costs (including land purchases, court awards and costs, attorneys' fees, and expert witness fees), and expenses incurred for qualified staff or any qualified engineer, planner, architect, landscape architect, or financial consultant for preparing or updating the capital improvements element, and administrative costs, provided that such administrative costs shall not exceed three percent of the total of the costs. Projected interest charges and other finance costs may be included if the impact fees are to be used for the payment of principal and interest on bonds, notes, or other financial obligations issued by or on behalf of the county to finance the capital improvements element. System improvement costs do not include routine and periodic maintenance expenditures, personnel training, and other operating costs.

System improvements: Capital improvements that are public facilities designed to provide service to more than one project or to the community at large, in contrast to "project" improvements.

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.

Temporary sign: A sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure, and displayed for a finite period of time.

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.

Temporary construction structure: The following describe the subcategories of temporary construction structure uses:

- A. Construction Dumpsters. Temporary refuse containers to store trash and recycling during affiliated construction activities, which are not enclosed.
- B. Portable Storage Containers. Designed for the temporary storage of fixtures, furnishings, equipment, or other household goods and materials (also known as PODs). Portable storage containers exclude structures designed for the occupancy by any individual or domestic animal or used as a place of business.
- C. Construction Trailers. Occupiable structures used for temporary management of construction activities and related services.

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

Ticket sales: Sales from the selling of tickets within Rockdale County.

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.

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.

Townhome: A single-family attached dwelling unit that is erected in a row as part of a single building with each unit 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. Including the following two types consisting of:

- A. Two dwellings only on adjoining lots.
- B. Three or more dwellings on adjoining lots.

Trade school, cosmetology and barber: Establishments primarily engaged in offering training in barbering, hair styling, or the cosmetic arts, such as makeup or skin care. These schools provide job-specific certification. The use is primarily done in classroom settings inside a building.

Trade school, apprenticeship training and other technical and trade schools: Establishments primarily engaged in offering job or career vocational or technical courses which may include but not limited to: electricians', plumbers', mechanics', sheet metal workers', bus driver, dental hygienist, security guard. Trade School, Apprenticeship Training and Other Technical and Trade Schools: Establishments primarily engaged in offering job or career vocational or technical courses which may include but not limited to: electricians', plumbers', mechanics', sheet metal workers', bus driver, dental hygienist, security guard training and heavy

equipment operators. The curriculums offered by these schools are highly structured and specialized and lead to job-specific certification.

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 long-term, but not permanent, living accommodations are provided 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.

A. Small transitional housing facility. A transitional housing use for four (4) or fewer individuals.

B. Large transitional housing facility. A transitional housing use for five (5) or more individuals.

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 one and one-half inches or more which normally attains a mature height of a minimum of ten feet.

Tree canopy: The perimeter formed by the outer edge of the branches and leaves of a 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, specimen: 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 by the UDO.

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 by the UDO.

Tree removal: The unauthorized intentional or negligent killing of trees on a parcel of land. Such acts shall include but not be limited to the cutting of trees, and 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 UDO.

Trout streams: All streams or portions of streams within the watershed as designated by the Wildlife Resources Division of the Georgia Department of Natural Resources under the provisions of the Georgia Water Quality Control Act, O.C.G.A. § f, in the rules and regulations for Water Quality Control, Chapter 391-3-6 at www.epd.georgia.gov. Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown or brook trout. Streams designated as secondary trout waters are those in which there is no

evidence of natural trout reproduction but are capable of supporting trout throughout the year. First order trout waters are streams into which no other streams flow except springs.

Unit of development: The standard incremental measure of land development activity for a specific type of land use upon which the rate of demand for public service and facilities is based, such as a dwelling unit, square foot of floor area, motel room, etc.

Unused or excess impact fee: Any individual impact fee payment from which no amount of money or only a portion thereof has been encumbered or expended according to the requirements of the UDO.

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. The utility use is categorized into the following defined use types:

- A. Battery Energy Storage System (BESS): A utility-scale system consisting of one or more battery units, power conversion equipment, and associated infrastructure that stores electrical energy for later discharge and delivery to an electric utility or power service provider. A battery energy storage system does not directly serve on-site electrical demand and is not a primary electric generation facility, but functions as part of the electric power supply system by receiving, storing, and later releasing electricity.
- B. Commercial power generation: A facility or group of facilities designed and operated to produce electricity for sale, distribution, or transmission to the public, a utility provider, or third-party users, rather than solely for on-site consumption. This use includes power plants and generating stations utilizing fossil fuels, nuclear energy, renewable resources, or other technologies. This definition excludes accessory or on-site energy systems intended primarily to serve the principal use on the same property and Battery Energy Storage Systems (BESS).
- C. COW/Co-location/Concealed Wireless Facility:
 - 1. Carrier on Wheels (COW). A portable, self-contained wireless facility that can be moved to a location and set up to provide wireless services on a temporary or emergency basis. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure.
 - 2. Co-location. The placement or installation of wireless communication facilities on existing structures, including electrical transmission towers, water towers, buildings and other structures customarily used for and capable of structurally supporting the attachment of wireless communication facilities in compliance with all applicable codes and regulations.
 - 3. Concealed Wireless Facility. Any wireless communication facility that is integrated as an architectural feature of an existing structure or any new wireless support structure designed to camouflage or conceal the presence of antennas or towers so that the purpose of the facility or wireless support structure is not apparent to a casual observer.

- D. 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. This definition excludes Battery Energy Storage Systems (BESS).
- E. Solar energy facility: A facility that uses solar photovoltaic or solar thermal technology to convert sunlight into electrical or thermal energy. Solar energy facilities may include ground-mounted or roof-mounted systems, solar arrays, inverters, transformers, energy storage systems, and related equipment, and may be designed for on-site use, off-site distribution, or commercial power generation, as permitted by the zoning district.
- F. Wind energy facility: A facility that uses wind-powered turbines to convert wind energy into electricity. A wind energy facility may include one or more wind turbines, towers, foundations, electrical collection systems, substations, access roads, energy storage systems, and associated equipment, and may be intended for on-site use, off-site distribution, or commercial power generation, as permitted by the zoning district.

Variance: A grant of relief of the terms of the UDO 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.

Vegetative erosion and sedimentation control measures: Measures for the stabilization of erodible or sediment-producing areas by covering the soil with:

- A. Permanent seeding, sprigging or planting, producing long-term vegetative cover, or
- B. Temporary seeding, producing short-term vegetative cover; or
- C. Sodding, covering areas with a turf of perennial sod-forming grass.
- D. Such measures can be found in the publication Manual for Erosion and Sediment Control in Georgia.

Vegetated green infrastructure: Green infrastructure that uses trees, shrubs, grasses, or other vegetation along with amended or engineered soils to intercept, retain, infiltrate, and evapo-transpire runoff.

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, business: Vehicles with a gross vehicle weight rating (GVWR) of 8,501 pounds or more that is designed, equipped, or regularly used for business/commercial or industrial purposes, including the transportation of goods, equipment, materials, or multiple passengers in the course of business (including a nonprofit organization). This definition also includes any vehicle, regardless of weight, which falls into one or more of the following categories:

- A. Truck tractor;
- B. Semi-trailer, which shall include flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box-type enclosures;
- C. Tow trucks;
- D. Commercial hauling trucks;
- E. Vehicle repair service trucks;
- F. Vehicles with blades attached for plowing or grading;
- G. Construction vehicle, such as a bulldozer, backhoe, and similar vehicles;

- H. Passenger carrying vehicles with more than 15 passengers, including the driver;
- I. Combinations of vehicles (such as a truck pulling a trailer or other equipment);
- J. A trailer that hauls two or more passenger vehicles; and
- K. Vehicles used to transport hazardous materials, as defined by applicable state or federal regulations.

Vehicle, hazardous: Any motor vehicle, trailer, or equipment that, due to its condition, contents, placement, or manner of parking, creates an immediate or reasonably foreseeable threat to public health, safety, or welfare, including but not limited to one or more of the following:

- A. A vehicle containing hazardous materials, flammable substances, explosives, toxic chemicals, compressed gases, or regulated waste, whether loaded or leaking, except when lawfully parked during active loading or unloading in compliance with applicable regulations;
- B. A vehicle that is inoperable, abandoned, wrecked, dismantled, partially dismantled, or structurally unsafe, including missing wheels, broken axles, leaking fluids, or exposed sharp or hazardous components;
- C. A vehicle that blocks or interferes with emergency access, fire lanes, driveways, sidewalks, bicycle facilities, traffic lanes, or sight-distance areas;
- D. A vehicle parked in a manner that creates a fire hazard, including proximity to structures, vegetation, ignition sources, or fuel storage inconsistent with fire code requirements;
- E. A vehicle with active fuel, oil, coolant, sewage, chemical, or battery leakage;
- F. A vehicle used for the storage of equipment, materials, or substances in a manner that poses a risk of explosion, contamination, collapse, or injury;
- G. A vehicle that presents an electrical hazard, including exposed wiring, generators, or charging equipment not compliant with applicable codes; or
- H. Any vehicle determined by a law enforcement officer, fire official, or code enforcement officer to pose an immediate danger to persons or property based on observable conditions.

Vehicle sign: A sign attached to or painted on a vehicle parked and visible from the public right-of-way, unless said vehicle is used for transporting people or materials in the normal day-to-day operations of the business. A vehicle sign is a type of portable sign.

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.

Wall sign: A sign painted on, attached to or mounted to the wall or surface of a building or structure.

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 nondomestic 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.

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.

Watercourse: Any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

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.

Window sign: A sign installed on the interior or exterior of a window and intended to be viewed from the outside of the building. Includes signs made of perforated film and other semi-opaque materials. Window signs are distinct from wall signs.

Wireless communication facility: The equipment and network components necessary to provide wireless communications service, excluding the underlying wireless support structure. The term includes antennas, accessory equipment, transmitters, receivers, base stations, power supplies, cabling, and associated equipment necessary to provide wireless communications services.

Wireless support structure: A freestanding structure, such as a monopole or tower, designed to support wireless communication facilities.

W-P country store: A community store building lawfully in existence prior to the adoption of the watershed protection zoning district, used solely or principally for the purpose of sales to the public of general merchandise, including, but not limited to packaged food and beverages, small houseware articles, papers and magazines, and similar "general store" items.

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 the UDO and delineated and designated on the zoning maps, within which the zoning regulations are uniform.

EXHIBIT “B”

Repeal and Replacement of Certain Sections of Title 2, Chapter 202 (General Provisions), Section 202-6

2.4 Relationship to Comprehensive Plan.

A. Land use role of the Comprehensive Plan.

1. The Comprehensive Plan is hereby established as the official policy of the County concerning designated land uses and development types, under which the unincorporated areas of the County are divided into land use categories and character areas.
 2. Rockdale County has adopted the Comprehensive Plan to include a Future Land Use Map and a Character Area Map. The two maps shall work in tandem with one another to provide guidance in the request for zoning amendments. The Character Area map is mandated to identify the broad character of the landscape, including where limited growth is desirable, and areas where more intense development is preferred.
- B. The land use categories and character areas established in the adopted Comprehensive Plan and shown on the Future Land Use Map are intended to guide legislative decisions related to rezoning requests and special use permits. These land use categories are implemented through the approval of zoning map amendments to zoning districts identified in Table 2.4: Zoning Districts Permitted by Future Land Use Designation.
1. The Comprehensive Plan does not change existing zoning districts, does not effectuate an amendment to the Official Zoning Map, and does not itself permit or prohibit any specific land use. Rather, the Comprehensive Plan establishes broad planning policies for current and future development and identifies land use categories within which certain zoning districts may be considered.
 2. The Future Land Use Map represents the general location and intensity of future land uses and is intended to assist staff, the Planning Commission, and the Board of Commissioners in evaluating the appropriateness and compatibility of proposed rezonings and special use permits.
 3. Zoning districts that may be approved within each land use category shall be limited to those identified in the table of zoning districts permitted within each land use category contained in this section.

Table 2.4: Zoning Districts Permitted by Future Land Use Designation													
		Future Land Use Designation											
		Watershed Protection	Parks and Recreation	Low Density Residential	Medium Density Residential	High Density Residential	Neighborhood Commercial	Commercial	Mixed Use/Employment Center	Historic Village	Office/Institutional	Light Industrial	Technology Park
P	er mi	Watershed Protection (W-P)	X	X	X								

Agricultural Residential (A-R)		X	X	X								
Single Family Residential (R-1)		X	X	X					X			
Residential Multi-Family (RM)				X	X				X			
Conservation Village (CV)		X	X	X	X							
Monastery Village (MV)	X	X	X	X								
Office Institutional (OI)		X				X	X	X		X		X
Traditional Neighborhood (NC)						X	X	X	X	X		
Local Commercial (C-1)						X	X	X		X		
General Commercial (C-2)							X					
Mixed Use Development (MXD)		X	X	X	X		X	X				
Limited Industrial (M-1)							X				X	X
General Industrial (M-2)											X	X

2.5 District Conversions.

Land use districts established under prior Rockdale County ordinances are hereby renamed as the zoning districts set forth in Table 2.5. On and after the Effective Date, all provisions of this UDO applicable to a zoning district shall govern properties previously classified in the corresponding land use district. All references in any prior approvals or documents to the former land use district shall be construed to refer to the new zoning district name and designation. This renaming does not change any previously approved boundaries, conditions, or entitlements.

Table 2.5: District Conversions	
Base and Special Zoning District Conversions	
Zoning Districts under previous UDO	Zoning Districts under new UDO
A-R, Agricultural- Residential	A-R, Agricultural Residential District
CSD, Conservation subdivision development district	CV, Conservation Village District
R-1, Single-family residential district	R-1 Single-Family Residential District
R-2, Two-family (duplex) residential district	RM, Multi-Family Residential District
RM, Residential multifamily district	
MRU, Mixed residential multi-family district	MXD, Mixed-Use Development District
C-1, Local Commercial District	C-1, Local Commercial District
C-2, General Commercial District	C-2, General Commercial District
NC, Neighborhood Commercial	NC, Traditional Neighborhood District
MxD, Mixed-use development district	MXD, Mixed-Use Development District

OPB, Office-business Park district	OPB, Office-business Park district
O-I, Office-Institutional District	O-I, Office-Institutional District
CID, Civic-Institutional District	CID, Civic-Institutional District
W-P, Watershed Protection District	W-P, Watershed Protection District
CRS, Collaborative residential subdivision	MV, Monastery Village District
CSO, Conservation Subdivision Ordinance	
M-1, Limited Industrial District	M-1, Limited Industrial District
M-2, General Industrial District	M-2, General Industrial District
Overlay District Conversions	
Overlay Districts under previous UDO	Overlay Districts under new UDO
Salem Rd Corridor Overlay (SRCO)	SRCO, Salem Rd Corridor Overlay District

EXHIBIT “C”

Repeal and Replacement of Certain Sections of Title 2, Chapter 206 (Base Zoning Districts)

Article 5: Agricultural and Residential Districts (including mixed use)

Table 5.1: Agricultural and Residential Districts
A-R, Agricultural Residential District
R-1, Single Family Residential District
RM, Multi-Family Residential District
CV, Conservation Village District
NC, Traditional Neighborhood District
MXD, Mixed-use Development District

5.1 Agricultural and Residential Districts.

5.1.1 *Agricultural Residential District (A-R).*

- A. Purpose. The A-R District is intended to accommodate low-density single-family residential development in a rural setting where residential uses can coexist compatibly with agricultural activities. The district supports the preservation of agricultural lands, working farms, and related rural character while allowing residential development that respects customary agricultural operations, open landscapes, and natural features.
- B. Development within the A-R District is intended to occur at a scale and intensity that minimizes conflicts between residential and agricultural uses, protects scenic views and environmental resources, and maintains the county’s rural heritage. The district encourages development patterns that conserve open space, reduce fragmentation of farmland, and support the long-term viability of agricultural uses alongside residential living.

5.1.2 *Single Family Residential District (R-1).*

- A. Purpose. The R-1 District is intended to accommodate single-family residential development at low to medium densities in established and developing neighborhoods, providing for a consistent residential character supported by appropriate infrastructure and community amenities.

5.1.3 *Multi-Family Residential District (RM).*

- A. Purpose. The RM District is intended to accommodate multi-family residential development in areas suitable for higher-density housing. Such areas shall be served by adequate public facilities and amenities, including public water and sanitary sewer systems. Careful consideration of drainage, topography, open space, and other environmental factors is required to ensure that development within the district is appropriate and sustainable.

5.1.4 *Conservation Village District (CV).*

- A. Purpose. The CV District is intended to accommodate consolidated and efficient residential development that is intentionally designed to conserve natural resources, protect environmental features, and create a cohesive community character that harmonizes development with the landscape. The district emphasizes permanent conservation of sensitive environmental areas

while allowing thoughtfully clustered development that minimizes land disturbance and infrastructure impacts.

- B. The CV District is further intended to encourage innovative site planning and design that prioritizes open space preservation, environmental stewardship, and high-quality community design. Development within the district should foster walkable neighborhoods, interconnected green spaces, and strong internal and external connectivity, while supporting passive recreation, scenic viewsheds, and a distinct sense of place. Through flexible design standards and a conservation-first approach, the CV District seeks to balance residential development with long-term environmental protection and community livability. Additionally, the CV district is intended to encourage and foster the following:

1. *Environmental Conservation & Resource Protection:*

- a. Preserve sensitive natural resources in perpetuity and view sheds, including streams, creeks, lakes, groundwater, floodplains, wetlands, steep slopes, woodlands, specimen trees, and wildlife habitat.
- b. Protect interconnected conservation areas such as wildlife corridors, green space, and multi-modal trails to support biodiversity, water quality, and passive outdoor recreation.
- c. Minimize environmental impact by reducing land disturbance, preserving mature vegetation, and controlling stormwater runoff, erosion, and sedimentation.

2. *Development Design & Land Use Efficiency:*

- a. Encourage clustering of development in less environmentally sensitive areas to reduce impervious surfaces, infrastructure needs, and utility easements.
- b. Promote design flexibility for innovative residential projects that set high standards for landscaping, green space integration, community design, and public amenities.

3. *Community Character & Connectivity:*

- a. Create a distinct and attractive place that is walkable, environmentally responsible, and visually appealing through landscaped trails, bike paths, and public gathering spaces.
- b. Connect neighborhoods to surrounding communities, businesses, and facilities to reduce automobile reliance and foster community interaction.
- c. Support traffic calming and street connectivity to reduce speeds within subdivisions and lessen dependence on main corridors.

5.1.5 Monastery Village District (MV).

- A. Purpose. The MV District is intended to accommodate village-scale residential development that is sensitive to its setting and designed to complement nearby institutional, cultural, or contemplative uses, including the adjacent monastery. The district emphasizes a restrained, cohesive design approach that supports a quiet residential environment, modest building forms, and a pedestrian-oriented village character.
- B. Development within the MV District is intended to promote thoughtful site design that balances residential density with open space, preserves scenic views and mature landscape features, and minimizes visual and environmental impacts. Streets, building orientation, and public spaces should be designed to encourage low traffic speeds, walkability, and informal community interaction while maintaining a sense of calm and separation from more intensive development

patterns. Pedestrian and bicycle connections are encouraged where appropriate to provide access to surrounding amenities while respecting the contemplative character of the area.

5.1.6 Traditional Neighborhood District (NC).

- A. Purpose. The purpose of the NC district is intended to accommodate low-impact commercial services and retail uses in walkable development patterns that are designed to be compatible in scale and appearance with surrounding residential buildings and conveniently located to serve nearby residents and employees. Development within the district should provide well-designed, human-scale structures that support the needs of a diverse population while maintaining compatibility with adjacent residential neighborhoods. The district is further intended to serve as a transition between single-family residential areas and more intensive commercial, civic, or office uses, and to encourage design flexibility for innovative projects that set high standards for landscaping, green space, community design, and public amenities.

5.1.7 Mixed-use Development District (MXD).

- A. Purpose. The MXD District is intended to provide a flexible framework for compact, walkable development that integrates a mix of residential, employment, commercial, and retail uses in a coordinated and efficient manner. The district is designed to improve the efficiency of land use and transportation systems and enhance quality of life by encouraging interrelated uses within well-connected, pedestrian-oriented environments. Development within the MXD District should provide places of employment alongside housing and neighborhood-serving commercial services in buildings that are compatible with adjacent neighborhoods. The district further encourages innovative development projects that demonstrate high standards of design, landscaping, green space integration, community character, and public amenities.

5.3 Agricultural and Residential Districts Developmental Regulations.

5.3.1 General Agricultural and Residential Developmental Regulations.

A.

Table 5.3.1: Agricultural and Residential Districts Developmental Regulations											
Zoning District	Min. Development Size	Min. Lot Size (sewer/septic)	Max. Density DU/acre (sewer/septic)	Min. Lot Width	Min. Street Setback (collector/local)	Min. Interior Side Setback	Min. Rear Setback	Min. Heated Floor Area	Max. % Lot Coverage	Min. % Open Space	Max. Bldg. Height (primary/accessory)
A-R	N/A	3 acres/3 acres	0.33/0.33	150 ft.	75 ft./50ft.	30 ft.	50 ft.	1,200 sq. ft.	15%	0%	35 ft./25 ft.
R-1	N/A	30,000 sq. ft./1 acre	1.45/1.0	100 ft.	40 ft./25 ft.	15 ft.	40 ft.	1,200 sq. ft.	25%	0%	35 ft./25 ft.

RM	5 acres	5 acres/5 acres	24/24	250 ft.	50 ft./50 ft.	50 ft.	50 ft.	See below*	40%	25%	45 ft. or 3 stories/15 ft.
CV	5 acres	6,000 sq. ft./N/A	7.2/N/A	40 ft.	10 ft.	7.5 ft.	25 ft.	800 sq. ft.	60%	15%	35 ft./15 ft.
MV	5 acres	10,000 sq. ft./N/A	4.3/N/A	50 ft.	20 ft.	10 ft.	25 ft.	1,000 sq. ft.	60%	40%	35 ft./15 ft.

*Minimum Heated Floor Area for multi-family uses:

- 600 square feet for an efficiency unit
- 800 square feet for one bedroom unit.
- 1,000 square feet for two-bedroom unit.
- 1,300 square feet for three or more-bedroom unit.

B.

Table 5.3.1B: Mixed-use Developmental Regulations

Zoning District	Min. Lot Size	Max. Density DU/acre	Min. Lot Width	Min. Street Setback (collector/local)	Min. Side Setback	Min. Rear Setback	Min. Heated Floor Area	Max. % Lot Coverage	Min. % Open Space	Max. Bldg. Height (primary/accessory)
NC	1 acre	1 acre	100 ft.	15 ft.	10 ft.	40 ft.	1,200 sq. ft.	65%	10%	50 ft./15 ft.
MXD	10 acres	24	400 ft.	10 ft./10 ft.	10 ft.	10 ft.	See below*	80%	15%	50 ft. or 4 stories/15 ft.
W-P	5 acres	0.2	150 ft.	75 ft./50 ft.	30 ft.	50 ft.	1,200 sq. ft.	10%	10%	35 ft./15 ft.

*Minimum Heated Floor Area for multi-family uses:

- 600 square feet for an efficiency unit
- 700 square feet for one bedroom unit.
- 900 square feet for two-bedroom unit.

- 1,100 square feet for three or more-bedroom unit.

7.2 Watershed Protection District (W-P).

7.2.1 Purpose.

- A. The Board of Commissioners finds that Big Haynes Creek watershed has long been identified through regional, state, and local planning efforts as a critical present and future water supply for Rockdale County. Consistent with the County Comprehensive Plan, regional water supply plans adopted by the Atlanta Regional Commission, and studies conducted by state and federal agencies, Rockdale County established the Watershed Protection (W-P) zoning district to protect the drainage basin contributing to Randy Poynter Lake (formerly the Big Haynes Creek reservoir). Further, the W-P district is intended to:
 1. Protect and preserve water quality for the County's public water supply and intake facilities, including the County's water treatment plant, while safeguarding the environmental and aesthetic integrity of the watershed.
 2. Prevent future environmental degradation by limiting development intensity, controlling impervious surface coverage, protecting wetlands and stream buffers, and restricting land uses that could adversely affect water quality.
 3. Promote the public health, safety, and general welfare of Rockdale County by providing for low-density residential development, public and private open space, park land, and limited recreational uses that are compatible with, and subordinate to, the primary purpose of protecting the County's drinking water supply, also consistent with chapter 62, article II, Haynes Reservoir Management.
- B. The W-P district is intended to provide for low density residential development, public and private open space, park land, and related uses that are compatible with the primary purpose of protecting the purity of the water and that are substantially related to the primary intended land use of low-density residential development and limited recreational uses.

7.2.2 District Boundaries.

There is hereby established a zoning district known as the watershed protection district (W-P). This W-P district shall consist of all land within the district boundary line specified as W-P including all subzones, on the county's official zoning map. The regulations set forth in this section apply to all land within this W-P district.

7.2.3 Watershed Subzones.

- A. The watershed protection (W-P) district has distinct land areas that require separate regulations. Accordingly, there are hereby created five subzones within the W-P district.
- B. These five subzones shall be delineated as specified on the official zoning map and made a part of this section. Uses permitted within each subzone shall be as specified in Table 7.2.4 of permitted uses. All other regulations set forth in this section shall apply to all subzones, unless otherwise stated. The following further describes each subzone area:
 1. **W-NR: Watershed/non-reservoir area.** The watershed/non-reservoir area subzone comprises the watershed area within the boundaries of the county as defined in the comprehensive plan. This area comprises all land outside the reservoir water area, the reservoir buffer area, the reservoir recreation area and the reservoir prohibited areas.

2. **W-RW: Watershed/reservoir water area.** The watershed/reservoir water area subzone comprises the entire area of the water impoundment owned in fee simple by the county.
3. **W-RR: Watershed/reservoir recreation area.** The watershed/reservoir recreation area subzone comprises areas suitable for recreational uses. This subzone comprises governmentally owned land both within and outside the normal pool of the reservoir. The portion of the recreation area subzone lying outside the normal pool area comprises approximately 25 percent of the reservoir shoreline and is subject to the Big Haynes Reservoir Management Ordinance as found in article II of chapter 62.
4. **W-RB: Watershed/reservoir buffer area.** The watershed/reservoir buffer area subzone is comprised of the land area lying within 150 feet, horizontally, outside of the reservoir impoundment water surface at normal pool.
5. **W-RP: Watershed/reservoir prohibited area.** The watershed/reservoir prohibited area subzone is comprised of those areas associated with the reservoir that are established for the protection of project operations and ecosystems and to provide for the physical safety of the recreational visitor. This subzone comprises approximately one percent of the reservoir shoreline.

7.2.4 Permitted Uses.

- A. Principal uses and structures. Principal uses and structures shall be permitted in the W-P district as listed in the UDO in Table 7.2.4. The table of permitted uses sets forth the uses permitted in each subzone of the watershed protection zoning district. No use shall be permitted and no structure associated with such use shall be erected, structurally altered or enlarged unless the use is permitted as one of the following:

1. P: A permitted use.
2. SUP: A use requiring a special use permit subject to approval following the application procedures and requirements in Section 18.7, Special Use Permits.
3. Any use listed with a "Yes" in the column headed by the words "Supplemental Use Standards?" in the table below shall satisfy the applicable supplemental use standards, as established in Article 9, in addition to the development regulations of the district in which it is located.

Table 7.2.4: Permitted Uses in the W-P District						
"P" = permitted use "SUP" = special use permit Blank cell = prohibited use						
	Supplemental Use Standards?	W-NR	W-RW	W-RR	W-RB	W-RP
Agricultural Uses						
Apiary	Yes	P				
Farming, Commercial	Yes					
Greenhouse, Nursery and Floriculture Production	Yes					
Livestock Quarters and Enclosures	Yes	SUP				

Horse Stables, Riding, and Boarding	Yes	SUP				
Residential Uses						
Dwelling, Single-Family Detached		P				
Manufactured Home	Yes	SUP				
Industrialized Home	Yes	P				
Limited Recreation Uses						
Public-Owned Recreation Facility		P		P		
Accessory Uses						
Lodging, Short-term Rental	Yes	P				
Other Accessory Buildings and Structures	Yes	P		P		
Accessory Dwelling Units	Yes	P				
Home Occupations	Yes	P				
Temporary Uses						
Temporary Construction Structures	Yes	P		P		

7.2.5 Nonconforming Uses: W-P Country Stores.

Except as otherwise provided herein, all nonconforming situations shall be regulated pursuant to Section 19.4, Nonconforming Situations of the UDO.

A. Findings.

1. The Board of Commissioners finds that a limited number of legally established W-P Country Store uses existed within the W-P district prior to adoption of the watershed protection regulations. The Board further finds that protection of water quality and environmental resources must be carefully balanced with the hardship imposed on these existing uses and the public benefit of continuing to provide limited retail services within the district.
2. Accordingly, the Board of Commissioners authorizes limited alteration or expansion of these existing nonconforming country store uses only as expressly provided herein. It is the intent of this subsection to prohibit the establishment of any new nonresidential use or structure within the W-P District, including but not limited to restaurants, convenience stores, gasoline sales, or other retail establishments not expressly authorized.

B. Notwithstanding the provisions of Section 19.4, legally established nonconforming country store uses within the W-P district may be renovated or expanded only in strict compliance with the following standards:

1. Architectural Design. All applications for the renovation, redevelopment, expansion, or improvement shall provide detailed architectural plans and renderings. Such

construction plans shall reflect an architectural style that is consistent with the residential and rural development pattern in the W-P district. All such plans shall be reviewed by the Director of Planning and Development for consistency with these requirements.

- a. The front elevation exterior facade, visible from the public right-of-way, shall be constructed of wood.
2. Building Size and Height. No building shall exceed 2,500 square feet of gross floor area as measured to the outside face of walls, and are limited to one story, not to exceed 20 feet in height.
3. Site Limitations. Alterations or expansions shall be limited to a single building on the same site platted prior to the establishment of the W-P district. Such sites may be replatted to a maximum allowable lot area of 1.5 acres.
4. Such buildings shall be used solely for traditional country store retail sales.
5. Development Standards. Except as specified here, all applicable commercial and residential development regulations of this UDO shall apply:
 - a. Minimum building setbacks:
 - i. Side yard: 25 feet.
 - ii. Rear yard: 40 feet.
 - b. A minimum ten-foot wide landscape strip shall be provided along all road frontages.
 - c. A 25-foot, natural transitional buffer shall be maintained along the rear and side yard property lines, supplemented by a 100-percent opaque fence for the extent of said property line. Screening shall comply with Article 11.
6. Variances and appeals. Variances and appeals to this section shall be governed by Section 18.8 and 18.10, respectively.

7.2.6 Property Development Standards.

Property in the W-P district may be developed in accordance with Table 6.3.1, Development Regulations – Non-Residential and Mixed-Use Districts, as well as the following provisions:

- A. For W-P tracts immediately contiguous to the reservoir buffer area (W-RB), the standards of Table 7.2.6 shall apply:

Table 7.2.6: W-P Tracts Contiguous to W-RB	
Minimum depth of lot (inclusive of 150-foot lake shore buffer):	400 ft.
Minimum lake shore frontage:	125 ft.
Impervious surface setback:	150 ft.
Septic system setback:	150 ft.
1. Frontage and setbacks shall be measured from the reservoir water surface at normal pool elevation 735 MSL.	

- B. Density, lot size, and setback requirements:
 1. A site plan, approved by the Rockdale County Environmental Health Service and the Department of Planning and Development, shall be required prior to the issuance of a building permit.
 2. All divisions of land in the W-P district shall meet the minimum lot size specified in this section. Lots of record lawfully in existence prior to October 11, 1994 and that do not meet the minimum lot size specified in the W-P district shall be deemed legal

nonconforming lots and may be developed in accordance with all other requirements specified in this section.

- C. Stream buffers. All perennial streams within the W-P district shall be regulated by each of the following criteria:
1. A natural or enhanced vegetated area with limited land disturbances shall be maintained for a distance of 100 feet from both sides of the stream as measured from the stream banks.
 2. No impervious surface shall be constructed or placed within 150 feet from both sides of the stream as measured from the stream banks.
 3. No septic tanks or septic tank drain fields shall be constructed or placed within 150 feet of both sides of the stream as measured from the stream banks.
- D. On-site wastewater management systems. County regulations require a permit for siting and installation of septic tanks and absorption fields from the Rockdale County Environmental Health Department. Such laws, ordinances, and regulations shall be applicable to the W-P district.

EXHIBIT “D”**Repeal and Replace Title 2, Chapter 210 (Overlay Zoning Districts), Sections 210-1 and 21**

Article 8: Overlay Districts

8.1 Salem Road Corridor Overlay.

8.1.1 Purpose.

The purpose of the Salem Road Corridor Overlay (SRCO) is:

- A. To enhance the quality and compatibility of development in the SRCO.
- B. To encourage appropriate redevelopment of underutilized and blighted property.
- C. To create a sense of place that is aesthetically appealing, walkable and environmentally responsible.
- D. To encourage a balance of uses for living, working, shopping and playing that are accessible within a convenient walking distance.
- E. To promote safe and efficient movement within the SRCO for persons using all modes of travel - motorized vehicles, public transportation, bicycles and walking.
- F. To encourage innovative development projects that set high standards for landscaping, open space, community design, and public amenities.
- G. To establish consistent and harmonious design standards for public improvement and private property development within the SRCO so as to unify the distinctive visual quality of the Salem Road Corridor.

8.1.2 Boundaries.

- A. Boundary map. The boundaries of the SRCO are shown on the official zoning maps, which boundary and maps are hereby incorporated into and made part of this SRCO. The provisions of this SRCO shall apply to all parcels of land and rights-of-way, or portions thereof, within the boundaries of the SRCO. Any parcel of land that is wholly or partly within the boundary shall be included.
- B. Map amendments. No change in the boundary of the SRCO shall be authorized, except by the Board of Commissioners pursuant to procedures in Section 18.5, Rezoning (Map Amendment).

8.1.3 Effect of SRCO Provisions.

- A. Application. This SRCO is supplemental to the underlying zoning district classifications established in UDO governing all properties and approvals within this SRCO. These SRCO regulations shall be overlaid upon and shall be imposed in addition to said underlying zoning regulations and other Rockdale County ordinances. The provisions of this SRCO apply to all applications for rezoning, land disturbance permits, driveway permits, plan review, plat approval, building permits and utility permits for all property and rights-of-way within the boundaries of the SRCO.
- B. All plan reviews, road and utility projects, plat approvals, and permits for parcels located within this SRCO shall meet all of the requirements of the base zoning district in which it is located and, in addition, shall meet the requirements of the SRCO applicable to the parcel.
- C. The Salem Road Corridor Overlay (SRCO) Design Standards, dated May 14, 2004 and hereby incorporated by this reference, shall apply to all property and public improvements that are subject to this section.

- D. Relationship to underlying zoning district standards. In any case where the standards and requirements of the SRCO conflict with those of the base zoning district or other provisions of the UDO, including but not limited to subdivision regulations, the standards and requirements of the SRCO shall govern.

8.1.4 Reserved.

EXHIBIT “E”

Repeal and Replace Title 2, Chapter 214 (Standards Applying to All Districts), Section 214-14

10.7 Architectural Design Standards.

10.7.1 Applicability.

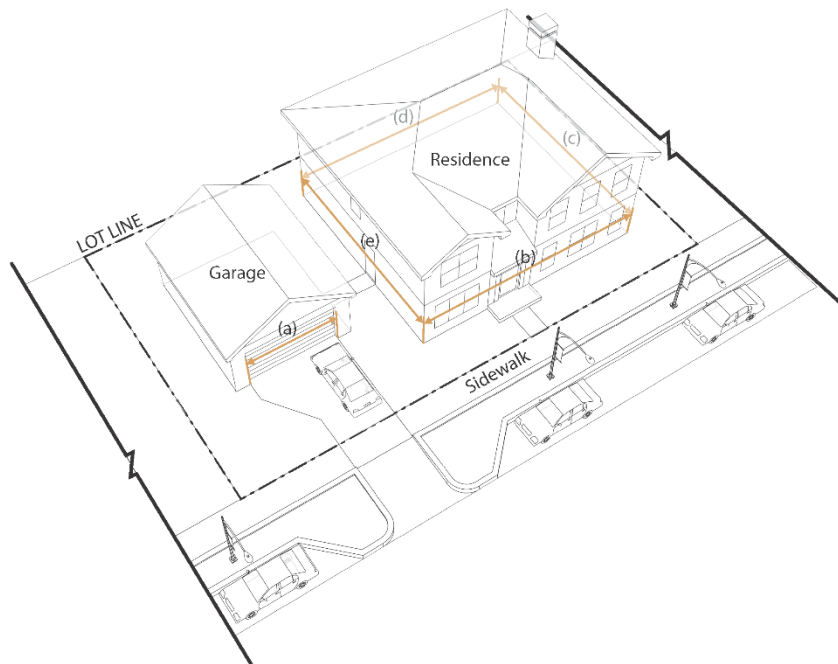
- A. The architectural design standards established in this section shall apply to all zoning districts, as applicable.
- B. These standards are intended to ensure high-quality design, long-term durability, and compatibility with surrounding development, particularly where new construction or redevelopment abuts residentially zoned properties.
- C. Where any provision of this section conflicts with a standard or requirement expressly stated within a zoning district, overlay district, or adopted design guideline, the stricter standard or requirement shall control, unless otherwise expressly stated.

10.7.2 Architectural Design Standards for Attached and Detached Residential Buildings.

- A. Exterior Materials.
 - 1. Exterior front façades shall include brick, stone, stucco, cementitious siding, cementitious shakes, or wood shakes. A minimum of forty percent (40%) brick or stone shall be required on the front façade.
 - 2. Side and rear façades shall include a minimum of twenty-five percent (25%) brick or stone, with remaining materials limited to stucco or cementitious siding.
 - 3. Vinyl materials may be utilized only in eaves and soffits and for window casings.
- B. Façade Articulation and Massing.
 - 1. Front façades shall incorporate at least two (2) of the following architectural features:
 - a. Shutters proportioned to one-half ($\frac{1}{2}$) the width of the window and the full height of the window opening, excluding trim; plastic or vinyl shutters are prohibited.
 - b. Covered front porch with a minimum depth of six (6) feet.
 - c. Decorative windows, including Palladian, arched, bay, bow, garden, circular, or transom windows.
 - d. Decorative doors, which may include paneled doors with or without glazing; sidelights (in pairs only) and transom windows are encouraged.
 - e. Roof eave brackets or similar architectural detailing.
 - 2. Porches.
 - a. A minimum of one covered porch per unit is required. The required covered porch may be located on any building façade.
 - b. Area shall be a minimum area of one hundred twenty (120) square feet.
 - c. Porches shall have a minimum depth of six (6) feet.
 - 3. Attached residential buildings shall be limited to a maximum of six (6) dwelling units per building.
- C. Roof Form.
 - 1. All residential buildings shall have pitched roofs.
 - 2. Rooflines may include varying forms customary to gable or hip roof designs.
 - 3. Dormer windows or vents are encouraged.
 - 4. Permitted roofing materials include asphalt shingles, standing-seam metal, and slate.

D. Garages.

1. A minimum two-car garage shall be required for all single-family detached residences.
2. Front-facing garage doors shall not occupy more than forty percent (40%) of the linear width of the front façade.
3. Front-facing garage doors shall be recessed or offset a minimum of five (5) feet from the primary façade plane. This offset may be achieved through conditioned interior space or a porch.



For Garages on Detached Residential Uses:
(a) ≤ 40% of (b), (c), (d), and (e) each

Figure 10.7.2 – Garage Requirements for Attached and Detached Residential Buildings.

E. Mechanical and Utilities.

1. Ground-mounted or wall-mounted mechanical equipment shall be located on the side or rear of the dwelling and screened from public view in accordance with Article 11.
2. All roof vents, pipes, antennas, satellite dishes, and similar equipment (excluding chimneys) shall be located on rear roof elevations where practicable. Equipment other than satellite dishes shall be painted to match the roof color or otherwise integrated into the roof or house materials to minimize visibility from the public right-of-way.
- 3.

F. Chimneys.

1. All exterior chimneys and chimney enclosures shall extend to the ground and be clad in brick, stone, or stucco.
2. Chimneys shall extend a minimum of three (3) feet above the roofline.

G. Landscaping.

1. All disturbed areas shall be sodded and stabilized.

H. Accessory Structures.

1. Accessory structures shall be architecturally compatible with the primary structure to the greatest extent practicable. Agricultural accessory structures are exempt from this requirement, provided a building permit has been obtained.
2. All accessory structures shall comply with Section 9.8, Accessory Uses and Structures.

I. Repetitive Design.

1. Developments containing ten (10) or more single-family residences shall provide a minimum of five (5) distinct elevations or at least ten percent (10%) of the total number of lots within a development phase, whichever is greater. Identical or mirrored elevations shall not be located on adjacent lots or directly across the street from one another.

J. Site and Service Elements.

1. Driveways shall be a minimum of twenty-five (25) feet in depth measured from the public right-of-way and shall not encroach into sidewalks.
2. Sidewalks within residential developments shall be a minimum of five (5) feet in width and provided on both sides of public or private streets unless impracticable due to site constraints.
3. Individual utility systems and metering shall be provided for each unit, and utility easements shall be established where lateral connections occur.

10.7.3 Architectural Design Standards for Multifamily Residential and Mixed-Use Buildings.

A. Exterior Materials.

1. Front façades shall include a minimum of fifty percent (50%) brick or stone.
2. Side and rear façades shall include a minimum of thirty percent (30%) brick or stone.
3. Vinyl materials may be utilized only in eaves and soffits and for window casings.
4. All buildings within a development, including principal buildings and outparcels, shall be designed to be architecturally compatible with one another, including through the coordinated use of exterior materials, colors, roof forms, and architectural detailing.

B. Façade Articulation and Massing.

1. Buildings shall incorporate architectural features such as offsets, balconies, pilasters, projections, material changes, or similar elements.
2. The maximum uninterrupted wall length along any street-facing façade shall not exceed one hundred fifty (150) feet.
3. Façades shall be articulated both vertically and horizontally to reduce apparent mass.
4. Buildings greater than three (3) stories in height shall incorporate at least one significant color change, material change, or architectural feature on either the lower or upper story. This requirement shall not apply to corner elements, entrance features, or architectural projections designed to emphasize entrances or articulate a distinct building volume.

C. Entrances and Ground-Floor Design.

1. Primary building entrances shall be clearly defined and visible from the public street.
2. Where a building fronts a major or arterial roadway, the ground floor (sidewalk level) shall be occupied by commercial or office uses. Leasing offices, fitness centers, clubhouses, or other resident-only amenity spaces shall not satisfy this requirement. Uses open and accessible to the general public may satisfy this requirement.

D. Roof Form and Height Articulation.

1. Rooflines shall be varied to reduce the appearance of mass.
 2. Buildings exceeding three (3) stories in height shall incorporate a significant color change, material change, or architectural feature on either the lower or upper stories.
- E. Security and Transparency.
1. Exterior burglar bars, security grilles, steel roll-down curtains, or similar security devices on windows or doors are prohibited.
 2. All street-facing fenestration shall consist of transparent glazing and shall not include mirrored, reflective, translucent, opaque, or blacked-out glass.
- F. Residential Adjacency.
1. Where a multifamily or mixed-use building abuts or is directly adjacent to a residentially zoned property, façades facing such property shall maintain a residential appearance through compatible materials, massing, roof forms, window proportions, and architectural detailing.
- G. Building Performance.
1. Common walls and common ceilings between dwelling units shall achieve a minimum Sound Transmission Class (STC) rating of 50.
- H. Mechanical, Utilities, and Service Areas.
1. Mechanical and HVAC equipment shall be roof-mounted and screened from public view using parapets or architectural screening.
 2. Exterior utility closets are prohibited.

10.7.4 Architectural Design Standards for Commercial Buildings.

The following provisions shall apply to all commercial, institutional, or professional buildings:

- A. Exterior Materials.
1. On all façades visible from a public right-of-way, the ground-floor portion of the building shall be constructed of brick, natural stone, high-grade stucco, or glass.
 2. Upper stories shall be constructed of brick, high-grade stucco, glass, or a combination thereof.
 3. A minimum of thirty percent (30%) of each street-facing façade shall consist of masonry materials.
 4. Exposed concrete block, metal panels, tilt-up concrete, or tile shall not be permitted as primary exterior façade materials on street-facing façades.
 5. Masonry materials shall wrap building corners to avoid the appearance of applied veneer.
 6. All buildings within a development, including principal buildings and outparcels, shall be designed to be architecturally compatible with one another, including through the coordinated use of exterior materials, colors, roof forms, and architectural detailing.
- B. Façade Articulation and Massing.
1. Commercial buildings shall incorporate architectural features such as windows, doors, pilasters, offsets, material changes, cornices, or similar elements to provide visual interest and reduce perceived mass.
 2. Blank walls exceeding fifty (50) feet in length along any street-facing façade are prohibited.
 3. Façades shall be articulated both vertically and horizontally through building plane offsets, material changes, fenestration patterns, or architectural detailing.
- C. Entrances and Pedestrian Orientation.

1. Primary building entrances shall face a public street where feasible and shall be clearly identifiable through architectural emphasis, such as canopies, recesses, projections, or material changes.
2. Buildings located on corner lots shall orient primary entrances toward the corner or the more prominent street frontage where practicable.

D. Fenestration and Transparency.

1. Exterior burglar bars, security grilles, steel roll-down curtains, or similar security devices on windows or doors are prohibited.
2. All street-facing fenestration shall consist of transparent glazing and shall not include mirrored, reflective, translucent, opaque, or blacked-out glass.

E. Roof Form and Height Articulation.

1. Rooflines shall be articulated through parapets, cornices, step-backs, or material changes to avoid flat, uninterrupted roof edges.
2. Rooftop mechanical equipment shall be screened from public view using parapets or architecturally integrated screening materials.

F. Mechanical, Utilities, and Service Areas.

1. Mechanical and HVAC equipment shall be roof-mounted and screened from public view using parapets or architectural screening.
2. Exterior utility closets are prohibited.
3. Loading docks, service doors, and refuse collection areas shall not be located along primary street frontages unless no reasonable alternative exists.

G. Residential Adjacency and Conversions.

1. Where a residential structure is converted to commercial, institutional, or professional use and is adjacent to single-family residential zoning, all required parking shall be located in the rear yard.
2. Converted structures shall retain a residential architectural appearance, including roof form, façade materials, window proportions, and overall massing.

EXHIBIT “F”**Amendment of Certain Sections of Title 2, Chapter 218 (Use Regulations)****5.2 Agricultural and Residential Districts Land Use Regulations.****5.2.1 General.**

A. The uses set forth in the table below shall be permitted only as listed within each zoning district and only in the manner so listed. Any use not listed in said table is prohibited in all districts. No use shall be permitted and no structure associated with such use shall be erected, structurally altered, or enlarged unless the use is permitted as one of the following:

1. P: A permitted use.
2. SUP: A use requiring a special use permit subject to approval following the application procedures and requirements in Section 18.7, Special Use Permits of the UDO.
3. Any use listed with a "Yes" in the column headed by the words "Supplemental Use Standards?" in the table below shall satisfy the applicable supplemental use standards, as established in Article 9, in addition to the development regulations of the district in which it is located.

5.2.2 Land Use Tables.

A.

Table 5.2.2.A: Agricultural and Residential District Land Use Table							
“P” = permitted use “SUP” = special use permit Blank cell = prohibited use							
	Land Use Category	Supplemental Use Standards?	A-R	R-1	RM	CV	MV
Agricultural Uses							
	Apiary	Yes	P	P	P	SUP	SUP
	Farming, Commercial	Yes	P				
	Forestry and Logging (timber harvesting)	Yes	P				
	Greenhouse, Nursery and Floriculture Production	Yes	P				
	Livestock Quarters and Enclosures	Yes	P				
	Horse Stables, Riding, and Boarding	Yes	P				
Residential Uses							
	Multi-Family	Yes			P		

Table 5.2.2.A: Agricultural and Residential District Land Use Table

"P" = permitted use "SUP" = special use permit Blank cell = prohibited use

	Land Use Category	Supplemental Use Standards?	A-R	R-1	RM	CV	MV
	Single-Family Detached	Yes	P	P	P	P	P
	Two-Family (Duplex)	Yes		P	P	SUP	SUP
	Manufactured Home	Yes	SUP	SUP			
	Live-work	Yes			P		
	Industrialized Home	Yes	P	P	P	P	P
	Tiny Home, Village	Yes	SUP	SUP	SUP	SUP	SUP
	Townhome	Yes		SUP	P	SUP	SUP
	Cottage Village	Yes				SUP	SUP
Group	Assisted Living				SUP	SUP	SUP
	Nursing Home				P	P	
	Personal Care Home, Family	Yes		SUP	SUP	SUP	SUP
	Personal Care Home, Group	Yes					
	Personal Care Home, Congregate	Yes					
	Transitional Housing, Halfway House (Small)	Yes		SUP	SUP		
	Transitional Housing, Halfway House (Large)	Yes					
Public, Institutional, and Civic Uses							
Community	Cemetery	Yes	SUP	SUP			SUP
	Crematorium	Yes					
	Correctional facility						
	Daycare (Small)	Yes		SUP	SUP		
	Daycare (Large)	Yes					
	Library			P	P		
	Mausoleum	Yes	SUP	SUP			SUP
	Mortuary Services						P

Table 5.2.2.A: Agricultural and Residential District Land Use Table

"P" = permitted use "SUP" = special use permit Blank cell = prohibited use

	Land Use Category	Supplemental Use Standards?	A-R	R-1	RM	CV	MV
	(Funeral Home)						
	Park		P	P	P		
	Place of Assembly	Yes	SUP	SUP	SUP	SUP	SUP
	Public safety facility						
Education	College or university						
	School (K-12)						
	Trade or vocational school		SUP				
	Childcare Learning Facility/Pre-K	Yes	SUP	SUP			
Healthcare	Clinic		SUP				
	Hospital	Yes	SUP				
	Crisis Center	Yes					
Commercial Uses							
Adult Uses	Adult Entertainment Establishment	Yes					
Food & Beverage	Bar						
	Brewpub	Yes					
	Microbrewery, distillery, winery	Yes					
	Restaurant						
	Mobile Food Vendor	Yes	P	P	P	P	P
Lodging	Bed and breakfast	Yes	P	SUP	SUP	SUP	SUP
	Hotel		SUP				
	Hotel, extended stay						
	Motel						
	Short-term rental	Yes	P	P			
Office & Professional Service	Business services and supplies						
	Financial Institution						

Table 5.2.2.A: Agricultural and Residential District Land Use Table

"P" = permitted use "SUP" = special use permit Blank cell = prohibited use

	Land Use Category	Supplemental Use Standards?	A-R	R-1	RM	CV	MV
	Office						
Retail & Personal Service	General retail, small	Yes					
	General retail, large						
	Heavy equipment sales, rental, and service						
	Personal service						
	Shopping Center						
Vehicular	Automobile Impound	Yes					
	Automobile repair service, major	Yes					
	Automobile repair service, minor	Yes					
	Motor Vehicle Sales or Rentals	Yes					
	Car wash	Yes					
	Recreational Vehicle (RV) Parks and Campgrounds		SUP				
Transportation	Airport, private	Yes					
Recreation	Fish & game club						
	Golf course		SUP				
	Recreation or entertainment, indoor	Yes	SUP				
	Recreation or entertainment, outdoor	Yes	SUP				
Animal Service	Limited	Yes	P				
	General	Yes	P				
	Veterinary	Yes	P				
Industrial Uses							

Table 5.2.2.A: Agricultural and Residential District Land Use Table

"P" = permitted use "SUP" = special use permit Blank cell = prohibited use

	Land Use Category	Supplemental Use Standards?	A-R	R-1	RM	CV	MV
Manufacturing	Manufacturing, light	Yes					
	Manufacturing, heavy	Yes					
Natural Resource Extraction	Incidental Extraction	Yes	P	P	P	P	P
	Mineral Extraction	Yes	SUP				
	Quarrying	Yes					
	Mining	Yes					
Storage, Distribution, and Warehouse	Contractors yard		SUP				
	Freight or trucking terminal	Yes					
	Wholesale distribution, warehouse, and mini-warehouse						
Utility	Commercial power generation	Yes	SUP	SUP	SUP	SUP	
	COW/Co-location/Concealed Wireless Facility	Yes	P	P	P	P	P
	All other wireless communication facilities	Yes	SUP	SUP	SUP	SUP	SUP
	Public utility		P	P	P	P	P
	Battery Energy Storage System	Yes					
	Solar energy facility	Yes					
	Wind energy facility	Yes					
Data Management and Processing	Data Center	Yes					
	High Intensity Data Processing Facility	Yes					

Table 5.2.2.A: Agricultural and Residential District Land Use Table

"P" = permitted use "SUP" = special use permit Blank cell = prohibited use							
	Land Use Category	Supplemental Use Standards?	A-R	R-1	RM	CV	MV
	Colocation / Micro-Data Facility	Yes					

B.

Table 5.2.2.B: Mixed-Use District Land Use Table

"P" = permitted use "SUP" = special use permit Blank cell = prohibited use				
	Land Use Category	Supplemental Use Standards?	NC	MXD
Agricultural Uses				
	Apiary	Yes	SUP	SUP
	Farming, Commercial	Yes		
	Forestry and Logging (timber harvesting)	Yes		
	Greenhouse, Nursery and Floriculture Production	Yes		
	Livestock Quarters and Enclosures	Yes		
	Horse Stables, Riding, and Boarding	Yes		
Residential Uses				
	Multi-Family	Yes		P
	Single-Family Detached	Yes		
	Two-Family (Duplex)	Yes		
	Manufactured Home	Yes		

Table 5.2.2.B: Mixed-Use District Land Use Table				
“P” = permitted use “SUP” = special use permit Blank cell = prohibited use				
	Land Use Category	Supplemental Use Standards?	NC	MXD
	Live-work	Yes	SUP	P
	Industrialized Home	Yes		
	Tiny Home, Village	Yes		P
	Townhome	Yes		P
Group	Assisted Living		SUP	
	Nursing Home			
	Personal Care Home, Family	Yes		
	Personal Care Home, Group	Yes	SUP	
	Personal Care Home, Congregate	Yes		
	Transitional Housing, Halfway House (Small)	Yes		
	Transitional Housing, Halfway House (Large)	Yes		
Public, Institutional, and Civic Uses				
Community	Cemetery	Yes		
	Crematorium	Yes		
	Correctional facility			
	Daycare (Small)	Yes	P	P
	Daycare (Large)	Yes	SUP	SUP
	Library		P	P
	Mausoleum	Yes		
	Mortuary Services (Funeral Home)			
	Park		P	P
	Place of Assembly	Yes	SUP	SUP

Table 5.2.2.B: Mixed-Use District Land Use Table				
“P” = permitted use “SUP” = special use permit Blank cell = prohibited use				
	Land Use Category	Supplemental Use Standards?	NC	MXD
	Public safety facility			
Education	College or university			
	School	Yes		P
	Trade or vocational school			P
	Childcare Learning Facility/Pre-K	Yes	P	P
Healthcare	Clinic			P
	Hospital	Yes		
	Crisis Center	Yes		
Commercial Uses				
Adult Uses	Adult Entertainment Establishment	Yes		
Food & Beverage	Bar			
	Brewpub	Yes	P	P
	Microbrewery, distillery, winery	Yes		P
	Mobile Food Vendor	Yes	P	P
	Restaurant		P	P
Lodging	Bed and breakfast	Yes	P	P
	Hotel			P
	Hotel, extended stay			
	Motel			
	Short-term rental	Yes		
Office & Professional Service	Business services and supplies			P
	Financial Institution			P
	Office		P	P
Retail & Personal	General retail, small	Yes	P	P

Table 5.2.2.B: Mixed-Use District Land Use Table				
“P” = permitted use “SUP” = special use permit Blank cell = prohibited use				
	Land Use Category	Supplemental Use Standards?	NC	MXD
Service	General retail, large			SUP
	Heavy equipment sales, rental, and service			
	Personal service		P	P
	Shopping Center			
Vehicular	Automobile impound	Yes		
	Automobile repair service, major	Yes		
	Automobile repair service, minor	Yes		
	Motor Vehicle Sales or Rentals			
	Car wash	Yes		
Transportation	Airport, private			
Recreation	Fish & game club			
	Golf course			
	Recreation or entertainment, indoor	Yes		
	Recreation or entertainment, outdoor	Yes		
Animal Service	Limited	Yes	P	P
	General	Yes	SUP	SUP
	Veterinary	Yes	SUP	P
Industrial Uses				

Table 5.2.2.B: Mixed-Use District Land Use Table				
“P” = permitted use “SUP” = special use permit Blank cell = prohibited use				
	Land Use Category	Supplemental Use Standards?	NC	MXD
Manufacturing	Manufacturing, light			
	Manufacturing, heavy			
Natural Resource Extraction	Incidental Extraction	Yes	P	P
	Mineral Extraction	Yes		
	Quarrying	Yes		
	Mining	Yes		
Storage, Distribution, and Warehouse	Contractors yard			
	Freight or trucking terminal	Yes		
	Wholesale distribution, warehouse, and mini-warehouse			
Solid Waste Handling Facility	All Types	Yes		
Utility	Commercial power generation			
	COW/Co-location/Concealed Wireless Facility	Yes	P	P
	All other wireless communication facilities	Yes	SUP	SUP
	Public utility			
	Battery Energy Storage System	Yes		
	Solar energy facility	Yes		
	Wind energy facility	Yes		

Table 5.2.2.B: Mixed-Use District Land Use Table				
“P” = permitted use “SUP” = special use permit Blank cell = prohibited use				
	Land Use Category	Supplemental Use Standards?	NC	MXD
Data Management and Processing	Data Center	Yes		
	High Intensity Data Processing Facility	Yes		
	Colocation / Micro-Data Facility	Yes		

5.2.3 Accessory Use Tables.

A.

Table 5.2.3.A: Agricultural and Residential District Accessory Land Use Table							
“P” = permitted use “SUP” = special use permit Blank cell = prohibited use							
Land Use Category		Supplemental Use Standards?	A-R	R-1	RM	CV	MV
Accessory Uses							
Accessory Building and Structures	ADU	Yes	P	P			
	Other Accessory Building and Structures	Yes	P	P	SUP	SUP	SUP
	Antenna, amateur radio	Yes	P	P	P	P	P
	Antenna, satellite	Yes					
	Drive-through and Drive-up Facility	Yes					
	EV Charging Stations	Yes	P	P	P	P	P
	Home Occupation	Yes	P	P	P	P	P
	Outdoor Storage	Yes					
	Storm Shelter	Yes	P	P	P	P	P
	Storage, Distribution, Wholesale	Yes					

	Swimming Pools	Yes	P	P	P	P	P
	Unmanned Retail Structure	Yes					
	Vending Machine Fulfillment Center	Yes					
Temporary Uses							
	Temporary Construction Structures	Yes	P	P	P	P	P
	Temporary Outdoor Sales of Merchandise	Yes					
	Temporary Special Event	Yes					
	Mobile Food Vendor	Yes	P	P	P	P	P

B.

Table 5.2.3.B: Mixed-Use District Accessory Land Use Table				
"P" = permitted use "SUP" = special use permit Blank cell = prohibited use				
Land Use Category		Supplemental Use Standards?	NC	MXD
Accessory Uses				
Accessory Building and Structures	ADU	Yes		
	Other Accessory Building and Structures	Yes		
	Antenna, amateur radio	Yes	SUP	SUP
	Antenna, satellite	Yes		
	Drive-through and Drive-up Facility	Yes	SUP	
	EV Charging Stations	Yes	P	P
	Home Occupation	Yes	P	P
	Outdoor Storage	Yes		

	Storm Shelter	Yes		
	Storage, Distribution, Wholesale	Yes		
	Swimming Pools	Yes	P	P
	Unmanned Retail Structure	Yes		
	Vending Machine Fulfillment Center	Yes		
Temporary Uses				
	Temporary Construction Structures	Yes	P	P
	Temporary Outdoor Sales of Merchandise	Yes		P
	Temporary Special Event	Yes	P	P
	Mobile Food Vendor	Yes	P	P

Article 9: Supplemental Use Standards

9.1 Agricultural Uses.

9.1.1 Apiary.

A. Hives shall adhere to the following density and location requirements:

1. For a property to consist of an apiary, it must contain a minimum of 10,000 square feet. For every additional 5,000 square feet thereafter, a beekeeper is permitted to have two additional hives.
2. Exceptions:
 - a. Acknowledging normal honeybee management, a beekeeper may also keep, in addition to the allowable number of standard hives, additional nucleus colonies per standard (fixed) hive, provided they are used for managing colony strength and swarm prevention.
 - b. Hives shall only be permitted in the rear of property, behind any existing front yard lines and 20 feet away from any side or rear property line.

B. Hives shall also adhere to the following landscaping requirements:

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

9.1.2 Farming, Commercial.

- A. All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from all property lines.
- B. Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.
- C. All unpaved storage areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.

9.1.3 Forestry and Logging (Timber Harvesting).

- A. Such activities shall be conducted consistent with "Georgia's Best Management Practices for Forestry."
- B. Such activities shall comply with Section 12.6, Timber Harvesting.
- C. Forestry and logging activities taking place on commercially zoned property shall preserve undisturbed buffers as required in Article 11.
- D. Forestry and logging activities taking place on property that is adjacent to occupied residential property shall preserve a 50 feet undisturbed buffer.

9.1.4 Greenhouse, Nursery, and Floriculture Production.

- A. All structures shall be set back at least 100 feet from any residential property line.

9.1.5 Livestock Quarters/Enclosures.

- A. The keeping and raising of all farm animals and fowl and use of private stables shall be subject to the following standards:
 - 1. In the A-R zoning district:
 - a. The keeping and raising of all farm animals and fowl and use of private stables shall be limited to properties with a minimum lot size of three acres.
 - b. The maximum number of livestock shall be equal to two adult hooved animals per acre.
 - 2. In the W-P zoning district:
 - a. The keeping and raising of all farm animals and fowl and use of private stables shall be limited to properties with a minimum lot size of three acres.
 - b. The maximum number of livestock shall be limited to two adult hooved animals per three acres.
 - c. A fence shall be erected a minimum of 150 feet from any state water, as defined in O.C.G.A. § 12-7-3, so as to prevent livestock from entering into any state water.
 - 3. Standards applying to all zoning districts:
 - a. Any structure, pen, corral or other building appurtenant to the keeping and raising of livestock or poultry must be located a minimum of 200 feet from any property line or state water as defined in O.C.G.A. § 12-7-3.
 - b. The keeping and raising of all farm animals and fowl shall be subject to all regulations promulgated by the Rockdale County Health Department.

9.1.6 Horse Stables, Riding, and Boarding.

- A. Horse stables, riding, and boarding uses shall be considered livestock quarters/enclosures and shall comply with all applicable standards of Section 9.1.5.

9.2 Residential Uses.

9.2.1 *Multi-Family.*

- A. Dwelling units in multi-unit buildings shall meet the minimum heated floor area designated by district.

9.2.2 *Single-Family Attached.*

- A. This residential use type includes duplexes and townhomes either fee simple or condominium owned.
- B. Single-Family Attached uses authorized in residential or mixed-use districts shall not be less than 1,000 heated square feet.
- C. Each single-family attached unit shall have a minimum of 200 sq. ft. of private yard or other outdoor porch/balcony space in either the front or rear, not including driveways and alleys.
- D. Setbacks and minimum lot standards required in the RM district are representative of the project as a whole as opposed to for individual lots.

9.2.3 *Single-Family Detached, Zero Lot Line.*

- A. Adjacent interior lots on the block face shall be developed as zero lot line dwellings.
- B. The side yard requirement may be eliminated on one side of each lot. The remaining side yard shall maintain the minimum side yard dimension of the zoning district.
- C. Each lot shall meet the minimum area requirements of the zoning district.
- D. Easement agreements shall be recorded which allow maintenance and access for that side of the dwelling adjacent to the property line.
- E. When the minimum side yard is used, a privacy fence at least six feet high is required between buildings.

9.2.4 *Live-Work.*

- A. Live-work shall be mixed-use dwellings that are fire-separated from adjacent units as attached dwellings such as single family attached units or as part of a larger mixed-use building.
- B. Associated commercial or office uses shall not be considered a home occupation within such mixed-use, live-work buildings.

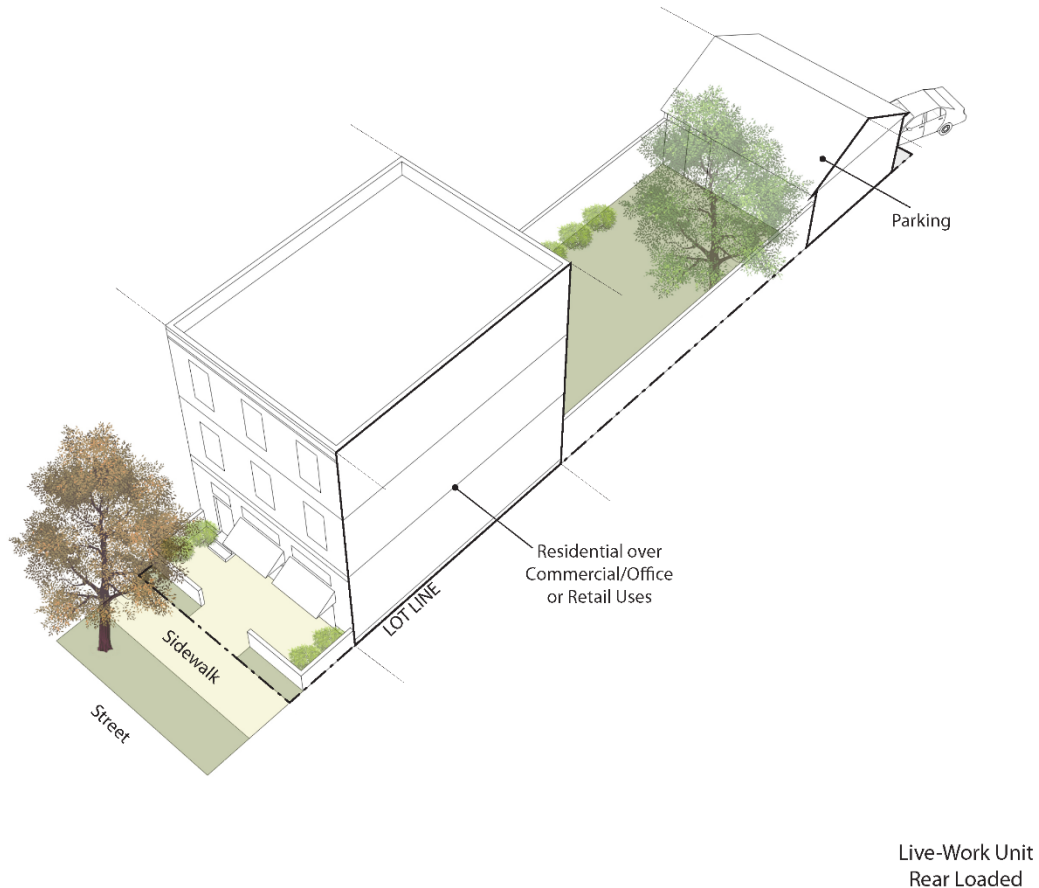


Figure 9.2.4 - Live-Work Units.

9.2.5 Manufactured Home.

A dwelling unit manufactured in accordance with the Secretary of Housing and Urban Development (HUD), the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., as amended, and meeting the following development standards:

- A. A minimum width of 12 feet.
- B. Any dwelling unit for which a building permit was obtained prior to the adoption of this ordinance may be extended, enlarged, or repaired as otherwise provided by this ordinance with the same roof pitch as that allowed by the previous building permit.
- C. A curtain wall, un-pierced except for required ventilation and access, shall be installed so that it encloses the area located under the home to the ground level. Such a wall shall be non-load bearing and have a minimum thickness of four (4) inches when constructed of masonry, brick, stone finish, or similar material as approved by the Director of Planning and Development. When metal or molded curtain walls are used, they must be attached to treated wood framing that is no more than 24 inches on center or metal channel framing.
- D. The dwelling shall be placed on a permanent foundation, either slab or pier, which meets the requirement of the Standard Building Code. In addition, the dwelling shall be completely underpinned with masonry, stone, or other similar materials manufactured for the purpose of underpinning as approved by the Director of Planning and Development and/or the Chief Building Inspector. Installation shall be in accordance with the Rules and Regulations for

Manufactured Homes made and promulgated by the Georgia Safety Fire Commissioner and shall be completed prior to permanent electrical service.

- E. All axles, tongues, and transporting and towing apparatus shall be removed before occupancy.
- F. Replacement and/or Relocation:
 - 1. All mobile/manufactured homes located in a mobile home development shall provide documentation of compliance with the National Mobile Home Construction and Safety Act or compliance with specifications presented by the American National Standards Institute.
 - 2. An existing, nonconforming mobile/manufactured home that was lawfully permitted prior to the effective date of this unified development code may be replaced with a new mobile home meeting the requirement set forth herein, provided the replacement is done so within 12 months of the date of removal of the existing mobile home and all conditions and requirements of O.C.G.A § 36-66-7 et seq are met.

9.2.6 Industrialized Home.

A dwelling unit manufactured in accordance with the Georgia Industrialized Building Act (O.C.G.A. § 8-2-1 et seq.), and the Rules of the Commissioner of the Georgia Department of Community Affairs issued pursuant thereto, and meeting the following development standards:

- A. A minimum width in excess of 28 feet.
- B. A minimum roof pitch of 5:12, which means having a pitch equal to at least five (5) inches of vertical height for every 12 inches of horizontal run. Any dwelling unit for which a building permit was obtained prior to the adoption of this ordinance may be extended, enlarged, or repaired as otherwise provided by this ordinance with the same roof pitch as that allowed by the previous building permit.
- C. A minimum roof overhang of 12 inches is required. All roof surfaces exposed to view shall be covered with asphalt or fiberglass shingles, wood shakes or shingles, standing seam (non-corrugated tin or steel), clay tiles, slate, or similar materials.
- D. A curtain wall, un-pierced except for required ventilation and access, shall be installed so that it encloses the area located under the home to the ground level. Such a wall shall have a minimum thickness of four (4) inches and shall be constructed of masonry or similar material as approved by the Director of Planning and Development.
- E. The dwelling shall be placed on a permanent foundation, either slab or pier, which meets the requirement of the Standard Building Code. In addition, the dwelling shall be completely underpinned with masonry, stone, or other similar materials manufactured for the purpose of underpinning as approved by the Director of Planning and Development. Installation shall be in accordance with the Rules and Regulations for Manufactured Homes made and promulgated by the Georgia Safety Fire Commissioner and shall be completed prior to permanent electrical service.
- F. Utility meters shall be mounted to the structure rather than on a utility pole.
- G. A landing shall be installed at each doorway. The minimum size of the landing shall be four (4) feet by six (6) feet (excluding steps) at each doorway. The structure shall include steps which lead to ground level, and both landing and steps shall meet the requirements of the Standard Building Code.
- H. The dwelling shall be installed in accordance with O.C.G.A. § 8-2-110 et seq., and the rules promulgated thereunder.

9.2.7 Tiny Home Village.

- A. Minimum parcel size: A tiny home village shall be located on a parcel not less than one (1) acre in area.
- B. Maximum density: The maximum density shall not exceed 10 dwelling units per acre.
- C. Heated floor area: The heated floor area of each home shall not be less than 200 square feet and not more than 600 square feet.
- D. Common open space: A minimum of thirty percent (30%) of the tract shall be dedicated to common open space.
- E. Village center(s) required:
 - 1. At least one village center shall be provided.
 - 2. Each village center shall be not less than 25,000 square feet in area.
 - 3. Village center(s) may be counted toward the dedicated common open space. Required yards, buffers, parking, and other paved surfaces shall not be counted toward the village center requirement.
 - 4. In developments with only one village center, said village center shall be centrally located within the development and accessible by all residents/tenants.
 - 5. Village center(s) shall include landscaping, active and passive recreation features, and may include natural areas.
- F. Connectivity:
 - 1. All homes shall be oriented to have clear views of and be connected to a village center by sidewalks, in a cottage-court style site layout.
 - 2. Where multiple village centers are provided, all shall be interconnected with a trail system in compliance with ADA standards.
- G. Ownership and maintenance. The village center(s) and all other common open space shall remain in:
 - 1. Private individual ownership by the owner of the village(s) or common ownership by the owners of the houses in the village(s).
 - 2. Restrictive covenants, declarations and restrictions running with the land shall provide for access across and permanent maintenance and protection of the village center(s), any associated common buildings, and shared infrastructure.
- H. Building height:
 - 1. A tiny home shall not exceed one and a half (1 1/2) stories in height, measured from the finished grade.
 - 2. No other permitted structure shall exceed 25 feet in height.
- I. Buffers and separation:
 - 1. A minimum 50-foot buffer shall be provided along any adjacent Rockdale County access roadway.
 - 2. A minimum 20-foot buffer shall be provided between the development and any adjacent parcel.
 - 3. A building separation of not less than 10 feet shall be provided between houses and between houses and any common structures.
- J. Parking requirements:
 - 1. A minimum of one paved off-street parking stall shall be provided for each home.
 - 2. A minimum of one paved guest parking stall shall be provided for every five (5) houses.
 - 3. Parking areas shall be clustered in the applicable village that such stalls serve. Parking areas shall not encroach into the village center.

- K. Water and sewer:
 - 1. Each home shall be served by public water and sewer.
 - 2. On-site septic systems shall be prohibited.
- L. Architectural design standards:
 - 1. Homes and community buildings shall incorporate at least three (3) of the following architectural features: dormers, gables, pillars, posts, covered front porches, recessed entries, and/or cupolas.
 - 2. Architectural features, materials, and façade articulation shall be continued on all sides visible from a public street or village center.
 - 3. The applicant shall provide architectural design guidelines at the time of special use permit request. Such guidelines shall demonstrate, at minimum:
 - a. A minimum of three distinct façade types for proposed homes; and
 - b. Proposed variation in rooflines, massing, and architectural features.
 - 4. Adjacent homes shall not use the same façade type.
- M. Internal streets must be designed to meet the current standards of the Rockdale County Department of Transportation.
- N. Trash enclosures shall be provided to serve each village. Each enclosure shall be capable of accommodating bins adequate to provide trash storage capacity of 60 gallons per home with once weekly pickup. Enclosures shall comply with applicable screening requirements of Article 11.

9.2.8 Group Living.

- A. Personal care homes:
 - 1. Such uses shall provide a minimum of plus 80 square feet of living space for each bed.
 - 2. Such uses shall maintain a residential appearance compatible with the surrounding area.
 - 3. Personal care homes shall meet all state requirements and all applicable rules and regulations as specified by the Department of Human Resources of the State of Georgia in "Rules and Regulations for Personal Care Homes," Chapter 290-5-35.
 - 4. To prevent a negative institutional atmosphere created by the concentration or clustering of several community residences, each personal care home shall be located a minimum of one-quarter (¼) mile from any other personal care home when located in a residential zoned district.
- B. Transitional Housing and Halfway Housing:
 - 1. Such uses shall require a minimum lot area of three acres with a minimum public street frontage of 100 feet.
 - 2. To ensure such uses can provide reasonable access to essential support services, each transitional or halfway house shall be located within one-half (1/2) mile of at least three of the following support services:
 - a. Medical clinic, hospital, urgent care facility, or federally qualified health center;
 - b. Emergency services facility, including fire station, emergency medical services station, or hospital emergency department;
 - c. Mental health or substance use treatment provider;
 - d. Pharmacy;
 - e. Public transit stop with regularly scheduled service;
 - f. Social service agency providing case management, employment assistance, or housing stabilization services;

- g. Grocery store or food assistance facility;
- h. Or other similar service, as approved through the special use permitting process.

9.2.9 Single-Family Detached Dwelling Uses on Deficient Lots of Record.

- A. For Single-Family Detached Dwelling uses proposed on existing lots of record that were established prior to the enactment of this chapter and that do not meet one or more horizontal dimensional standards, alternative compliance may be permitted by calculating the percentage that the subject lot represents of the minimum lot size required for the applicable zoning district. That percentage may then be applied to other required horizontal dimensional standards, except for standards that are already expressed as a percentage of the whole (e.g., lot coverage).
- B. Example: An R-1 zoned lot that is 15,000 square feet is 50 percent (50%) of the minimum lot size of 30,000 square feet (15,000/30,000). Applying that proportion to the remainder of the dimensional standards in the R-1 district, the following standards may apply:
 - 1. Maximum lot coverage: 25% (no change for regulations expressed as a percent of the whole)
 - 2. Lot frontage: 50 feet (100 feet*50%)
 - 3. Street setback: 12.5 feet (25 feet*50%)
 - 4. Side setback: 5 feet (10 feet *50%)
 - 5. Rear setback: 20 feet (40 feet *50%)
- C. In no case shall the setback standards be reduced to less than ten (10) feet for the street and rear yards and five (5) feet side setbacks.

9.2.10 Cottage Village.

- A. Minimum parcel size: A tiny home village shall be located on a parcel not less than five (5) acres in area.
- B. Maximum density: The maximum density shall not exceed 5 dwelling units per acre.
- C. Heated floor area: The heated floor area of each home shall not be less than 800 square feet and not more than 1,200 square feet.
- D. Common open space: A minimum of thirty percent (40%) of the tract shall be dedicated to common open space.
- E. Village center(s) required:
 - 1. At least one village center shall be provided.
 - 2. Each village center shall be not less than 25,000 square feet in area.
 - 3. Village center(s) may be counted toward the dedicated common open space. Required yards, buffers, parking, and other paved surfaces shall not be counted toward the village center requirement.
 - 4. In developments with only one village center, said village center shall be centrally located within the development and accessible by all residents/tenants.
 - 5. Village center(s) shall include landscaping, active and passive recreation features, and may include natural areas.
- F. Connectivity:
 - 1. All homes shall be oriented to have clear views of and be connected to a village center by sidewalks, in a cottage-court style site layout.
 - 2. Where multiple village centers are provided, all shall be interconnected with a trail system in compliance with ADA standards.

- G. Ownership and maintenance. The village center(s) and all other common open space shall remain in:
1. Private individual ownership by the owner of the village(s) or common ownership by the owners of the houses in the village(s).
 2. Restrictive covenants, declarations, and restrictions running with the land shall provide for access across and permanent maintenance and protection of the village center(s), any associated common buildings, and shared infrastructure.
- H. Buffers and separation:
1. A minimum 30-foot buffer shall be provided along any adjacent Rockdale County access roadway.
 2. A minimum 20-foot buffer shall be provided between the development and any adjacent parcel.
- I. Parking requirements:
1. A minimum of one paved off-street parking stall shall be provided for each home.
 2. A minimum of one paved guest parking stall shall be provided for every three (3) houses.
 3. Parking areas may be clustered in the applicable village that such stalls serve. Parking areas shall not encroach into the village center.
- J. Water and sewer:
1. Each home shall be served by public water and sewer.
 2. On-site septic systems shall be prohibited.
- K. Architectural design standards:
1. Homes and community buildings shall incorporate at least three (3) of the following architectural features: dormers, gables, pillars, posts, covered front porches, recessed entries, and/or cupolas.
 2. Architectural features, materials, and façade articulation shall be continued on all sides visible from a public street or village center.
 3. The applicant shall provide architectural design guidelines at the time of special use permit request. Such guidelines shall demonstrate, at minimum:
 - a. A minimum of three distinct façade types for proposed homes; and
 - b. Proposed variation in rooflines, massing, and architectural features.
 4. Adjacent homes shall not use the same façade type.
- L. Internal streets must be designed to meet the current standards of the Rockdale County Department of Transportation.

9.2.11 Single-Family Detached, Barndominium.

- A. Such single-family detached uses may be permitted by special use permit in the A-R and R-1 zoning districts, in accordance with Section 18.7, Special Use Permits.
- B. Barndominiums shall not be permitted within any residential common development, including but not limited to subdivisions with common open space, shared infrastructure, or homeowners' associations.
- C. The combined floor area of the barn, garage, workshop, or similar attached area shall not exceed two (2) times the minimum required heated floor area of the dwelling.
- D. Exterior materials and other architectural or design components shall be subject to approval by the Board of Commissioners.

9.3 Public, Institutional, and Civic Uses.

9.3.1 *Funeral and Memorial Services.*

- A. Cemetery. Private and public cemeteries shall comply with all provisions of state law, in addition to the following:
 - 1. A plat of the cemetery shall be recorded in the office of the Rockdale County Clerk of Superior Court.
 - 2. Any new private cemetery shall be located on a site containing not less than 20 acres.
 - 3. The site proposed for a cemetery shall not interfere with the development of a system of collector or larger streets in the vicinity of such site. In addition, such site shall have direct access to a thoroughfare by way of an access way not less than 20 feet wide.
 - 4. Any new cemetery shall be enclosed by a fence or wall not less than four feet in height.
 - 5. All structures shall be set back no less than 25 feet from any property line or street right-of-way line.
 - 6. All graves or burial lots shall be set back not less than 25 feet from any property line or minor street right-of-way lines and not less than 50 feet from any collector, arterial, expressway or freeway right-of-way line.
 - 7. The entire cemetery property shall be landscaped and maintained.
 - 8. Prior to approval of the request for the location of a new cemetery, a site plan and perpetual care plan must be submitted to the Planning and Development Department.
- B. Mausoleum. Such uses shall comply with all provisions of state law, in addition to the following:
 - 1. Mausoleums may be an accessory use to a permitted cemetery use, provided all applicable requirements are met.
 - 2. All structures shall be set back no less than 50 feet from any property line or street right-of-way line.
 - 3. Outdoor lighting shall be limited to that necessary for security and shall be shielded to prevent light spillover into adjacent properties.
- C. Crematoriums. Such uses shall comply with all provisions of state law, in addition to the following:
 - 1. Cremation uses shall not be located within 500 feet of any residentially zoned property, school, daycare facility, or hospital.
 - 2. Crematoriums may be an accessory use to a permitted mortuary or mausoleum use, provided all applicable requirements are met.

9.3.2 *Daycare Services.*

- A. Childcare Learning Center/Pre-K.
 - 1. Such uses shall comply with all applicable State of Georgia, Bright from the Start, Rules for Child Care Learning Centers.
- B. Daycare.
 - 1. All daycare uses shall provide at least 30 square feet of indoor activity area and at least 100 square feet of outdoor activity area per enrollee, based on maximum capacity. No more than 50 percent of the floor area of a dwelling unit may be used for an allowed day care use.
 - 2. All required outdoor activity areas for all daycare uses shall be enclosed by a fence or wall at least four (4) feet in height.

3. No dwelling unit in which a daycare use is conducted may be modified to alter its appearance as a residential building.
4. All daycare uses shall comply with applicable off-street parking regulations and provide safe vehicle turnaround areas on the subject lot.
5. Applicants shall provide documentation demonstrating that all required state permits or licenses have been applied for. Issuance of any local permit, license, or certificate of occupancy shall be conditioned upon receipt of all required state approvals.

9.3.3 Educational Services.

A. School, Private.

1. Applicable educational services are allowed only on lots with frontage on an arterial or collector street.
2. Such uses require a minimum lot area of five (5) acres, with a minimum public street frontage of 100 feet.

9.3.4 Healthcare Services.

A. Hospital.

1. Hospitals shall only be allowed on lots with frontage on a major thoroughfare and shall require a minimum lot area of three acres.
2. Setbacks:
 - a. Side and rear setbacks shall be a minimum of 25 feet or as required by the zoning district, whichever is greater.
 - b. Front building setback shall be a minimum of 50 feet.

B. Crisis Center. Any Crisis Service Center (CSC) or Crisis Stabilization Unit (CSU) shall comply with the following provisions:

1. Crisis centers shall only be allowed on lots with frontage on a arterial or collector roadway.
2. To ensure such uses can provide reasonable access to essential support services, each crisis center shall be located within one mile of a hospital emergency department.
3. Facilities shall operate in compliance with DBHDD licensing and designation requirements.

9.3.5 Library and Cultural Exhibit.

A. Library and Cultural Exhibits shall:

1. Be located on a collector or arterial street.
2. Provide a 50 feet buffer adjacent to any residential zoning.
3. Setback driveways and parking areas a minimum of 25 feet from side and rear property lines.

9.3.6 Place of Assembly.

A. Places of Assembly shall:

1. Be located on an arterial or collector street.
2. Require a minimum lot area of three acres, with a minimum public street frontage of 100 feet.

9.4 Commercial Uses.

9.4.1 Adult Entertainment Establishment.

- A. This use is subject to all provisions of Chapter 22 - Business, article V, the provisions of the Rockdale County Code of Ordinances, and all of the following:
1. No adult entertainment establishment shall be located within 1,000 feet of any school, place of worship, public park, hospital, government building, library, licensed adult day center, childcare learning center, group day care home, family day care home, or pre-kindergarten (Pre-K), establishment licensed to sell alcoholic beverages, or property zoned for residential purposes. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the proposed adult entertainment establishment to the nearest point on the property line of such school, place of worship, public park, hospital, government building, library, licensed adult day center, child care learning center, group day care home, family day care home or pre-kindergarten (Pre-K), establishment licensed to sell alcoholic beverages, or property zoned for residential purposes.
 2. No adult entertainment establishment shall be located within 1,000 feet of any other licensed adult entertainment establishment. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the proposed adult entertainment establishment to the nearest point on the property line of any adult entertainment establishment.
 3. No adult entertainment establishment shall sell or dispense alcoholic beverages upon the premises of the adult entertainment establishment.

9.4.2 Food and Beverage Establishments.

- A. Brew pub. Brewing activities shall be:
1. Accessory to sales and consumption of food and beverages on-premises.
 2. Shall be located in a wholly enclosed building.
 3. Production space shall be limited subject to state law.
 4. No outdoor equipment or outdoor storage is permitted.
- B. Microbrewery, Distillery, or Winery.
1. Production space shall be limited subject to state law.
 2. Storage tanks shall be screened from view of public roadways.
 3. Such uses shall be allowed the following accessory uses:
 - a. Guided tours.
 - b. Concerts.
 - c. Tasting rooms.
 - d. Special events.
 - e. Distribution between 7 a.m. and 10 p.m., or as more stringently restricted in Chapter 10 - Alcoholic Beverages.
 4. Such uses shall not:
 - a. Produce more than 2 million gallons of spirits annually.
 - b. Exceed 15,000 square feet in gross floor area.
 - c. Produce noxious odors.
- C. Mobile Food Vendor.

1. No mobile food vendor shall conduct business on public streets or in the public right-of-way except as part of an approved special event permit.
2. Mobile food vendor operations shall be limited to the parking areas of privately owned, non-residential property, except that mobile food vendors may be allowed on privately owned residential property in conjunction with a small private gathering or non-profit event which will make no use of public property, including streets, other than lawful parking.
3. Any and all drivers of a mobile food vending vehicle must possess a valid Georgia driver's license.
4. All mobile food vendors shall maintain proof of a \$1,000,000.00 liability insurance policy, issued by an insurance company licensed to do business in the State of Georgia, protecting the mobile food vendor, the public, and Rockdale County from all claims of damage to property and bodily injury, including death, which may arise from operation under or in connection with the permit. Such insurance shall name Rockdale County as an additional insured and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days advanced written notice to the county.
5. Prior to issuance of the required permit under this article, any person or entity operating as a mobile food vendor shall execute an indemnity agreement indemnifying and releasing Rockdale County, its agents, employees, and elected officials from any and all liability against any and all claims, actions, and suits of any type whatsoever.
6. Prior to the issuance of the required permit under this article, mobile food vendors shall submit the written, notarized consent of the private property owner upon whose lot it is requesting to operate, a valid food service permit obtained from the Rockdale County Environmental Health Department, proof of liability insurance, the indemnity agreement releasing Rockdale County, and a valid Georgia driver's license to the department of planning and development. The mobile food vendor permit, written consent of the property owner, food service permit, and Georgia driver's license must be readily available for inspection within the vehicle at all times during hours of operation.
7. Location. No mobile food vendor shall be located:
 - a. Within 150 feet of the property line of a lot containing a single-family home or townhouse without a special event permit.
 - b. 150 feet of an entrance to a restaurant.
 - c. Within 15 linear feet of any street intersection, pedestrian crosswalk, driveway, fire hydrant, alleys, handicapped parking spaces, or building entrances.
 - d. Within 100 feet of gas pumps, underground gas storage tanks, and vent pipes.
8. Operational Standards.
 - a. Mobile food vendors shall not operate between the hours of 10:00 p.m. and 7:00 a.m. daily and shall not be left unattended, parked, or stored on a vending site during the restricted hours of operation or while not actively vending.
 - b. All mobile food vending vehicles must return to their base of operations when not in use.
 - i. No more than two mobile food vendors may operate on a single property at any one time, except as may be allowed during a County-sponsored event or approved special event.

- c. No external speakers, sound equipment or other devices shall be used to play music or omit noises for the purpose of advertising the mobile food vendor's location while vending.
- d. No flashing, blinking, or strobe lights shall be used on or within a mobile food vendor vehicle.
- e. No mobile food vendor shall be permitted to have or operate as a vehicular drive-through facility or drive-up window.
- f. All mobile food vending vehicles shall be equipped with a reverse gear signal alarm that is distinguishable from the surrounding noise level and rear-vision mirrors, firmly attached, on each side of the vehicle.
- g. Free-standing signs or signage that projects from the body of the mobile food vending vehicle shall be prohibited. No sign used on a mobile food vendor vehicle shall be illuminated, flash, or produce motion.
- h. Mobile food vendors shall conduct business only when positioned on hard-surfaced, designated parking areas and shall not block driveway entrances, parking lot aisles, access to loading areas, or emergency access or fire lanes.
- i. Each mobile food vendor shall provide at least one trash receptacle for its patrons that is regularly emptied and shall remove all such waste materials before departing from the site. Such waste materials shall be disposed of at the mobile food vendor's base of operations. The mobile food vendor shall be responsible for maintaining the area around their vehicle clear of trash and debris at all times.
- j. The dumping of gray water, grease, or other waste liquids on public or private property or into storm drains shall be prohibited.

9.4.3 Lodging.

A. Bed and Breakfast.

- 1. The length of stay for guests in a bed and breakfast may not exceed 14 continuous days, and guests may not re-register for at least 30 days from the termination of their previous stay.
- 2. The bed and breakfast shall be occupied by the owner or renter of the principal dwelling unit.
- 3. The minimum lot area required for a bed and breakfast use is 20,000 square feet. The detached house in which the use is located shall have floor area of at least 2,500 square feet.
- 4. No separate kitchen facilities are allowed. Breakfast may be served on the premises only for guests and employees of the bed and breakfast.
- 5. At least one off-street parking space shall be provided for each bedroom.
- 6. The residential character of the dwelling shall be maintained.

B. Hotel/Motel. Hotels, motels, and extended-stay hotels shall comply with the following:

- 1. Such uses shall be constructed on a tract of land containing no less than two acres in lot area.
- 2. Limited to no more than 25 guest rooms per acre.
- 3. All guest rooms shall be accessed internally to the building with no direct room access to the outside. The lobby shall be a minimum of 700 square feet in size.

4. Each guest room shall contain a minimum square footage per unit of 300 square feet and shall be accessed with a magnetic keycard entry/locking device.
5. Such uses shall contain an enclosed, heated and air-conditioned laundry space containing a minimum of three clothes washers and three clothes dryers for the use of guests.
6. Daily maid service shall be included in the standard room rate.
7. Such uses shall provide a minimum of 1,000 square feet for recreational use by guests. In computing the 1,000 square feet requirement, swimming pools, fitness or recreation centers and other recreational facilities may be used in determining the square footage required by this subsection.
8. No guest shall register, reside in, or occupy any room or rooms within the same licensed facility for more than 60 days. Upon approval by the hotel management, a guest may be allowed to stay a maximum of 60 additional days.
9. Management shall be on the property 24 hours a day, seven days a week.
10. A 75-foot natural buffer, enhanced with an additional 25-foot landscaped buffer, shall be provided adjacent to residentially zoned property.
11. No business license shall be issued for any business operating from any guest room of the facility.
12. Extended stay hotels/motels shall comply with the following additional requirements:
 - a. No extended stay motel/hotel may be located within 1,000 feet of another extended stay hotel.
 - b. No applicant shall operate, conduct, manage, engage in, or carry on an extended-stay hotel under any name other than his name and the name of the business as specified on the occupation tax certificate.
 - c. Any application for an extension or expansion of a building or other place of business where an extended-stay hotel is located shall require inspection and shall comply with the provisions and regulations of this subsection.

C. Short-term Rental.

1. A short-term rental shall only be permitted as an accessory use to a residential use.
2. All structures used for short term rentals shall satisfy the National Fire Protection Association and International Fire codes, as adopted and amended by the Georgia Department of Community Affairs, and the Rockdale County Code of Ordinances.
3. All swimming pools, spas, and hot tubs shall comply with the International Swimming Pool and Spa Code as adopted and amended by the Georgia Department of Community Affairs and the Rockdale County Code of Ordinances as it applies to barriers and floatation devices.
4. No exterior alterations may be made to a residence to indicate that it is being used as a short-term rental. House numbers shall always be visible from the public street.
5. No advertising shall be visible from the street or from adjoining properties.
6. Prohibited Structures. No detached accessory structures, accessory dwelling units (ADUs), or recreational vehicles or trailers shall be used as a short-term rental.
7. Maximum Occupancy. The maximum overnight occupancy for any license issued pursuant to this section shall be two persons per bedroom.
8. Short-term rental premises shall be maintained in compliance with standards contained within the Rockdale County Code of Ordinances.

9. Each operator of a short-term rental is required to keep a guest registry containing guest names, dates of occupancy, location of permanent residency, and description and license plate number of the vehicle they are using. Each operator of a short-term rental shall keep the above-described register for a period of at least 3 years, along with receipts and invoices, dates of occupancy, and such other information required by the Department of Planning and Development. Said records shall be made available for examination by the Rockdale County Board of Health or any authorized law enforcement agency upon the operator or owner of such a short-term rental being presented with a warrant to provide such information or immediately upon exigent circumstances.
10. Operators of short-term rentals shall not be permitted to serve food to guests for sale or otherwise; provided, however, that guests may prepare and serve food for persons that are staying at the short-term rental.
11. The license number shall be included in all advertisements for the short-term rental.
12. Special events or private functions are not permitted at short-term rentals.
13. The operator shall not permit any occupant to sublet the premises and shall notify occupants of this prohibition in the guest occupancy agreement as required by O.C.G.A. § 43-21-3.2.

9.4.4 General Retail.

A. General Retail, Small.

1. Such a use shall not be established on any lot that is adjacent to a residentially zoned parcel.
2. No small-scale general retail use shall be located within four (4) miles of another small-scale general retail use. This distance shall be measured in a straight line as defined by this UDO.

9.4.5 Vehicular Services.

A. Automobile Impound.

1. All outdoor vehicle storage areas shall be enclosed by an opaque fence or wall of a minimum height of 8 feet, in compliance with Article 11.

B. Automobile Repair Service, Major.

1. Associated outdoor storage shall be located in the rear yard, screened by an eight-foot-high fence or wall. Outdoor storage area shall be limited to 25 percent of the total parcel area.
2. An automotive service use that includes outdoor storage and repair shall not be located within 200 feet of a property zoned or used residentially.
3. There shall be no junkyards; long-term storage of inoperative vehicles shall be prohibited.

C. Automobile Repair Service, minor.

1. Associated outdoor storage shall be located in the rear yard, screened by an eight-foot-high fence or wall. Outdoor storage area shall be limited to 25 percent of the total parcel area.
2. An automotive service use that includes outdoor storage and repair shall not be located within 200 feet of a property zoned or used residentially.
3. There shall be no junkyards; long-term storage of inoperative vehicles shall be prohibited.

4. All minor automotive services shall be conducted inside an enclosed building.
- D. Car Wash.
1. Paved stacking lanes with the capacity for up to five vehicles shall be provided for vehicles waiting to use automatic car wash facilities and two vehicles per bay for self-service car washes.
 2. Automobile repair or storage shall be prohibited in conjunction with a car wash.
 3. Commercial car wash water recycling requirement:
 - a. All commercial in-bay and conveyor car washes that are constructed after July 11, 2017, or those that are expanding in any way beyond customary maintenance, shall utilize a recycling system where a minimum of 50 percent of water utilized must be recycled.
 - b. Self-service car washes are not required to install recycled water systems.
- E. Recreation Vehicle Parks/Campgrounds.
1. Recreational vehicle (RV) park/campground uses shall require a minimum lot size of twenty acres with a maximum density of fifteen campsites per acre.
 2. Camp and RV Sites:
 - a. Each site shall be at least 1,400 square feet in size.
 - b. Each site shall contain a stabilized vehicular parking pad.
 - c. No part of an RV or other camping unit shall be positioned less than five feet to a shared campsite line.
 3. Recreation Vehicles (RVs):
 - a. Recreational vehicles shall maintain a minimum separation of ten feet. Any accessory structure such as attached awnings, carports, or individual storage facilities shall be considered as part of the RV under this UDO.
 4. There shall be at least three off-street parking spaces designated on-site for every two camp or RV sites. Off-street parking may be provided in common parking areas or at individual sites.
 5. Accessory Uses. Accessory uses and associated structures shall be considered accessory structures and shall comply with Section 9.8, Accessory Uses and Structures. Typical accessory uses may include management headquarters, recreational facilities, toilets, dumping stations, showers, and laundry facilities.
 - a. Such accessory uses shall be setback a minimum of 100 feet from any public street and shall not be directly accessible from any public street. Instead, such uses shall be accessed by the site's internal street network.
 6. Setbacks. A RV Park/Campground uses, and all ancillary equipment or accessory structures shall be set back a minimum of 50 feet from all non-residential district property line and 100 feet from any residential district property line.
 7. Buffers and Screening. RV Park/Campground uses shall be screened to create a visual buffer from neighboring parcels and rights-of-way. Buffers shall be undisturbed (natural) but may include fences and earthen berms, in compliance with this UDO.
 8. No outdoor storage shall be allowed.
 9. No outdoor public address system shall be allowed
 10. Outdoor recreation activity adjacent to residentially zoned property shall cease before 8:00 p.m.

9.4.6 Airport, Private.

- A. All such uses proposed by a public authority shall include a certified copy of the law, regulation, or other official act adopted by the governmental entity proposing the use and authorizing the establishment of the proposed use at the proposed location.
- B. All applications shall include evidence that the proposed facility will meet the standards and requirements imposed by agencies such as the Federal Aviation Administration and all other applicable federal, state or local statutes.
- C. A statement shall be provided detailing noise abatement procedures, methods and devices that will be employed on the operation of the facility, and sufficient analysis shall be presented to indicate what adjoining lands will be affected by the anticipated noise.
- D. All facilities shall be located and so designed that the operation thereof will not seriously affect adjacent areas, particularly with respect to noise levels.
- E. All areas used by aircraft under its own power shall be provided with an all-weather, dustless surface.
- F. A map shall be presented showing the landing and take-off corridors as projected, with the map covering an area within at least a 5,000-foot radius of the boundaries of the proposed facility.

9.4.7 Recreation or Entertainment, Outdoor.

- A. General requirements:
 - 1. Side and rear property lines shall include a 50-foot landscaped buffer that shall be continuous except to allow driveways and/or utility lines that are placed perpendicular to property lines.
 - 2. Any commercial recreation or entertainment facility that includes amusement rides, water slides, amusement vehicles, golf driving ranges, miniature golf, batting cages, or fully enclosed buildings shall meet requirements of amusement arcades.
 - 3. External lighting shall consist of cut-off type fixtures designed to cast light downward and away from adjacent properties.

9.4.8 Recreation or Entertainment, Indoor.

- A. Indoor Shooting Range.
 - 1. Buildings containing ranges shall have walls, ceilings and floors that are either impenetrable to the bullets of the firearms being used within it, or have internal baffling built so that the bullets cannot hit the walls or ceilings. Provisions shall also be made to stop glancing bullets or particles of bullets at the sides of the target area.
 - 2. A system of ventilation shall be installed within the range in accordance with the standards and requirements of the Environmental Protection Agency.
 - 3. The range shall be so constructed and insulated that the discharge of firearms within it shall not disturb persons outside the premises. The discharge of firearms shall be deemed to constitute a disturbance if the noise level exceeds fifty-five decibels (55dBA) at a distance of 50 feet or more from the building containing the range. Sound measurements shall be made with a sound level meter.
 - 4. No person under the age of 18 years shall be permitted to enter a range unless accompanied by an adult.
 - 5. No weapons other than handguns or rimfire rifles with a .22 caliber or less shall be allowed on the premises. All weapons brought into the range shall be in a case designed for the weapons so that no part of the weapon will be visible. Certified law enforcement officers are exempt from the provisions of this article.

6. Loaded weapons shall only be allowed in the firing area of the range and shall not be permitted in any other place inside the building or premises or within the property boundaries outside the building.
7. An emergency system shall be installed within each range, capable of alerting the people on the range to stop firing immediately.
8. It shall be unlawful for any person operating a range to permit any person or persons to bring any alcoholic beverages on the premises of any range, or to permit the consumption of alcoholic beverages on the premises or to permit alcoholic beverages to be left at any place on the premises. It shall also be unlawful for any person operating a range to permit any intoxicated person to be or remain in the premises of a range.
9. It shall be unlawful for any person operating a range to permit any form of gambling or wagering.
10. It shall be the responsibility of the licensee or instructor to brief patrons concerning the rules and regulations in the range before they are permitted to use the firing range. The licensee shall keep posted in a conspicuous place inside the building and outside the building a sign stating the rules and regulations of the range.
11. All ranges shall be subject to all requirements of the Occupational Safety and Health Act, and the National Institute for Occupational Safety and Health.

9.4.7 Animal Services.

A. Animal Service, General.

1. Kennel or boarding:

- a. Kennel or boarding operations incidental to a veterinary service principal use shall be permitted only within an enclosed building or structure located at least 100 feet from any property zoned or used for residential purposes.
- b. Such uses shall require a minimum lot size of two (2) acres.

B. Veterinary Services.

1. Any structure used as an animal hospital or veterinary clinic shall be located and its activities conducted at least 50 feet from any property zoned or used for residential purposes.
2. Medical treatment or care shall be practiced only within an enclosed building or structure.
3. The building or structure shall be designed to prevent the adverse impact of noise and/or odor from the animals on adjoining properties.

9.5 Industrial Uses.

9.5.1 Natural Resource Extraction.

- A. These supplemental regulations apply to all forms of Natural Resource Extraction, including Incidental Extraction, Mineral Extraction, Quarrying, and Mining.
- B. Use Classification. Where an activity involves more than one type of natural resource extraction, the activity shall be classified according to the most intensive applicable type, as defined in this UDO.
- C. Relationship to Other Permits. Approval under this UDO does not substitute for, waive, or exempt compliance with any applicable state or federal permitting or licensing requirements.
- D. Site Plan Required. All natural resource extraction uses, other than Incidental Extraction, shall require approval of a site plan demonstrating:

1. Limits of extraction activity;
 2. Location of access points and internal circulation;
 3. Existing and proposed topography;
 4. Buffers, setbacks, and screening;
 5. Drainage and erosion control measures;
 6. Areas proposed for stockpiling, processing, or staging, if applicable.
- E. Access and Traffic.
1. Access points shall be designed to minimize impacts on public roads and adjacent properties.
 2. Haul routes, where applicable, shall be identified as part of the site plan review.
- F. Setbacks and Buffers.
1. Natural resource extraction activities shall be set back from property lines, rights-of-way, and adjacent uses as required by the applicable zoning district or use approval.
 2. Areas being excavated shall be entirely enclosed within a fence located at least ten feet from the edge of any excavation and shall be a minimum of eight (8) feet in height.
- G. Processing Activities. On-site processing activities, including crushing, screening, washing, or similar operations, shall be permitted only where expressly authorized as part of the approved use and site plan.
- H. Stockpiling. Material stockpiling areas shall be identified on the approved site plan and managed to minimize off-site impacts, including erosion, dust, and visual intrusion.
- I. Reclamation and Site Restoration.
1. Areas subject to natural resource extraction shall be reclaimed following completion of extraction activities.
 2. Reclamation shall include stabilization of disturbed areas and restoration of the site to a condition suitable for future use, consistent with the approved site plan or conditions of approval.
- J. Abandonment. Natural resource extraction operations that cease activity for a period of one year may be deemed abandoned and subject to reclamation requirements.

9.5.2 Utility Services.

- A. Battery Energy Storage System.
1. Facility Configuration.
 - a. A battery energy storage system may consist of containerized battery units, cabinets, buildings, or similar enclosures, together with inverters, transformers, substations, cooling systems, fencing, and related equipment.
 - b. Battery units may be arranged as a single installation or in multiple groupings within a unified facility.
 2. Accessory Uses. Accessory equipment customarily associated with a battery energy storage system, including transformers, substations, switchgear, control rooms, and monitoring equipment, shall be considered part of the primary use.
 3. Safety and Codes.
 - a. Battery energy storage systems shall comply with all applicable fire, building, electrical, and safety codes, including those adopted and amended by the Georgia Department of Community Affairs.
 - b. Emergency access, setbacks, and spacing between battery units shall be designed to accommodate fire suppression and emergency response activities.

4. Noise. All equipment shall be operated in a manner that minimizes noise impacts on surrounding properties, including noise generated by cooling systems, transformers, and inverters.
 5. Screening and Visual Impacts.
 - a. Battery energy storage systems shall be screened from adjacent non-utility uses through a combination of fencing, landscaping, or other visual buffers.
 - b. Screening shall be designed to reduce visual impacts while allowing necessary access and ventilation.
 6. Lighting. Lighting associated with a battery energy storage system shall be limited to that necessary for safety and security and shall be directed away from adjacent properties.
 7. Decommissioning.
 - a. A battery energy storage system shall be removed when it is no longer in active use.
 - b. Decommissioning shall include removal of battery units, equipment, and associated infrastructure, and restoration of the site to a condition suitable for future use.
 8. Relationship to Electric Generation. A battery energy storage system shall not be considered an electric generating facility solely because it discharges stored electricity for delivery to a utility or power service provider.
- B. Utility structures and buildings.
1. Utility structures and buildings, including electric power generating units and natural gas substations, telephone exchanges, and similar structures shall be fenced and properly screened with a six-foot high planted buffer in compliance with Article 11.
- C. Electric Power Generation.
1. Structures shall be setback a minimum of 50 feet from any property line.
 2. Structures are to be enclosed by a chain link fence at least eight feet high.
 3. The lot shall be suitably landscaped, including a buffer strip at least ten feet wide along the front, side, and rear property lines.
 - a. Buffers shall be planted with evergreen trees and shrubs that grow at least eight feet tall, in compliance with Article 11.
- D. Electric, petroleum, or gas substation.
1. Structures shall be setback a minimum of 50 feet from any property line.
 2. Structures are to be enclosed by a chain link fence at least eight feet high.
 3. The lot shall be suitably landscaped, including a buffer strip at least ten feet wide along the front, side, and rear property lines.
 - a. Buffers shall be planted with evergreen trees and shrubs that grow at least eight feet tall, in compliance with Article 11.

9.5.3 Data Management and Processing.

- A. This use category shall include the following data management and processing subcategories, as defined by this UDO. All data management and processing uses shall comply with all provisions of this section:
1. Data Center Facility.
 2. High Intensity Data Processing Facility.
 3. Co-location or Managed Data Facility.

- B. Setbacks. Such uses shall be a minimum distance of 700 feet, as measured from a principal structure, from:
1. Any residentially zoned or used property line;
 2. Any private or public well or body of water; and
 3. Any medical facilities, childcare facilities, schools, or places of assembly.
- C. Location Requirements.
1. A data management or processing facility shall be located along the I-20 corridor. For purposes of this section, "located along the I-20 corridor" shall mean properties located within a maximum distance of two miles from an interchange or right-of-way of Interstate 20.
 2. No data management or processing facility shall be located within a half-mile (1/2) or 2,640 feet of a high-capacity transit stop.
- D. Utility Requirements.
1. All data management and processing uses shall provide a service agreement and/or evidence of electric utility approval.
 2. All data management and processing uses shall be located within five hundred (500) feet of existing public water and sanitary sewer infrastructure with adequate available capacity, as verified by the applicable utility provider.
 - a. Extensions of public water or sewer infrastructure beyond five hundred (500) feet for the sole purpose of serving a data management and processing use shall be prohibited unless otherwise approved by the Board of Commissioners.
- E. Buffer Required.
1. A minimum 100-foot-wide landscaped buffer, to include evergreen species, in compliance with Article 11, shall be maintained along all property lines including property lines abutting a public roadway.
 2. Buffers shall include a sound-attenuating wall of eight (8) feet in height. The wall shall be designed by a qualified professional to provide a minimum sound reduction of at least five decibels (5 dB), as measured in accordance with generally accepted acoustical standards.
- F. Screening Required. All ground level and roof top mechanical equipment shall comply with Article 10, Article 11, in addition to the following standards:
1. Mechanical Equipment shall be fully screened on all sides. Such visually solid screen must be constructed with a design, materials, details, and treatment compatible with those used on the nearest principal façade of a building;
 2. Perforation for Ventilated Screening. As determined by the Director of Planning and Development, screening for mechanical equipment may incorporate perforated surfaces on screening walls as necessary to permit ventilation of such equipment;
 3. Additional Separation. Ground mounted mechanical equipment must be separated from adjacent property any residentially zoned or used property, by a principal building, or is otherwise not permitted adjacent to such property;
 4. Ground Mounted Prohibited in Front Yards. Ground mounted mechanical equipment shall not be located in any required front yard; and
 5. Screening Exemption. Mechanical equipment located in a manner found to have no adverse impact on adjacent properties zoned M-1 or M-2 may be exempt from the screening requirements stated herein provided that such equipment shall still be

screened from any existing or planned public road. Such exemption shall be subject to approval by the Director of Planning and Development.

- G. Loading Bay Location. Loading bays are permitted to be located on only one façade.
- H. Lighting. All lighting other than street or pedestrian scale lighting shall be Dark Sky compliant. There shall be no spillover from fixtures onto any adjacent property, including any street.
- I. Cooling Systems and Water Runoff.
 - 1. All cooling and ventilation equipment shall operate on a closed-loop system. "Closed-loop system" shall refer to a system that reuses and recycles an initial load of water within its operation, significantly reducing draw on external water sources and minimizing wastewater discharge. A closed-loop system shall not use evaporative cooling but may utilize air-cooled (dry) cooling, rear-door heat exchanger cooling, hybrid dry economizer cooling, direct-to-chip cooling, immersion cooling, or a similar approved cooling system.
 - 2. All runoff from wash water and stormwater shall be discharged to an on-site wastewater treatment system approved by the Department of Stormwater Management. All paved areas shall drain into the on-site wastewater treatment system.
- J. Fire Safety Requirements.
 - 1. Fire Suppression. An active clean agent fire protection system shall be provided and maintained in good working order within any structure which contains any data management or processing use. High sensitivity smoke detectors shall be installed and operational in order to activate the clean agent fire suppression system.
 - 2. There shall be an emergency electricity termination switch installed outside of any containment structure which contains any data management and processing use.
 - 3. Containment Space. The equipment used in any data management or processing use shall be housed in an individually metered, electrically grounded, and metal-encased structure with a fire rating designed to resist an internal electrical fire for at least 30 minutes. The containment space shall contain baffles that will automatically close in the event of fire independent of a possible electric system failure.
 - 4. All building requirements required by this section, including but not limited to heat transfer apparatuses, fire detection/suppression systems, or containment structures shall be designed by a Georgia licensed engineer and in accordance with all applicable codes and standards.
- K. Heat Safety Requirements.
 - 1. The ambient temperature inside of a containment space which houses any data management or processing use shall not exceed 120 degrees Fahrenheit at any time. No person shall be permitted to regularly inspect and work within the containment area which houses such uses if the ambient temperature within the containment area exceeds 90 degrees Fahrenheit.
 - 2. Any data management or processing use shall ensure that no more than 20% of the heat dissipated by the mining activity shall be released directly to the outside when the average daily temperature is less than 40 degrees Fahrenheit.
- L. Nuisance Abatement.
 - 1. No data management or processing use may cause adverse or detrimental effects to adjoining properties, owners, or residents that diminish the quality of life or increase the costs of serving their business or maintaining their homes.

2. No data management or processing use shall produce a noise level exceeding sixty-five decibels (65 dB) during the daytime and fifty-five decibels (55 dB) during the nighttime as measured from any property-line.

M. Maintenance Requirements.

1. Any generators on the property shall comply with U.S. Environmental Protection Agency (EPA) New Source Performance Standards (NSPS) of at least Tier 4 emission standards and shall comply with the following:
 - a. Testing for generators shall not exceed 10 hours per month.
 - b. Testing for these generators shall only occur between the hours of 9:00 a.m. and 5:00 p.m.
 - c. Generators shall be enclosed by a sound attenuation for noise reduction and to reduce pollution.
 - d. A generator testing log to ensure compliance with these regulations shall be submitted as part of the annual compliance report to the Director of Planning and Development.
2. Except for generator testing or commissioning activities, generator use is limited to backup/emergency use only.

N. Application Requirements.

1. In addition to all other application requirements of this UDO, applications for a data center shall include the information listed below. An application shall not be deemed complete until all required materials have been submitted and accepted by the County.
2. Utility Coordination.
 - a. Utility Letter of Intent. The applicant shall submit a letter of intent from all relevant utility providers confirming that preliminary coordination has occurred and that service to the proposed facility is technically feasible, subject to final engineering review.
3. Noise Impact Assessment. A Noise Impact Assessment shall be required for all proposed data center developments and shall evaluate noise levels at a distance of five hundred (500) feet from the development. The assessment shall:
 - a. Define the scope of the analysis, including the study area, noise sources, and objectives; and
 - b. Measure existing ambient (pre-operation) noise levels and identify mitigation measures where operational noise is projected to exceed sixty (60) decibels (dB) during any hour of the day or night.
4. Water Consumption and Sustainability Plan. A Water Consumption and Sustainability Plan shall identify total water demand, including cooling needs, and demonstrate that the proposed use will not significantly strain the County's water supply. The plan shall evaluate:
 - a. Project vulnerability to water scarcity and drought;
 - b. Potential impacts on public services, including water, sanitation, transportation, communications, and power supply;
 - c. Existing drought monitoring and forecasting systems in the project area;
 - d. Proposed water conservation, drought management, and alternative water source strategies; and

- e. Use of advanced low-water or water-free cooling technologies consistent with regional water planning efforts, including those of the Metropolitan North Georgia Water Planning District.
- 5. Energy Consumption and Sustainability Plan. An Energy Consumption and Sustainability Plan shall include estimated electrical demand prior to construction and projected daily operational load. The plan shall address:
 - a. Peak electricity demand and strategies to minimize impacts on local power infrastructure;
 - b. Measures to reduce the need for new or expanded transmission lines;
 - c. Use of on-site renewable or sustainable energy systems that offset a minimum of ten (10) percent of total power or water usage;
 - d. Sustainable operational practices to limit or offset energy and water consumption; and
 - e. A decommissioning and recycling plan for electronic infrastructure in accordance with Responsible Recycling (R2) and/or e-Stewards® standards.
- 6. Transmission Line Impact Assessment. A Transmission Line Impact Assessment shall identify any need for new or upgraded transmission lines or substations.
 - a. The assessment shall address potential environmental impacts, including tree removal on public land or within rights-of-way.
 - b. Proposed substations shall identify location and screening methods, which shall include a minimum eight (8) foot wall or fence where visible from public view and shall comply with Section 11.8, Fences, Walls, and Hedges.
- 7. Annual Compliance Reporting. The owner or operator shall submit an annual compliance report by January 1 of each year documenting continued compliance with all approved plans, assessments, and zoning conditions.

9.5.4 Materials Recovery Facilities (MRF).

- A. General requirements for all materials recovery facility uses:
 - 1. Minimum acreage of site: Five (5) acres.
 - 2. Maximum acreage of site: Ten (10) acres.
 - 3. The property shall be located at least 500 feet from:
 - a. Any residentially zoned or used property line;
 - b. Any private or public well or body of water;
 - c. Any medical facilities, childcare facilities, schools or churches.
 - 4. Buffer required. A minimum 100-foot-wide landscaped buffer, to include evergreen species, in compliance with Article 11, shall be maintained along all property lines including property lines abutting a public roadway.
 - 5. All runoff from wash water and stormwater shall be discharged to an on-site wastewater treatment system approved by the Department of Stormwater Management. All paved areas shall drain into the on-site wastewater treatment system.
 - 6. Parking and queuing:
 - a. All parking and queuing of vehicles shall be paved and provided on-site.
 - b. In addition to the parking requirements of this section and Article 15, a minimum of five (5) spaces for queuing of vehicles containing waste materials shall be provided.
 - c. No parking or queuing shall be allowed in any buffer area or on a public roadway.

7. All permits are required to be in force and active from the state environmental protection division prior to permitting of the facility. Permit or certificate of approval from the state environmental protection division is to be provided to the Department of Stormwater Management and the Department of Planning and Development on an annual basis at the time of business licensing renewal.
- B. Compost Facility.
1. Composting materials shall be limited to tree stumps, branches, leaves, grass clippings or similar putrescent vegetative materials; not including manure, animal products or inorganic materials such as bottles, cans, plastics, metals or similar materials.
 2. Along the entire road frontage (except for approved access crossings), provide a three-foot high landscaped earthen berm with a maximum slope of three to one and/or a minimum eight-foot-high, 100 percent opaque, solid wooden fence or masonry wall. The fence/wall or berm must be located outside of any public right-of-way and interior to any landscaped strip. The finished side of a fence/wall shall face the exterior property lines.
- C. Recycling Facility.
1. Activities shall be limited to collection, sorting, compacting, and shipping.
 2. Screening:
 - a. Along the entire road frontage (except for approved access crossings), provide a three-foot high landscape earthen berm with a maximum slope of 3:1 and/or a minimum eight-foot-high, 100 percent opaque, solid wooden fence or masonry wall.
 - b. The fence/wall or berm must be located outside of any public right-of-way and interior to any landscaped strip. The finished side of a fence/wall shall face the exterior property lines.
 3. The facility shall not be located adjacent to or across the street from any property used or zoned for residential use.
 4. Lighting for such facilities shall be placed so as to direct away from any nearby residential areas.
 5. Materials collected shall not be visible and shall be deposited in a bin or bunker. All sorting and collection bins shall either be enclosed and have chutes available to the public or be located inside a fully enclosed building.
 6. No outdoor storage of non-containerized materials shall be allowed.

9.6 Wireless Communications.

9.6.1 General.

- A. The supplemental wireless communication facility regulations of this section shall be applied within the constraints of state and federal law, the federal Telecommunications Act of 1996 and Section 6409 of the federal Middle Class Tax Relief and Job Creation Act of 2012, as well as all applicable rulings of the FCC and the Streamlining Wireless Facilities and Antennas Act of 2019, as codified in title 36, chapters 66B and 66C.
- B. The intent of this section is to:
1. Provide for the appropriate location and development of communication towers to serve the residents and businesses of the County;
 2. Minimize adverse visual impacts of towers through careful design, siting, landscape and innovative camouflaging techniques; and

3. Encourage and concentrate the location of new communication towers in areas which are not zoned for residential use.

9.6.2 Wireless communication types.

- A. Wireless Communication Facility. The equipment and network components necessary to provide wireless communications service, excluding the underlying wireless support structure. The term includes antennas, accessory equipment, transmitters, receivers, base stations, power supplies, cabling, and associated equipment necessary to provide wireless communications services.
 1. Carrier on Wheels (COW). A portable, self-contained wireless facility that can be moved to a location and set up to provide wireless services on a temporary or emergency basis. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure.
 2. Co-location. The placement or installation of wireless communication facilities on existing structures, including electrical transmission towers, water towers, buildings and other structures customarily used for and capable of structurally supporting the attachment of wireless communication facilities in compliance with all applicable codes and regulations.
 3. Concealed Wireless Facility. Any wireless communication facility that is integrated as an architectural feature of an existing structure or any new wireless support structure designed to camouflage or conceal the presence of antennas or towers so that the purpose of the facility or wireless support structure is not apparent to a casual observer.
- B. Wireless Support Structure. A freestanding structure, such as a monopole or tower, designed to support wireless communication facilities.

9.6.3 Standards for all wireless communication uses.

- A. Wireless communication facilities are allowed in accordance with the permitted use tables of this UDO; Table 5.2.2 and Table 6.2.2. In addition, the following activities are permitted as of right in all districts:
 1. Removal or replacement of transmission equipment on an existing wireless support structure that does not result in a substantial modification of the wireless communication facility; and,
 2. Ordinary maintenance of existing wireless communication facilities and wireless support structures; and,
 3. Distributed antenna systems when located within a building or on the exterior of a building.
- B. Removal of Abandoned Antenna and Towers. Any wireless support structure that is not actively used by wireless carriers for a continuous period of six consecutive months will be considered abandoned, and the owner of the wireless support structure shall remove it within 60 days of receiving written notice from the County. The County shall ensure and enforce removal by means of its existing regulatory authority, with costs of removal charged to the owner.
- C. Existing Towers and Antennas. Wireless telecommunication facilities lawfully existing on or before the effective date of this UDO are allowed to remain in place and continue in use and operation. Ordinary maintenance and co-location is permitted, provided that any substantial modification requires review and approval in accordance with the special use procedures of Section 18.7, Special Use Permits.

- D. Safety standards. To ensure the structural integrity of communication structures, the owner of a structure shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. Tower owners shall conduct periodic inspections of communication towers at least once every three years to ensure structural integrity. Inspections shall be conducted by a structural engineer licensed to practice in the State.
- E. Regulatory compliance. All structures and facilities shall meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the state or federal government with the authority to regulate communications towers and antennas. If such standards and regulations are changed then the owners of the communications towers and antennas into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations, unless a more stringent compliance schedule is mandated by the controlling federal agency.
- F. Lighting. No illumination is permitted on an antenna or tower unless required by the FCC, FAA, or other State or federal agency of jurisdiction, in which case the Director of Planning and Development shall review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding uses and views.
- G. Signage. No signage shall be permitted on a facility or structure.
- H. Visual Impact:
 - 1. Structures shall either maintain a galvanized steel finish or subject to any applicable standards of the FAA or other applicable federal or state agency, or be painted a neutral color, so as to reduce visual obtrusiveness.
 - 2. At a structure site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment.
- I. Decisions:
 - 1. The environmental effects of radio frequency emissions may not serve as a basis to approve, deny, or otherwise regulate a telecommunication facility to the extent that emissions comply with Federal Communications Commission regulations.
 - 2. All decisions denying a request to place, construct, or modify a wireless communication use shall be in writing and be supported by a written record documenting the reasons for the denial and the evidence in support of the decision.
- J. The placement of additional buildings or other supporting equipment necessarily required in connection with an otherwise authorized wireless communication use is specifically authorized.

9.6.4 Co-locations and concealed wireless facilities.

The following requirements shall apply to installments on existing buildings and structures on private property:

- A. Antennas that are attached or affixed to existing wireless support structures or alternative telecommunication support structures are permitted as of right in all zoning districts, provided that the antenna does not substantially change the physical dimensions of such structure.
- B. Co-locations and concealed facilities in residentially zoned districts shall be visually screened from view of all abutting lots. Facilities in other zoning districts shall be screened or designed and installed so as to make the antenna and related equipment as visually unobtrusive as possible.

- C. If a facility is installed on a structure other than a tower, the facility and supporting electrical and mechanical equipment shall be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
- D. Co-location antennas or concealed facilities that substantially change the physical dimensions of such structure require special use permit approval. For the purpose of this section, “substantial change” shall mean:
 - 1. Increases height by more than ten percent (10%) or 20 feet, whichever is greater, as measured from facility as it existed prior to enactment of this section.
 - 2. Appurtenances added that protrude from the body of a structure more than 20 feet in width.
 - 3. If it involves installing more than the standard number of cabinets for the technology involved, not to exceed four cabinets; or if it involves installation of any cabinets if there are no pre-existing cabinets or involves installation of ground cabinets that are more than ten percent larger in height or overall volume than any other associated ground cabinets.
 - 4. Involves excavation or deployment outside the current “site.” “Site” shall be defined as the current boundaries of the leased or owned property surrounding the tower and any access or utility easements.
 - 5. For concealed or stealth-designed facilities, if a modification would defeat the concealment elements of the wireless tower or base station.
 - 6. The modification would not comply with other conditions imposed on the applicable wireless support structure or base station, unless the non-compliance is due to an increase in height, increase in width, addition of cabinets, or new excavation that does not exceed the above thresholds.

9.6.5 Wireless support structures.

The following requirements shall apply to stand-alone towers and structures:

- A. Height Requirements. The following telecommunication facilities may be approved administratively by the Director of Planning and Development following administrative review.
 - 1. For a single user, maximum height is 70 feet.
 - 2. For two users, maximum height is 100 feet.
 - 3. For three users, maximum height is 200 feet.
 - 4. Towers clustered at the same site shall be of similar height and design.
 - 5. Towers shall be erected at a minimum height necessary to provide parity with existing similar tower supported antenna and shall be freestanding where the negative visual effect is less than would be created by use of a guyed tower.
 - 6. Setbacks. Wireless support structures shall be set back from all property lines a distance that is at least equal to its engineered fall zone.
- B. Security. Communication towers shall be enclosed by decay-resistant security fencing not less than six (6) feet in height and shall be equipped with an appropriate anti-climbing device that meets the fencing and wall requirements of this UDO.
- C. Landscaping. Landscaping shall be used to effectively screen the view of the tower compound from adjoining public rights-of-way, public property, and residential property and shall be as follows:
 - 1. A buffer area no less than six (6) feet wide shall commence at the base of the tower.

2. The buffer zone shall consist of materials of a variety and spacing which can be expected to grow to form a continuous hedge at least five feet in height within two years of planting.
3. Trees and shrubs in the vicinity of guy wires shall be of a kind that would not exceed 20 feet in height or would not affect the stability of the guys, shall they be uprooted, and shall not obscure visibility of the anchor from the transmission building or security facilities staff and maintenance.
4. Native vegetation on the site shall be preserved to the greatest practical extent. The applicant shall provide a site plan showing existing significant vegetation to be replanted to replace that lost.
5. In lieu of these standards, the Director of Planning and Development may allow use of an alternate detailed plan and specifications for landscape and screening, including plantings, fences, walls, and other features designed to screen and buffer towers and accessory uses. The plan shall accomplish the same degree of screening achieved by the provisions above, except as lesser requirements are desirable for adequate visibility for security purposes.

9.6.6 Wireless Application Requirements.

In the case where a special use permit is required, the information required herein shall be required for the special use review process. Regardless, the information shall be provided with a permit for the construction of a facility or support structure.

- A. Each applicant requesting approval of a wireless communication use shall provide to the Director of Planning and Development, as a part of the application, an inventory of its existing facilities that are either within the County and/or within one-quarter (1/4) mile of the County boundaries, including information regarding the location, height, and design of each facility.
- B. No new wireless support structure may be permitted unless the applicant demonstrates that no existing facility or structure can accommodate the applicant's proposed antenna. Evidence shall be submitted at the time of application demonstrating that no existing facility or structure can accommodate the applicant's proposed antenna and may consist of one or more of the following:
 1. No existing facilities or structures are located within the geographic area required to meet applicant's engineering requirements.
 2. Existing facilities or structures are not of sufficient height to meet applicant's engineering requirements.
 3. Existing facilities or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
 4. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing facilities or structures, or the antenna on the existing facilities or structures would cause interference with the applicant's proposed antenna.
 5. The fees, costs, or contractual provisions required by the owner in order to share an existing or structure or to adapt an existing facility or structure for sharing are unreasonable; or
 6. There are other limiting factors that render existing facilities and structures unsuitable.

9.8 Accessory Uses and Structures.

9.8.1 General Standards.

- A. Accessory uses, structures, and dwelling units that are allowed only in connection with a lawfully established principal use.
- B. Accessory uses are limited to those expressly regulated herein, as well as those that, in the determination of the Director of Planning and Development, satisfy all of the following criteria:
 - 1. They are customarily found in conjunction with the principal use of the subject property;
 - 2. They are subordinate and clearly incidental to the principal use of the property; and
 - 3. They serve a necessary function for, or contribute to the comfort, safety, or convenience of occupants of the principal use.
- C. Accessory uses, structures, and dwelling units may be established only after the principal use of the property is established.
- D. Accessory uses, structures, and dwelling units shall be located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.

9.8.2 Accessory Buildings and Structures.

- A. Accessory buildings and structures are subject to the same regulations that apply to principal uses and structures on the subject lot, unless otherwise expressly stated.
- B. Accessory buildings and structures shall be clearly subordinate to the principal structure in height, bulk, scale, and floor area.
- C. Attachment
 - 1. Accessory buildings attached to the principal structure by conditioned space shall be considered part of the principal structure and shall comply with all applicable regulations for the principal structure.
 - 2. Accessory buildings attached by breezeways, passageways, or similar non-conditioned connections shall be considered accessory structures.
- D. Accessory buildings and structures shall be compatible in appearance with the principal structure and maintained in good condition.
- E. Bulk Standards
 - 1. Accessory buildings and structures shall be located in the rear yard or in the side yard behind the front yard building line. Accessory structures are prohibited within any street yard of a corner lot.
 - 2. Impervious surface limitations applicable to the zoning district shall apply to all accessory structures.
 - 3. No accessory building or structure shall exceed twenty-five (25) feet in height or the height of the principal structure, whichever is less and unless otherwise expressly permitted.
- F. Number and Size. The maximum number and aggregate floor area of accessory structures, excluding swimming pools, shall comply with the table below, or fifty percent (50%) of the floor area of the principal structure, whichever is less.

Property Size	Maximum Floor Area*
0 to 0.999 acres	One (1) accessory structure not to exceed 1,000 square feet.
1.0 to 4.999 acres	Up to two (2) accessory structures; aggregate area not to exceed 1,200 square feet.

5.0 or more acres	Up to two (2) accessory structures; aggregate area not to exceed the floor area of the principal dwelling.
*Subject to impervious surface limits of the zoning district.	

9.8.3 Prohibited Accessory Structures.

A. The following shall not be used as accessory structures in any zoning district, unless expressly permitted elsewhere in this ordinance:

1. Truck vans;
2. Mobile homes or converted mobile homes;
3. Recreational vehicles;
4. Trailers;
5. Bus bodies;
6. Self-storage, shipping, or transport containers;
7. Similar prefabricated or vehicular structures.

9.8.4 Accessory Dwelling Units.

- A. Accessory dwelling units shall be considered accessory structures and shall comply with all applicable standards of Sections 9.8.1 through 9.8.5, in addition to the standards of this subsection; however, an accessory dwelling unit shall not be counted toward the maximum number of accessory structures otherwise permitted on the lot.
- B. Where permitted, one accessory dwelling unit may be established on a lot containing a single-family detached dwelling.
- C. Accessory dwelling units shall be permitted only on lots meeting a minimum lot area of 30,000 square feet.
- D. The gross floor area of an accessory dwelling unit shall not exceed 1,000 square feet or fifty percent (50%) of the floor area of the principal dwelling, whichever is less. The building footprint of an accessory dwelling unit shall not exceed 600 square feet.
- E. Accessory dwelling units shall maintain a residential appearance and shall be architecturally compatible with the principal dwelling, including the following:
 1. Exterior finish materials shall visually match the principal dwelling in type, scale, and placement;
 2. Roof pitch shall match the predominant roof pitch of the principal dwelling;
 3. Where visible from the street, window proportions and orientation shall be consistent with those of the principal dwelling;
 4. Where the principal dwelling has eaves, the accessory dwelling unit shall include eaves with a similar projection.
- F. No additional off-street parking shall be required for an accessory dwelling unit. Required parking for the principal dwelling shall be maintained or replaced on-site.
- G. Systems and Utilities.
 1. Where served by an on-site sewage management system, the applicant shall demonstrate that the system has adequate capacity to serve the accessory dwelling unit, as verified by the Rockdale County Environmental Health Department.
 2. Electrical service to the property shall be upgraded as necessary to safely accommodate the accessory dwelling unit, as determined by the Building Official.
 3. An accessory dwelling unit shall not be served by a separate electric, water, or gas meter from the principal dwelling.

9.8.5 Temporary Storage Containers.

Temporary placement of self-storage or transport containers for loading or unloading purposes may be permitted for a limited duration, subject to administrative approval, provided that such containers:

- A. Are placed only on a paved or otherwise improved surface;
- B. Do not occupy required parking spaces, drive aisles, sidewalks, landscaping areas, or required buffers;
- C. Are located so as not to obstruct emergency access, utility access, or visibility at driveways or intersections;
- D. Are removed within a period not to exceed thirty (30) consecutive days, or for the duration of an active and valid building permit, whichever is shorter; and
- E. Are not used for habitation, commercial activity, or long-term storage.

9.8.6 Electric vehicle charging station.

- A. Electric vehicle charging stations may be counted toward satisfying minimum off-street parking space requirements.
- B. Vehicle charging equipment shall be designed and located so as to not impede pedestrian, bicycle, or wheelchair movement or create safety hazards on sidewalks.
- C. Electric vehicle charging stations shall be posted with signage indicating that the space is reserved for electric vehicle charging purposes only. For purposes of this provision, "charging" means that an electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station equipment.
- D. Electric vehicle charging stations shall be maintained in all respects, including the functioning of the equipment. A phone number or other contact information shall be provided on the equipment for reporting when it is not functioning, or other problems are encountered.
- E. Electric vehicle charging stations in residential zones shall be prohibited within five (5) feet of the front façade, unless contained in or on a structure.
- F. Electric vehicle charging stations may include integrated or accessory solar energy systems, including solar panels or solar canopies installed above parking spaces, provided such systems comply with all applicable building and electrical codes, and any zoning regulations.

9.8.7 Home Occupations.

- A. Exclusions. The following uses are not considered home occupations and are not subject to the home occupation regulations of this section. Each use is allowed as indicated in the tables of land uses.
 - 1. Personal Care Homes.
 - 2. Day Care.
 - 3. Bed and Breakfast.
 - 4. Short-Term Rentals.
- B. Prohibited Home Occupations. The following uses are expressly prohibited as home occupations:
 - 1. Any type of assembly, cleaning, maintenance, or repair of vehicles or equipment with internal combustion engines or of large appliances (such as washing machines, clothes dryers or refrigerators); and,
 - 2. Dispatch centers or other businesses where employees come to the site and are dispatched to other locations; and,

3. Vehicle sharing and rental services, including but not limited to the rental, lease, storage, staging, dispatch, pickup, or return of motor vehicles by persons not residing on the property, including peer-to-peer vehicle sharing or similar services; and,
4. Equipment or supply rental businesses; and,
5. Taxi, limo, van, or bus services; and,
6. Tow truck services; and,
7. Moto vehicle sales or rentals, remote; and
8. Firearms sales establishment; and,
9. Eating or drinking places; and,
10. Funeral or interment services; and,
11. Animal care, grooming, or boarding businesses; and
12. Any use involving the use or storage of vehicles, products, parts, machinery or similar materials or equipment outside of a completely enclosed building.

C. Standards applicable to all Home Occupations:

1. Home occupations shall be accessory and secondary to the principal use of a dwelling unit for residential purposes. They may not change the character of the residential building they occupy or adversely affect the character of the surrounding neighborhood.
2. Home occupations shall not involve on-site customer, client, or patient visits.
3. No person other than a resident of the dwelling unit shall be employed on-site in connection with a home occupation.
4. Home occupations shall comply with all applicable business licensing, occupational tax certificate, and registration requirements of Rockdale County.
5. Home occupations shall not produce light, noise, vibration, odor, parking demand, traffic, or other impacts that are not typical of a residential neighborhood.
6. Home occupations shall be operated so as not to create or cause a nuisance.
7. Any tools or equipment used as part of a home occupation shall be operated in a manner or sound-proofed so as not to be audible beyond the lot lines of the subject property.
8. External structural alterations or site improvements that change the residential character of the lot upon which a home occupation is located are prohibited. Examples of such prohibited alterations include construction of parking lots, the addition of commercial-like exterior lighting or the addition of a separate building entrance that is visible from abutting streets.
9. Home occupations and all related activities, including storage (other than the lawful parking or storage of vehicles), shall be conducted entirely within the dwelling unit or accessory building or structure, as permitted.
10. The area devoted to all home occupations present on the property is limited to 10 percent of the dwelling unit's floor area or 250 square feet, whichever is less.
11. No window display or other public display of any material or merchandise is allowed.
12. The use or storage of hazardous substances is prohibited, except at the "consumer commodity" level, as that term is defined in 49 C.F.R. Section 171.8.
13. Only passenger automobiles, passenger vans, and passenger trucks may be used in the conduct of a home occupation. No other types of vehicles may be parked or stored on the premises. This provision is not intended to prohibit deliveries and pickups by

common carrier delivery vehicles (e.g., United States Postal Service, United Parcel Service, FedEx, et al.) of the type typically used in residential neighborhoods.

14. Home occupations complying with the regulations of this section are permitted to operate in accessory dwelling units or other accessory structures or buildings.

9.8.8 Outdoor Storage.

- A. The outdoor storage regulations of this section apply to the storage of goods, materials, and equipment as an accessory use to commercial or industrial use types when located outside of enclosed buildings, including:
1. Material in boxes, in crates, or on pallets; and,
 2. Overnight storage of vehicles awaiting repair (not including new vehicles for sale) and construction and contractor's equipment, including lawnmowers; and,
 3. Fleet vehicles; and,
 4. Construction material such as lumber, pipe, steel and unpackaged soil, mulch, recycled material, or similar items; and,
 5. Other items like appliances, merchandise, equipment, garbage, landscape waste, glass, and rubbish.
- B. Storage shall be fully enclosed by a fence not less than six (6) feet in height containing opaque material to provide visual screening, in compliance with Article 11. Operable fleet vehicles do not require screening.

9.8.9 Swimming Pools.

- A. Swimming pools are considered accessory structures and shall comply with all accessory structure regulations Section 9.8.2, Accessory Uses and Structures in addition to those dedicated specifically to swimming pools in this section.
- B. Pool heaters and pumps shall not be located in a front yard and shall be least ten (10) feet from any property line.
- C. Swimming pools shall be located in the rear yard and shall be setback a minimum of ten (10) feet from rear lot lines and twelve (12) feet from side lot lines. Setbacks are measured from the outermost edge of the pool decking to the nearest the applicable lot line.
- D. Commercial accessory swimming pools shall be approved only after receipt of written approval from the Rockdale County Board of Health.

9.8.10 Unmanned Retail Structures.

- A. Construction Up to one (1) unmanned retail structure is allowed per acre of a lot or fraction thereof, not to exceed a maximum of three (3) total on lots three (3) acres or larger.
- B. An unmanned retail structure shall not exceed a footprint of 50 square feet and eight (8) feet in height.
- C. An unmanned retail structure shall not encroach on any required site elements such as landscaping, buffers, setback areas, parking, or pedestrian access.
- D. Building signs may be applied to the unmanned retail structure, provided that they follow the sign requirements in this chapter for signage and do not cause the lot to exceed its allocation of sign area.

9.8.11 Vending Machine Fulfillment Center.

- A. Vending Machine Fulfillment Centers are only permitted as accessory structures to otherwise compliant principal uses occupying a principal structure.

- B. Whether the structure is attached to the principal structure or not, signage shall only be permitted on all associated structures as if only a single structure exists.

9.9 Temporary Uses.

9.9.1 Temporary Construction Structures.

- A. Standards applying to all Temporary Construction Structures:
1. Temporary Construction Structures may be parked or stored on any lot when used in conjunction with a valid, unexpired building or land development permit.
 2. All Temporary Construction Structures shall be completely removed from the premises within 30 days of issuance of the final Certificate of Occupancy or project close-out pertaining to the building(s)/land development associated with the construction.
 3. When not associated with a valid permit, portable storage containers or temporary dumpsters shall not be parked or stored for more than fifteen (15) consecutive days or a total of more than 30 days during any calendar year.

9.9.2 Temporary Outdoor Sales of Merchandise.

- A. Any applicant for a permit for temporary outdoor sales of merchandise shall demonstrate compliance with the regulations of this section through an annual permit obtained from the Department of Planning and Development as an occupational tax certificate.
- B. Temporary sales activities are subject to the following regulations:
1. No such temporary outdoor sales of merchandise may be conducted on public property, within any public right-of-way, and no display or sales area may block safe pedestrian movement.
 2. Tents may be used in conjunction with temporary sales activities for a maximum of five (5) days over a one-month period.
 3. No operator, employee, or representative may solicit directly to the motoring public.
 4. No temporary outdoor sales may be located within or encroach upon any drainage easement, public sidewalk or right-of-way, required parking spaces, fire lanes, designated loading areas, driveways, maneuvering aisles, or ADA minimum sidewalk width within private sidewalks or other areas intended for pedestrian movement.

9.9.3 Temporary Special Events.

- A. Temporary special events may include those special events as defined by this UDO and other approved events of community interest. A temporary special event may occur as part of an approved special event permit obtained from the Department of Planning and Development.
- B. Temporary special event activities are subject to the following regulations:
1. Duration and Frequency Events.
 - a. A temporary special event shall not operate for more than fourteen (14) consecutive calendar days, inclusive of setup and breakdown activities, unless otherwise approved as part of the special event permit.
 - b. The same special event shall be permitted to occur no more than two (2) times within the same calendar year on the same property. For purposes of this section, "same special event" shall include events of a similar type, name, theme, or operational characteristics.
 2. Operation.
 - a. Security or off-duty police officers shall be on-site during operating hours.

- b. Portable toilets or access to bathrooms shall be provided.
- 3. Temporary special event activities shall be set back at least one hundred (100) feet from any residential district or use.
- 4. Stage or Tents.
 - a. Temporary stages require the review and approval of a building permit.
 - b. Tents over 400 square feet require the review and approval of a building permit.

AN ORDINANCE REPEALING AND REPLACING CERTAIN CHAPTERS OF TITLE 3, DEVELOPMENT AND PERMITTING, OF THE ROCKDALE COUNTY UNIFIED DEVELOPMENT ORDINANCE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; AND FOR OTHER PURPOSES.

WHEREAS, Subpart B – Planning and Development of The Code of Rockdale County, Georgia, as amended, governs land use and zoning; and

WHEREAS, the Board of Commissioners has determined that certain development and permitting regulations within Title 3 of the Unified Development Ordinance should be repealed and replaced in order to modernize standards, improve clarity, and ensure consistency with state and federal requirements; and

WHEREAS, the proposed amendments have been reviewed in accordance with applicable public hearing and notice requirements;

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

Title 3, Development and Permitting, of the Rockdale County Unified Development Ordinance is hereby amended as follows:

The following chapters are repealed in their entirety and replaced with the provisions set forth in Exhibit “A,” attached hereto and incorporated herein by reference:

- Chapter 306 – Soil Erosion and Sedimentation Control
- Chapter 310 – Stormwater Management
- Chapter 320 – Flood Damage Prevention
- Chapter 324 – Environmental Planning Criteria
- Chapter 332 – Public Improvements

Section II

The amendments adopted herein shall be codified as part of the Rockdale County Unified Development Ordinance. The County Attorney, Clerk, or codifier is authorized to renumber, reletter, and reformat sections as necessary for codification purposes, provided no substantive changes are made.

Section III

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section IV

If any section, subsection, sentence, clause, or provision of this Ordinance is held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section V

This Ordinance shall apply to all applications submitted on or after the effective date. Applications deemed complete prior to the effective date may proceed in accordance with the regulations in effect at the time of submission, unless otherwise expressly provided herein.

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

ADOPTED AND APPROVED THIS _____ DAY OF _____, 2026

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

JaNice Van Ness, Chair & CEO

Tuwanya C. Smith, Commissioner Post I

Dr. Doreen Williams, Commissioner Post II

(Signatures continued on following page)

Attest:

By: _____
Jennifer Rutledge, County Clerk

Approved as to Form:

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

First Reading: _____

Second Reading: _____

EXHIBIT "A"

Repeal and Replacement of Certain Chapters of Title 3, Development and Permitting

Article 13: Streets and Improvements

13.1 Streets and Sidewalks.

13.1.1 *Street classification and right-of-way requirements.*

A. Street classification.

- Streets are classified into a street hierarchy system based on road function and traffic volumes. Streets are classified into the following categories:
 - Interstate principal arterials.
 - Principal arterials.
 - Minor arterials.
 - Collector streets
 - Local streets in urban area boundaries.
- The application for approval of a preliminary plat, site development plan, or building permit that will require the applicant to construct new public streets or make improvements to existing public streets shall determine the design of the street based on projected traffic volumes and use the right-of-way and lane widths as noted in the "table of minimum right-of-way and lane widths." The final determination regarding the classification of any existing or proposed street shall be made by the director.

B. Right-of-way and lane widths.

- Minimum widths for new streets or roads shall be as shown in "table of minimum right-of-way and lane widths." See Rockdale County Standard Design and Construction Details for detailed dimensions. Total width of streets includes lane width plus curb and gutter (back to back of curb) or from edge of pavement if no curbs exist. Local streets will use a 24-inch curb and gutter. Other road/street classifications will use a 30-inch curb and gutter. If an existing street is used for access, the developer shall conform to the existing street width if it is greater than is required for a new street in this UDO.
- Minimum widths of right-of-way and lanes shall be as shown in the table of right-of-way and lane widths.

Table 13.1.1.B : Minimum Right-of-Way and Lane Widths		
Street Category	Minimum R-O-W	Lane Width*
Principal Arterial: Ditch section/ 20 ft. median C&G/20 ft. median C&G, undivided	120 ft. 120 ft. 120 ft.	12 ft. 12 ft. 12 ft.
Minor Arterial: Ditch section C&G section	100 ft. 100 ft.	12 ft. 12 ft.
Collector Street: Ditch section C&G section	80 ft. 80 ft.	12 ft. Standard; 11 ft. Minimum

		12 ft. Standard; 11 ft. Minimum
Local Street: Residential/Subdivision (C&G) Commercial/Industrial/Other	50 ft. 60 ft.	11 ft.* 12 ft. Standard ; 11 ft. Minimum
Cul-de-sac: Commercial/Industrial Residential	75 ft. radius 50 ft. radius	65 ft. radius 40 ft. radius
Notes: *Lane widths include only pavement width. Example: Two lanes at 11 feet with two feet C&G would be 26 feet back to back of curb. - Ten-foot lanes are allowed in conservation residential subdivisions. - Lane widths on collector streets and other local (non-subdivision) streets will be based on design speed and traffic volumes. - Number of lanes will be determined based on traffic volumes, except for subdivision streets which will be typically two lanes only. - Street categories based on the current Federal Functional Classification System for Rockdale County. - Typical section details are shown in the Rockdale County Standard Design and Construction Details.		

C. Right-of-way dedication.

- The minimum width of right-of-way shall be dedicated based upon the street classification, as provided in this section and approved by the Director of Transportation.
- On any existing street abutting a proposed development, one-half of the required width of right-of-way shall be dedicated, at no cost to Rockdale County, as measured from the centerline of the roadway along the entire property frontage. Right-of-way widths for existing streets shall be based on the current classification as determined by the Director of Transportation.
- Additional right-of-way may be required at intersections or other locations fronting the property where turning lanes, storage lanes, medians, re-alignments or other traffic safety improvements are required.
- If a new street or thoroughfare is proposed by Rockdale County or the State of Georgia to adjoin or traverse the property, the proposed road shall be accommodated into the development plans of the property in accordance with this UDO. These right-of-way requirements shall govern except where there exist clearly defined plans of the Georgia Department of Transportation (GDOT) or Rockdale County that require additional right-of-way. In that case, the greater right-of-way requirements shall govern.
- Clear zone requirements. All new roads/streets should utilize the concepts, designs, and philosophies in the Federal Highway Administration (FHWA) Roadside Design Guide, where practical and feasible to use the latest state-of-the-practice in roadside safety. New roads/streets should also use context-sensitive design concepts in the applications of clear zone. Context-sensitive design concepts are also on the GDOT web site (www.dot.state.ga.us). The application of clear zone concepts on existing roads/streets needs to be used where the greatest safety benefit can be realized. Crash reports, site

investigations, and maintenance records offer starting points for identifying these locations.

13.1.2 Access management.

- A. These standards shall apply unless a more restrictive standard is required by the Georgia Department of Transportation.
- B. All off-street parking lots shall have access to a paved public or private street and be served by a paved access drive.
- C. Interparcel access is required between all abutting parking lots and sites based on site conditions and as determined by the Planning and Development Director, to provide a cross-access drive and pedestrian access to allow circulation between sites.
 - 1. Interparcel access is not required between nonresidential uses and single-family residential uses.
 - 2. This shall be accomplished by stubbing a connection to each adjacent the property line. The property owner shall grant an access easement granting public access through the lot. This easement shall be submitted to the Planning and Development Director and recorded by the applicant or property owner with the Rockdale County Superior Court.
 - 3. Joint driveways between properties shall be established wherever feasible along a major thoroughfare, or arterial or collector street.
- D. All developments shall have access to a public right-of-way. The number of access points shall be in accordance with Table 13.1.2.D.

Table 13.1.2.D: Minimum Number of Access Points	
Type of Development	Minimum Number of Access Points
Residential, 40 or fewer units	1
Residential, 41—150 units	2
Residential, 151—300 units	3
Residential over 300 units	4
Nonresidential, less than 200 required parking spaces	1
Nonresidential, 200—999 required parking spaces	2
Nonresidential, 1,000 or more required parking spaces	2 or more, as determined by the Planning and Development Director

- E. The separation of access points on a thoroughfare, arterial, or collector street shall be determined by the speed limit of the road with the following minimum spacing requirements in accordance with Table 13.1.2.E.
 - 1. The distance between access points shall be measured from the centerline of the proposed driveway or street to the centerline of the nearest existing adjacent driveway or street.

2. Driveway spacing at intersections and corners shall provide adequate sight distance, response time, and permit adequate queuing space.
3. No driveway, except driveways providing residential access, shall be allowed within 100 feet of the centerline of an intersecting thoroughfare or arterial or collector street.
4. No nonresidential access except right in/right out channelized access shall be allowed within 100 feet of the centerline of any other thoroughfare or arterial.
5. The requirements of this Section are not intended to eliminate all access to a parcel of land that was legally subdivided prior to the enactment of this Section.

Table 13.1.2.E: Driveway Separation	
Posted Speed Limit of Road	Minimum Driveway Spacing
Less than 35 mph	125 feet
36 to 45 mph	245 feet
Greater than 45 mph	440 feet

- F. All street design and other development activities, including landscaping, shall be arranged on site so as to provide safe and convenient access for emergency vehicles.
- G. Along thoroughfares, arterials, or collector streets, a deceleration lane, a turn lane, larger or reduced turning radius, traffic islands or other devices or designs, including traffic calming devices and designs, may be required to avoid specific traffic hazards which would otherwise be created by the proposed driveway location. The Planning and Development Director may require the submission of a traffic analysis based on the scale and scope of the project to determine required improvements.
- H. Deceleration lanes are required for access to residential uses containing 20 or more units that provide less sight distance (in feet) than ten times the posted speed limit (in miles per hour) in accordance with Table 13.1.2.H.
 1. The minimum deceleration lengths shall be as specified below. The Planning and Development Director may vary length requirements based upon a consideration of available sight distances and other contextual features as determined by an engineering study to verify traffic safety.
 2. Deceleration lanes located within 75 feet of an intersection radius may be extended to the intersection.

Table 13.1.2.H: Deceleration Lanes	
Operating Speed	Deceleration Lane Dimensions
Subdivision streets	Not required
35 mph	150'+50' taper
40 mph	150'+50' taper
45 mph	150'+50' taper
55 mph	200'+150' taper

- I. Emergency access. All public streets, private, and residential drives shall be designed and maintained so as to provide safe and convenient access for emergency vehicles, as required by the Rockdale County Fire Marshal.

13.1.3 Driveway design standards.

- A. Permits required. No driveway shall be constructed abutting a county-maintained road or street until all applicable driveway permits have been approved and issued by the department. For driveways that abut a state or federal highway, all applicable permits shall be obtained from the GDOT prior to construction.
- B. General requirements.
 1. Joint access driveways are permitted in order to achieve minimum driveway spacing requirements.
 2. No property may have a curb cut in excess of 50 feet in width without approval of the Director of Transportation.
 3. If a non-residential driveway design is one-way in or one-way out, then the driveway shall be a minimum width of 16 feet and shall have appropriate signage designating the driveway as a one-way connection.
 4. For two-way, non-residential access, each travel lane shall have a minimum width of 11 feet. When more than two lanes are proposed, a specific driveway design must be approved by the department.
 5. Driveways that enter an arterial or collector street at traffic signals must have at least two outbound lanes of at least 11 feet in width and one inbound lane with a maximum width of 12 feet.
 6. Except for single-family and two-family residences, driveway grades shall conform to the requirements of the Georgia Department of Transportation Design Standards.
 7. Driveways shall intersect roads or streets with no more than a 10-degree skew from a 90-degree angle.
 8. Driveway aprons shall slope from the right-of-way to the edge of pavement or gutter flow line. For all non-single-family driveways and entrances, a storm sewer inlet or grade break shall be provided at the right-of-way line to prevent discharge of stormwater onto the public right-of-way.
 9. Driveways shall comply with the minimum requirements of the Rockdale County Standard Design and Construction Details, based on projected use and classification.
 10. Driveways serving single-family detached or duplex residences may be no less than ten feet wide at the right-of-way line and shall provide a radius to the back of the curb or edge of the pavement of the roadway of no less than five feet. All other driveway curb cuts on public streets shall conform to the standards shown on the driveway details contained in the Rockdale County Standard Design and Construction Details. All driveways and driveway curb cuts on state highways shall conform to GDOT Standards.
 11. All driveways and driveway curb cuts on state highways shall conform to GDOT Standards.
- C. Driveway construction standards.
 1. Sidewalks and curbs adjacent to driveways shall meet requirements of the Americans with Disabilities Act.

2. Portions of driveways within the public rights-of-way shall be of concrete pavement six inches thick and a minimum of 3,000 psi for residential driveways, and eight inches thick, 3,500 psi concrete over compacted subgrade for commercial and industrial driveways.
 3. Driveways shall be no closer than three feet, at the closest point, to an at-grade utility structure, including, but not limited to, curb inlets, drainage structures, streetlights, telephone and electrical poles, boxes and transformers, manholes, handholes and fire hydrants.
 4. Driveways shall be no closer than ten feet from a street tree or fire hydrant.
 5. Water and sewer lines shall be located outside of driveways, except for generally perpendicular crossings.
 6. Commercial driveways shall provide a 35-foot minimum radius at any intersection with a public street. If designed for freight vehicles, the minimum radius shall be 75 feet.
- D. Sight distance. All roads, streets, and driveways shall provide adequate sight distance as shown in the Table 13.1.3.D.

Table 13.1.3.D: Intersection Sight Distance Requirements					
Design Speed	Sight Distance (in feet)				
	2 lanes	3 and 4 lanes		5 and 6 lanes	
	SDL=SDR	SDL	SDR	SDL	SDR
25 mph	280	290	315	335	350
30 mph	335	350	375	400	420
35 mph	390	410	440	465	490
40 mph	445	470	500	530	560
45 mph	500	530	560	595	630
50 mph	555	590	625	660	700
55 mph	610	650	685	730	770
60 mph	665	705	750	795	840
65 mph	720	765	810	860	910
SDR means sight distance required for vehicle approaching from right side of driveway. SDL means sight distance required for vehicle approaching from left side of driveway.					

13.1.4 Requirements for new streets and roadways.

- A. All new streets proposed to be constructed in a subdivision or other development shall be designed and constructed to the minimum standards contained in this chapter, in accordance with the classification of streets.
- B. If a new street or thoroughfare is proposed by Rockdale County or the State of Georgia to traverse the property, the proposed road shall be designed and constructed in accordance with the street classification as shown in the latest Federal Functional Classification System for Rockdale County and contained in this chapter or as shown on plans proposed by the county or State of Georgia. The specific vertical and horizontal alignment of the proposed roadway shall be as established or approved by Rockdale County and/or the State of Georgia, as applicable.
- C. Substandard streets.
 1. If a substandard street (dirt or gravel road or inadequate width of pavement or right-of-way) provides a means of access to a major subdivision or non-residential development, the street shall be upgraded to the street classification standard required by the

Rockdale County Functional Classification System and in accordance with this article. These improvements shall extend from the entrance of the development to the nearest standard paved road of an equivalent or higher classification, along the route of primary access.

2. All right-of-way required for these off-site improvements shall be acquired at the expense of the developer. Additional requirements may be mandated by the county as outlined in subsection B.
- D. Improvements along state highways. For any development that abuts a state or federal highway, improvements to the roadway and the location and design of any street or driveway providing access from the state highway shall comply with the standards and requirements of the GDOT and this chapter. A permit for the proposed access or improvements shall be required to have been approved by the GDOT and incorporated into the construction drawings for the project prior to issuance of a development permit by the department.
- E. Permanent dead-end streets.
1. New streets shall connect at both ends to existing streets unless the Director of Transportation determines that unique parcel configuration or terrain make a fully connected street pattern infeasible or unsafe.
 2. When necessary, streets designed to have one end permanently closed shall provide a cul-de-sac turnaround and may be no more than 800 feet in length, unless otherwise approved by the Director of Transportation.
 3. The length of a cul-de-sac street shall be measured from the center of the cul-de-sac to the center of the intersection with another street.
 4. Cul-de-sacs shall conform to design requirements of the Rockdale County Standard Design and Construction Details.
- F. Temporary dead-end streets.
1. A temporary dead-end street shall be provided to the boundary of a subdivision to provide access to abutting property for planned continuity of future circulation, improved access for public safety vehicles or for the extension of public water or other utilities to neighboring properties. Such dead-end streets shall be designed to meet the requirements of this article, and to allow their reasonable extension and shall be located so as to be reasonably incorporated into a street design for the neighboring property. A temporary vehicular turnaround shall be provided as shown in the standard details.
 2. Existing dead-end streets on abutting property shall be extended into a proposed subdivision and incorporated into the street design of the development.
 3. Subsections 1 and 2 of this subsection may be modified by the Director of Transportation in cases of serious topographical hardship or unacceptable land use conflicts between the two developments. This modification may be conditioned on the provision of easements necessary for the extension of public utilities, the provision of a cul-de-sac or other permanent turnaround on the dead-end street or the removal of the dead-end street back to its nearest intersection.
 4. Where a dead-end street (other than a cul-de-sac) serves four or more lots in a multi-phase subdivision and such street is to be extended later, the developer shall be required to provide a temporary vehicular turnaround complying with this ordinance. This requirement may be waived if extension of the dead-end street is approved and under construction prior to its inclusion in a final plat.

- G. Access roads. Where a development borders on or contains a railroad right-of-way, major utility easement, limited access highway right-of-way or a major thoroughfare; a public street may be required to be constructed and dedicated within the development approximately parallel to and on each side of such right-of-way. Locations of such service roads shall be aligned with similar service roads on adjacent properties.
- H. Construction access drives are required for vehicles with gross weight of 10,000 pounds or more.
1. On multi-phase developments, the developer shall be required to dedicate, install, maintain and remove temporary construction access drives for the ingress and egress of construction vehicles, personnel and equipment.
 2. Temporary construction access drives shall be shown on the concept plan and preliminary plat and shall access an existing county road where possible. Construction access drives shall be permitted through the Department of Transportation, and shall comply with sight distance requirements herein.
 3. Temporary construction access drives shall be utilized as the sole means of ingress and egress during the construction of subsequent phases of the development, to prevent the flow of construction and heavy vehicular traffic on newly constructed streets completed under earlier phases.
 4. If a temporary construction access drive cannot be provided at the discretion of the Director of Transportation, due to site-specific restrictions, then the developer shall provide a maintenance bond for those portions of the newly constructed roadway utilized for construction access. The maintenance bond shall provide surety for roadway repairs and resurfacing. The required bond amount per linear foot shall be the current amount established by the Board of Commissioners. The maintenance bond shall be provided to the county prior to the start of construction, and shall not expire for a period of 24 months following the completion of all construction activities.
- I. Half streets. Both the construction of new half streets and the extension of access to existing half streets shall be prohibited. Whenever a street is planned adjacent to the proposed subdivision tract boundary, the entire street right-of-way shall be platted within the proposed subdivision.
- J. Reserve strips. Land in private ownership adjacent to public rights-of-way, which could control or is intended to control access to streets, alleys or public lands, shall not be permitted unless control is given to the county under ownership, dedication or easement conditions approved by the county attorney or acceptable to the Director of Transportation. No development shall be designed so as to deny access to abutting properties.
- K. Alleys. Alleys may be permitted by the Director of Transportation where lots are less than 75 feet in width or otherwise when the developer produces satisfactory grounds for the request. In the event the Director of Transportation approves the request, the alleys must be laid out in a grid fashion at rear lot lines, and double-fronting lots are permitted. The alley shall be designated as a public street pursuant to the standards contained in this ordinance. Alleys shall not be permitted as dead end-streets.
- L. Street jogs.
1. Local streets shall either directly align or have offsets of a minimum of 125 feet for residential subdivision streets and a minimum of 200 feet for non-residential subdivision streets, as measured between the centerlines.

2. Where it is not feasible to align new streets or entrances with an existing street intersecting nearby on the opposite side of a collector or arterial street, then the new street intersection shall be no less than 600 feet from the intersection of the existing street, as measured between centerlines of the two opposing streets.
- M. Traffic-calming measures. Traffic-calming measures shall be incorporated in accordance with the Rockdale County Traffic-calming Guidelines. Specific measures may include eastabout, speed tables or other methods approved by the Director Transportation. Street layout and configuration should include a series of relatively short interconnected roadways in lieu of longer straight roads, to discourage excessive speeds. See Section 13.1.10, Traffic calming devices.

13.1.5 Street intersections.

- A. Angle of intersections. Intersections of two public streets shall form an angle that is between 85 and 95 degrees, unless otherwise approved by the Director of Transportation. If the intersection is signalized, the angle of the intersection may be reduced subject to the review and approval of the Director of Transportation.
- B. Intersection approaches.
 1. The approaching street at any intersection shall be designed and constructed to provide both the minimum horizontal and vertical approach distances, as defined in this section and indicated in the table below.
 2. Minimum horizontal approach distance is defined as the minimum distance required along the centerline of an approaching street, perpendicular or no less than 85 degrees to the intersected street, as measured from the edge of pavement of the intersected street to the point of horizontal curvature on the approaching street.
 3. Minimum vertical approach distance is defined as the minimum distance required along the centerline of the approaching street, at a grade less than or equal to the recommended grade indicated in Table 13.1.5.B as measured from the edge of pavement of the intersected street to a point on the profile of the approaching street where grades exceed recommended values.

Table 13.1.5.B: Intersection approach distances			
Approaching Street Classification	Minimum Horizontal Approach Distance 1	Minimum Vertical Approach Distance 1	Recommended Approach Grade 2
Principal Arterial	300 Ft.	200 Ft.	2.0%
Minor Arterial	200 Ft.	150 Ft.	2.0%
Collector Street	150 Ft.	100 Ft.	2.5%
Local Street	75 Ft.	50 Ft.	4.0%
1. Distance of the approach is measured from edge of pavement of the intersected street to the point of curvature in the approaching street. 2. Recommended approach grades shall be considered as the maximum allowable grades, unless otherwise approved by the Director of Transportation. No grade shall be less than 1.5%.			

- C. Crown taper. The typical crowned street cross section shall be tapered over a distance of not less than 50 feet on the approaching street at all intersections, in order to connect flush with the line and grade of the edge of pavement on the intersected street. The cross-section taper shall be designed and constructed so as to provide for the adequate drainage of surface water from all portions of the travel surface and gutter.

- D. Intersection radii. Intersection radii for roadways measured at back of curb and for the right-of-way lines shall be as shown in Table 13.1.5.D. For intersecting streets of different classification, the larger radii shall be provided. Larger radii may be required for streets intersecting at angles less than 90 degrees. In all cases, adequate right-of-way shall be provided to maintain a minimum of 12 feet from back of curb to right-of-way line. Miters are acceptable.

Table 13.1.5.D: Intersection Radii	
Street Classification	Radius at Intersection
Principal Arterial	30 ft.
Minor Arterial	30 ft.
Collector Street	25 ft.
Local Street-Rural or Urban	25 ft.
Commercial/Industrial	35 ft.

- E. Islands. Islands in street intersections shall conform to the design requirements of the Rockdale County Standard Design and Construction Details. In no case shall anything in an island extend more than three feet above the street grade within the right-of-way; except traffic regulatory devices, street trees and other infrastructure erected or approved by Rockdale County. No island shall be approved that contains less than 100 square feet. Irrigation or other private systems shall not be installed within public right-of-way.
- F. Intersection corner sight distance.
1. Intersections shall be designed with adequate corner sight distance for each approaching street. Where necessary, back slopes shall be flattened and horizontal or vertical curves lengthened to provide the minimum required sight distance.
 2. The minimum corner sight distance from the approaching street shall be calculated using latest edition of AASHTO "Policy on Geometric Design of Highways and Streets", chapter 9 (at-grade intersections).
- G. Obstructing visibility at intersections. On all corner lots located at a street intersection, a clear sight zone shall be maintained at all times. The design and location of new intersections shall meet the standards of Section 13.1.2, Access Management and Section 13.1.3, Driveway design Standards.
- H. Turning lanes at intersections. Both center left-turn and right-turn lanes shall be provided on all new internal project streets, and on all existing county roads, where traffic volumes and turning movements warrant the installation. At the request of the Director of Transportation, the developer or applicant shall prepare and submit a detailed traffic study (as defined herein), outlining projected traffic volumes, turning movements and auxiliary lanes required. The methodology and conclusions presented in the traffic study are subject to the review and approval of the Department of Transportation.
1. Center turn lane storage. A minimum storage length of 150 feet shall be provided for center left turn lanes on any arterial streets. A minimum storage length of 100 feet shall be provided on all collector streets. Additional storage capacity shall be provided as required, based on projected peak traffic volumes and turning movements.
 2. Taper length. The taper length shall be in accordance with AASHTO design standards, based on the lane widths and design speed of the subject street.
 3. The design, right-of-way acquisition, drainage system improvements, roadway widening, asphalt construction, traffic control, traffic striping, signage and all other improvements required or incidental to the installation of auxiliary turn lanes required to support any

proposed development shall be completed by the developer or applicant, at no cost to Rockdale County.

4. Under the following conditions, left storage lanes shall be added to two-lane collectors or arterials with speed limits of 30 mph or more, at unsignalized locations where left turning vehicles will leave the arterial or collector street and enter major driveways or development entrances. See Table 13.1.5.H.

Table 13.1.5.H: Left Lane Storage Lane Requirements		
If average peak hour left turn volume is:	And collector/arterial traffic is (vehicles per lane in peak hour):	Left turn storage lane:
Over 25	All volumes	Required
16—25	51-100	Required
13—15	101-200	Required
1—12	Over 200	May be required
Any volume	Any volume	May be required by Director of Transportation if sight distance (in feet) in either direction is less than 10 times the posted speed limit.
Source: Institute for Traffic Engineers, Traffic Engineering Handbook.		
Note: Traffic volume shall include all additional vehicles from proposed development.		

5. The length of left turn storage lanes and tapers shall be as prescribed in the Table 4-9, "Minimum Design Elements of Left Turn Lanes", GDOT "Regulations for Driveway and Encroachment Control", and the latest edition.

13.1.6 Geometric street design standards.

- A. All streets and roadways shall be designed in accordance with the AASHTO Standards, as provided in "A Policy on Geometric Design of Highways and Streets," latest edition and any amendments thereto. All applicable signage, markings or other traffic control measures shall be designed in accordance with the Manual of Uniform Traffic Devices (MUTCD), latest edition and any amendments thereto.
- B. Horizontal curvature and super-elevation. All new streets shall adhere to the standards governing horizontal curvature and super-elevation in Table 13.1.6.B unless otherwise specified by AASHTO Standards:

Table 13.1.6.B: Horizontal Curvature and Super-elevation			
Street Category	Design Speed	Minimum Radius	Maximum Super-elevation
Principal Arterial	55 mph	1190 ft.	0.04
Minor Arterial	45 mph	711 ft.	0.04
Collector Street	30 mph	348 ft.	0.04
Note: Super-elevation not required for local streets.			

- C. Tangents. Between reverse horizontal curves there shall not be less than the minimum centerline radii and tangents shown in the "Table of Horizontal Alignment and Reverse Curves," unless otherwise specified by AASHTO Standards. Compound radii are prohibited.

Table 13.1.6.C: Horizontal Alignment and Reverse Curves

Street Category	Desirable Tangent Length	Minimum Tangents Between Reverse Curves
Principal Arterial	400 ft.	250 ft.
Minor Arterial	280 ft.	200 ft.
Collector Street	150 ft.	100 ft.
Local Street	120 ft.	50 ft.

D. Vertical alignment.

1. All changes in street profile grades having an algebraic difference greater than that shown in Table 4.3.5 of the latest edition of the GDOT Design Manual shall be connected to a parabolic curve having a minimum length in feet (L), which is equal to the algebraic difference between the grades in percent (A) multiplied by the design constant (K) assigned to the street according to its classification and design speed (i.e. $L = KA$).
2. (K) values shown in Table 13.1.6.D of Constant (K) Values for Vertical Alignments shall be utilized in all cases, and in no case shall the constant K value be less than the minimum permitted.

Table 13.1.6.D: Constant (K) Values for Vertical Alignments			
Street Category	Design Speed	Crest Vertical Curves (K Value)	Sag Vertical Curves (K Value)
Principal Arterial	55 mph	114	115
Minor Arterial	45 mph	61	79
Collector Street	30 mph	19	37
Local Street	25 mph	12	26

E. Street centerline grades.

1. Street or road grades exceeding ten percent for a minor collector and 12 percent for local streets are prohibited, unless otherwise approved by the Director of Transportation. The Director of Transportation may grant limited exceptions on maximum grades, based on conclusive evidence that shows a lesser grade is impractical due to topographic or site-specific limitations.
2. The minimum centerline grade for any street or roadway shall not be less than 1.5 percent, without exception, due to drainage concerns. A desirable minimum centerline grade of two percent shall be provided where possible.
3. The maximum centerline grade across any cul-de-sac turnaround shall be five percent.

F. Crown slope. Unless super-elevated, all streets and roadways, except alleys, shall be designed and constructed with a crown slope of one-quarter inch per foot, to provide for the adequate drainage of surface water from the street centerline to the gutter or edge of pavement.

G. Super-elevation. The design of arterial and major collector roadways may require the super-elevation of the travel surface on horizontal curves in accordance with AASHTO Standards. The design and horizontal alignment of minor collectors and local streets serving residential areas should avoid the use of super-elevation where possible. In all instances, the maximum super-elevation rates shall be in accordance with subsection B above. Under no circumstance is a curved street of any classification to be reverse super-elevated.

H. Pavement design.

1. Pavement sections shall be constructed in accordance with the standards in the "Table of standard pavement sections."

2. The developer may submit for review and approval an alternative pavement design, prepared at the developer's cost. This submittal shall meet the following requirements:
 - a. Design prepared by a professional engineer licensed in Georgia.
 - b. Soils testing results prepared by a professional engineer licensed in Georgia.
 - c. Design shall be completed using the GDOT's "Asphalt Pavement Design Procedures", latest edition.
 - d. Design shall be based on 15-year pavement life.
 - e. Traffic shall be calculated using the Trip Generation Manual, by the Institute of Transportation Engineers, latest edition.
 - f. Traffic projections shall be made for any streets that serve areas outside of the proposed development.
 - g. Traffic counts, including truck traffic, shall be made as required on existing roads.
 - h. Rockdale County will require written certification that material used in sub-base conforms to the soils test results used in the design.
 - i. Cores of pavement and base will be made as necessary to verify actual thickness of each pavement layer (surface, base, and sub-base). Copies of the test reports will be made available to the inspector. The minimum number of cores of surface, binder, base, and sub-base is one core per 500 feet of each street (or one core with streets less than 500 feet in length).

Table 13.1.6.H: Standard Pavement Sections						
Street Type 1, 2	9.5 mm Superpave		Superpave			GAB 3
	Type I	Type II	12.5 mm	19mm	25mm	
Residential Streets						
<250 VPD	1¼"			2"		6"
250—1,000 VPD	1¼"			2¼"		6"
1,001—5,000 VPD		1½"		2½"		8"
Commercial/Industrial Streets						
>250 VPD		1½"	2½"	3"		10"
251—1,000 VPD		1½"		2½"	3"	10"
1,001—5,000 VPD			2½"	3"	4"	12"
Notes:						
1. Only roads that serve strictly residential uses (<1 percent trucks) shall use the sections listed above as residential. All other developments shall use the commercial/industrial sections.						
2. All streets designated as "arterial" shall have a pavement design submitted that meet the requirements for commercial/industrial streets.						

13.1.7 Street construction standards and specifications.

Unless otherwise specifically set forth in these regulations, all of the materials, methods of construction, and workmanship used in street construction shall conform to GDOT's "Standard Specifications for the Construction of Transportation Systems," latest edition and any amendments thereto.

- A. Pre-construction meeting. A mandatory pre-construction meeting is required for all development, construction and land disturbing activities, unless this requirement is specifically waived by the department. The applicant or developer shall contact the department to schedule the pre-construction meeting. The department will ensure the attendance of all necessary county staff. The applicant or developer must, at a minimum, have the following project personnel attend the pre-construction meeting:
1. On-site project representative on behalf of the applicant or developer.
 2. General and/or grading contractor.
 3. Sub-contractors performing drainage system installation, base course construction and asphalt paving.
 4. Other specialty contractors performing a significant portion of the work.
 5. Design professional responsible for project design.
- B. Clearing and grubbing. Before grading is started, the entire right-of-way area shall be first cleared and grubbed of all trees, stumps, roots, brush, debris and other objectionable materials. Specific trees that are intended for preservation shall be indicated on the design plans and subject to the review and approval of the department. All clearing limits shall be marked and tree protection fence installed prior to the pre-construction meeting. All erosion control measures shall be installed as required by the approved plans and in accordance with this chapter.
- C. Rough grading.
1. Grading activities shall be performed in accordance with the lines and grades shown on the approved construction plans. Grading plans shall include a plan view of the proposed roadway, showing existing and proposed contour lines at an interval of no more than two feet, as well as a profile of the street centerline and all applicable curve and design data. Grading plans shall outline those areas required to remain undisturbed (i.e., tree protection areas, buffers, etc.) and shall indicate protective fencing or staking to be placed surrounding such areas.
 2. Cut or fill slopes shall not exceed three horizontal units to one vertical unit, unless otherwise approved by the Director of Transportation based on site-specific topographic and geotechnical conditions. Flatter slopes shall be provided, where possible, to better accommodate utility installation and maintenance activities.
 3. Erosion and sediment control best management practices (BMPs) shall be installed in accordance with the approved construction plans, prior to or concurrent with all land disturbing activities. Alternate or additional BMPs may be required by the county inspector, if it is deemed that current measures do not provide adequate protection.
 4. All suitable material from roadway cuts may be used in the construction of fills, approaches or at other places as needed. Excess or unsuitable materials, including organics, soft clay, etc., shall be removed from within the right-of-way and for a distance not less than one foot on each side of the road surface for each vertical foot of unsuitable material at the right-of-way line.
 5. Fill material shall be placed in uniform horizontal layers or "lifts," not to exceed a compacted thickness of more than six inches. Moisture content shall be adjusted as necessary to compact material to 95 percent of maximum dry density. The top 12 inches of sub-grade material under any roadway, drive or parking area shall be compacted to 98 percent of standard proctor density.

D. Final grading and sub-grade preparation.

1. After rough grading, storm sewer and utility installation is complete and the back-fill in all such ditches is thoroughly compacted, the sub-grade shall be brought to the lines, grades, and typical roadway section shown on the plans.
2. All utility crossings shall be installed prior to sub-grade approval. If utility installation cannot be completed at this time, the developer shall coordinate the installation of casings or conduits to accommodate subsequent utility installation without disturbance to the sub-grade. Utility trenches cut in the sub-grade shall be backfilled and compacted as specified herein. The county inspector may require additional compaction tests at utility crossings to verify compaction.
3. Prior to sub-grade inspection and approval, the design professional shall certify in writing to the department that the lines and grades of the proposed street or streets are within six inches of design grades. This letter shall be submitted prior to sub grade inspection by county personnel.
4. Sub-grade testing and inspection: Sub-grade compaction shall be tested by the county inspector, prior to construction of the graded aggregate base course. Compaction testing shall be accomplished by visual inspections of actual live axle loads, commonly referred to as a "roll test." The developer or contractor shall schedule all compaction tests with the county inspector no less than 24 hours in advance. The developer or contractor also shall provide an adequate testing vehicle, minimum 18-ton hauling capacity, fully loaded. All areas or sections of the sub-grade that do not pass visual live load compaction testing, at the discretion of the county inspector, shall be corrected. Once the developer or contractor makes all necessary corrections, it shall be his/her responsibility to re-schedule any and all subsequent roll tests.
5. Provisions shall be made to provide adequate drainage of the road surface during the course of construction, including temporary four-inch drain lines in all concrete gutters.

E. Graded aggregate base course construction.

1. The base course shall consist of graded aggregate, of a minimum thickness as required based on the street classification. Minimum base course thickness is provided in subsection 13.1.6.H. The base course shall be constructed in accordance with the lines, grades and typical cross sections shown on the approved construction plans. All aggregate materials shall be secured from GDOT- approved sources and shall comply with section 815 of the "Standard Specifications for the Construction of Transportation Systems," latest edition.
2. All base course material shall be spread uniformly with a mixture spreader, or other approved means, to the proper depth to obtain the required thickness. The maximum thickness of base course material to be placed in one course shall be six inches compacted. If the design thickness of the base course is more than six inches, it shall be constructed in two or more courses of approximate equal thickness. With sufficient and suitable equipment, the county inspector may allow base material to be placed in lifts up to eight inches.
3. The moisture content of the aggregate material shall be uniformly distributed and shall be adequate to allow compaction to a minimum of 100 percent of the maximum dry density based on the modified proctor method. Immediately following the spreading of the graded aggregate, all material shall be compacted to the full width by rolling with a

smooth-wheel, vibratory roller weighing seven to ten tons, or an equivalent sheepsfoot packer. Rolling shall progress gradually from the edge to the center, parallel with the centerline of the street and lapping uniformly each preceding track by one-half the width of such track. Rolling shall continue until the entire surface is smooth, closely knit, free from cracks, conforming to the prescribed line, grade and cross section, within the limits specified.

4. Any irregularities, areas of segregation or depressions that develop under such rolling shall be corrected by loosening the material at these locations and adding or removing material until the surface is smooth and uniform. The application of water, applied uniformly over the base course, may be required to achieve adequate compaction. Shaping and rolling shall be performed alternately, as required to prepare a uniform compacted base.
 5. Along curbs, headers, walls and at all locations not accessible to the roller, the base course material shall be compacted thoroughly with mechanical tampers or approved hand tampers.
 6. No base material shall be deposited or shaped when the sub-grade is frozen, thawing, or during other unfavorable weather conditions.
- F. Graded aggregate base course testing and inspection.
1. Cross section. The cross section and crown slope shall be verified at intervals or locations determined by the county inspector. The developer or contractor shall provide a string line and dedicated personnel to pull the line and allow verification measurements to be made by the county inspector. Those areas or portions of the roadway, which do not comply with the design cross section or crown slope, shall be corrected and verified by county personnel prior to base course approval.
 2. Roll test. Base course compaction shall be tested by the department prior to the application of bituminous asphalt paving. Compaction testing shall be accomplished by visual inspections of actual live axle loads (roll test). The developer or contractor shall schedule all compaction tests with the county inspector no less than 24 hours in advance. The developer or contractor also shall provide an adequate testing vehicle, minimum 18-ton hauling capacity, fully loaded. All areas or sections of the base course that do not pass visual live load compaction testing, at the discretion of the county inspector, shall be corrected. Once the developer or contractor makes all necessary corrections, it shall be his/her responsibility to re-schedule any and all subsequent roll tests.
 3. Prime coat. At the completion of base course construction, testing and approval by the county inspector; the base course shall be primed and sealed with 0.25 gallon of R.C. 70 per square yard. This requirement may be waived by the county inspector, if the placement of asphalt paving is anticipated within the following three to five days and prior to any significant rainfall event.
 4. Additional inspections due to weather conditions. If a significant weather or rainfall event occurs following the approval of base construction but prior to asphalt paving, the county inspector may require additional roll testing to re-verify the structural integrity of the road base. The developer or contractor shall be subject to comply with such additional inspections, at the discretion of the county inspector.
- G. Bituminous asphalt paving.

1. Bituminous asphalt production, handling, transportation and placement shall meet or exceed the requirements of the GDOT's "Standard specifications construction of transportation systems," latest edition and any amendments thereto. Asphalt pavements shall be of the superpave mix design, as specified herein; and the use of conventional mix designs will not be permitted, unless otherwise approved by the Director of Transportation.
2. Equipment.
 - a. Mechanical pavers. Mechanical pavers used for the placement of hot-mix asphalt shall be capable of spreading and finishing all courses to the indicated widths and depths, true to line, grade and cross section, and shall be capable of striking a smooth finish, uniform in density and texture. Mechanical pavers shall be equipped with extendable screeds, capable of spreading at the width of each travel lane in one pass.
 - b. Compaction equipment. The compaction equipment must be in good mechanical condition and capable of compacting the mixture to the required density. The number, type, size, operation, and condition of the compaction equipment shall be subject to the approval of the county inspector. At a minimum, a smooth drum vibratory roller (minimum eight tons) and a separate pneumatic-tired roller shall be provided. An additional finish roller or larger equipment may be required by the county inspector, based on visual observations of surface texture or density tests.

H. Paving operations.

1. The county inspector will require that a copy of the detailed asphalt mix design be submitted prior to asphalt paving. Only asphalt produced by a GDOT-approved plant may be utilized. Plant production, transportation and paving operations shall be so coordinated that a uniform continuity of operation is maintained. If the spreading operations are interrupted for one hour or more, a transverse joint shall be constructed. Asphalt shall be delivered to the job site at a temperature that is within 20° F (11° C) of the temperature of the job mix formula. The county inspector may reject any asphalt load that does not meet temperature requirements, contains segregated material or does not comply with mix design requirements.
2. Weather limitations. The mixing and placement of bituminous asphalt pavement shall not be performed when the existing surface is wet or frozen. For all courses, the air temperature for placement of the mix shall be in accordance with the "Table of Air Temperature for Placing Asphalt Pavement."

Table 13.1.7.H: Air Temperature for Placing Asphalt Pavement	
Lift Thickness (Inches)	Minimum Temperature (°F)
1" or Less	55
1.1 to 2.0"	45
2.1 to 3.0"	40
3.1 to 4.0"	35
4.1 to 8.0"	32
Note: Temperature must be rising and base material may not be frozen.	

3. Bituminous tack coat. Tack shall be applied prior to the placement and compaction of all subsequent courses of asphalt pavement, in accordance with GDOT Standards, Section 413. On curbed streets, the edge of the gutter shall be tacked to provide a water-resistant seal at the joint. Special care shall be taken to avoid the application of bituminous tack to portions of the curb and gutter that are to be visible following construction.
4. Wearing course must be placed at the earliest of the following times:
 - a. Upon completion (final inspection) of principal structures on 80 percent of the buildable lots in the subdivision.
 - b. Two years after recording of the final plat for the subdivision.
 - c. At an earlier time by the mutual consent of the developer and the department.
5. Prior to installation of the surface pavement course and bituminous tack coat, the county inspector shall inspect existing asphalt pavement for damage from traffic and construction activities. Any areas found shall be repaired to the inspector's satisfaction prior to final paving.
- I. Concrete streets. Concrete streets are not allowed.
- J. Rural cross section. Certain local residential roads may be constructed without curb and gutter as provided in this chapter. On all such rural streets, the road base shall be extended one foot beyond the edge of the pavement.
- K. Typical sections. All streets and roadways shall be constructed to the typical sections specified in the Rockdale County Standard Design and Construction Details, based on street classification category.
 1. Copies of test results are to be made available to the county inspector as needed for verification of standards and specifications.

13.1.8 Curbs and gutters.

- A. All new streets or street widening sections shall be provided with curb and gutter, except as noted below. All gutters shall drain positively with no areas of ponding.
- B. Only in rare circumstances shall streets without curb and gutter be allowed with the approval of the Director of Transportation. Such cases may involve future street widening projects or unique circumstances that prevent the installation of new curb and gutter. Otherwise, all new streets shall have curb and gutter.
- C. All concrete curb and gutter shall be GDOT Standard 9032B, Type 2 (except in subdivisions, where the curb and gutter shall be 24 inches wide, while all other dimensions remain). Roll-back or Hollywood curbing shall be prohibited.
- D. Curbing shall conform to the following standards:
 1. Concrete shall be class "A," as defined by the GDOT, and have a minimum strength of 3,000 PSI at 28 days.
 2. One-half inch expansion joints or pre-molded bituminous expansion joint material shall be provided at all structures and radius points and at an interval not to exceed 250 feet in the remainder of the curb and gutter. Contraction joints also shall be provided at ten-foot intervals along the curb line.
 3. When the development ties into existing curbing, the curb and gutter shall transition to and match the existing width and profile at the connection point.

4. Terminations or curb tapers shall be provided at the end of any gutter. The curb height shall be tapered from six inches to zero inches over a distance of six feet.
- E. Curb and gutter shall be set true to the line and grade of the street, horizontally and vertically field staked and finished to the section shown on the plans. Line and grade shall be established by the developer's engineer or surveyor. Offset staking shall be provided at 50-foot intervals.
- F. Curbing not installed in accordance with the requirements of this section or the standard details shall be removed and replaced at the developer's expense. The county inspector may require, and the developer shall provide core samples to verify concrete thickness.
- G. Disturbed areas along all curbing shall be backfilled, compacted, stabilized, and grassed.

13.1.9 Sidewalk and bikeway requirements.

- A. Sidewalks shall be located:
 1. Along the street frontage of all commercially zoned property.
 2. Along the existing street frontage of any new development.
 3. Within a one-half (½) mile radius of any public school.
 4. On both sides of all streets in any residential subdivision, except in the A-R and W-P zoning districts.
- B. Sidewalks in subdivisions shall be continued to the nearest arterial street.
- C. Sidewalks shall be located as shown on the Rockdale County Standard Design and Construction Details. All new sidewalks shall match and provide a smooth transition to any existing sidewalk.
- D. Sidewalks shall be installed on an individual lot basis at the time of building construction. The county shall inspect the location and construction of the sidewalk and shall not issue a certificate of occupancy until the required sidewalk is properly installed.
- E. A strip of grass or other approved landscape material at least four feet in width shall separate all sidewalks from adjacent curbs on public streets. See Rockdale County Standard Design and Construction Details.
- F. Sidewalks shall be concrete and a minimum of five feet wide and four inches thick. Concrete shall be class "A," as defined by the GDOT, and have a strength of 3,000 PSI at 28 days. Disturbed areas along sidewalks shall be backfilled, compacted, stabilized and grassed. The county inspector may require and the developer shall provide core samples to verify core thickness.
- G. Additional sidewalks and/or pedestrian easements may be required in subdivisions or developments where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.
- H. Bicycle lanes, where provided, shall be a minimum of four feet in width and placed between the outside lane of a roadway and the curb or shoulder. When on-street parking is permitted, the bicycle lane shall be between the parking lane and the outer lane of moving vehicles. Lanes shall be delineated with appropriate markings, as required by MUTCD Standards. Bikeways and bicycle lanes must be pre-approved by the department and meet the requirements of AASHTO "Guide for the Development of Bicycle Facilities," latest edition.

13.1.10 Traffic calming devices.

- A. Easeabouts and associated signage shall be included in the design and construction of all streets and roads in the county where either the design speed or the posted speed limit is 35 miles per hour or less.

- B. The Director of Transportation shall establish specific standards for the design, construction, placement and planting plan for easeabouts, as well as for the design and construction of other types of island splitters, including entrance islands, boulevards, roundabouts, cul-de-sac islands and other such vegetated or natural islands within the right-of-way. These standards shall be known as "Island, Easeabout and Roundabout Design and Placement Standards for Rockdale County," further referred to and known as the design and placement standards and are hereby made a part of this section by reference. The design and placement standards are available to the public and shall be maintained in the offices of the department and the office of the Board of Commissioners. The Director of Transportation may, from time to time, modify these technical standards.
- C. Easeabouts for all local streets shall be designed and installed in accordance with the design and placement standards. Easeabouts shall be placed at intervals and locations as specified in the design and placement standards.
- D. All other types of islands or island splitters, including entrance islands, roundabouts, cul-de-sac islands and other such vegetated or natural islands within the right-of-way shall conform to the design standards contained in the design and placement standards.
- E. Other designs or types of traffic calming devices may be approved at the discretion of the Director of Transportation, provided that such devices meet the following minimum criteria:
 - 1. The proposed traffic calming device must be recognized as such by the transportation industry, i.e., it must be recognized by the Institute of Transportation Engineers, American Association State Highway Transportation Officials, the Federal Highway Administration, the American Traffic Safety Services Association or other nationally recognized transportation industry organization or guiding authority.
 - 2. The proposed traffic-calming device must be designed, located, and constructed in accordance with the minimum standards of the approving organization or guiding authority. The Director of Transportation may impose additional design, location, or construction criteria prior to approving such a device.
 - 3. The proposed traffic-calming device must include plantings, water quality, or other environmental enhancements or beautification elements.
 - 4. Traffic calming may be accomplished via proper geometric design of the streets. Such designs may be accepted by the Director of Transportation in lieu of ease-abouts or other structural traffic calming devices.
 - 5. The Director of Transportation may disallow the use of devices that meet the criteria set forth in subsections A through D of this section if, in his judgment, the installation of such a device would create unusual or costly maintenance, create a safety hazard, restrict movement of emergency vehicles, be incompatible with existing or anticipated freight traffic due to continuous or heavy truck use, or would otherwise not be in the best interest of the county.
- F. Islands that are not specifically for traffic calming, such as entrance islands, cul-de-sac islands, tree-save islands or other decorative islands, may be approved for construction by the Director of Transportation, if they conform to the design principles contained in design and placement standards.
- G. All plant materials included in easeabouts or other islands shall be installed at the expense of the developer and shall be maintained by the subdivision's homeowner's association. A notification to this effect shall be included on the final plat recorded for the subdivision.

- H. The Director of Transportation may, at his or her discretion, approve unusually shaped islands or innovative designs.
- I. Any aggrieved person not satisfied by the decision of the Director of Transportation may appeal such a determination in accordance with the procedures set forth in Section 18.10, Appeals.

13.1.11 MUTCD Compliance.

- A. MUTCD compliance. All traffic signals, signage, striping and pavement markings shall conform to the MUTCD, latest edition and any amendments thereto. Traffic control signs shall comply in shape, color, size, reflectivity, height, materials and placement.
- B. Traffic signage.
 - 1. After final plat approval, the developer shall procure and install all necessary traffic signs, traffic signals, and pavement markings as called for in the final plat. Rockdale County will inspect the installation to insure that work is done in accordance with the final plat and the Manual on Uniform Traffic Control Devices (MUTCD).
 - 2. Any signs that are damaged following initial installation, due to additional work at the site, shall be replaced at the developer's expense.
 - 3. Decorative signs or traffic control devices shall be prohibited. The use of decorative signposts may be approved at the discretion of the Director of Transportation, if covenants are provided that require decorative sign post replacement to be funded by an established property owner's association. If decorative signposts in any development are damaged or worn, the county will provide only a standard U-channel sign post as replacement.
- C. Pavement markings.
 - 1. Local streets with curb and gutter are exempt from traffic striping requirements, except for stop bars at stop signs and markings at ease-about and traffic circles. All other street classifications shall require both centerline and edge line striping in accordance with this chapter.
 - 2. All centerline or edge line striping shall be performed in compliance with GDOT Standard 652, Paint Striping. On any street classified as a major collector or arterial, all traffic striping shall be thermoplastic in accordance with GDOT Standard 653.
 - 3. All pavement markings shall be reviewed and approved by the department. All pavement markings shall be thermoplastic and shall be installed in accordance with GDOT Standard 653 and MUTCD requirements.
 - 4. On any newly paved or resurfaced streets on public rights-of-way, thermoplastic stop bars are required on all approach lanes in accordance with MUTCD Standards.
 - 5. Raised pavement markers or similar devices shall be required on all major collector and arterial streets, and on any other street installed by developers where safety conditions warrant such devices.
- D. Traffic signals.
 - 1. Prior to the installation of a traffic signal, the installation of a single-lane roundabout shall be considered.
 - 2. Traffic signal installation must be approved by Rockdale County and the GDOT, if on a state route. The developer shall submit a traffic study prepared by a professional engineer, registered in the State of Georgia, detailing existing and projected traffic volumes, movements, capacity and required improvements. The Director of Transportation may require that a traffic study be provided for any development where

increased traffic volumes may significantly impact the existing capacity, traffic flow or safety on any existing county road.

- E. Traffic safety improvements. It shall be the developer's sole responsibility to fund, design, construct and/or install any all traffic safety improvements and traffic control devices required to provide safe ingress and egress to any development.

13.1.12 Unpaved county roads.

- A. Paving of the county's unpaved roads will be accomplished under the following procedures subject to availability of funds:
1. Roads requiring additional right-of-way. These type of roads are generally connecting roads to other more heavily traveled roads in the county. The road design would be in accordance with the subdivision standards.
 - a. Property owners will submit a request to the department to pave the road.
 - b. The request would include a signed petition by at least 60 percent of the owners that agree to donate the necessary right-of-way.
 - c. Upon completion of concept design, Rockdale County will provide notice to the public of a public information meeting (PIM) on the specific project. The purpose of the meeting will be to reveal the concept design and address any questions that the citizens may have on the project. Following the PIM, Rockdale County will evaluate the comments from this meeting; and, if 80 percent support is achieved, Rockdale County will proceed with the final design plans.
 - d. Upon completion of the final design plans, a second PIM will be held to answer any questions that may arise. Immediately following the second meeting, personal contact will be made with each property owner to secure donations of right-of-way. This contact will be made by an independent land acquisition person and/or a county employee to secure the right-of-way. At this stage of design, if a minimum of 80 percent of the property owners on the project have signed deeds donating right-of-way to the county, the county will proceed with right-of-way negotiations with the final 20 percent of the property owners. The percentage referred to in this paragraph may be changed for public necessity by the Board of Commissioners.
 - e. If Rockdale County is unsuccessful in securing the right-of-way from the final 20 percent of the property owners, the county shall proceed with condemnation of the right-of-way.
 2. Roads not requiring additional right-of-way.
 - a. The criteria for these roads would be in accordance with the following:
 - i. Traffic volumes less than 100 vehicles per day.
 - ii. Dead-end road.
 - iii. Existing right-of-way of at least 50 feet.
 - iv. Less than ten homes/residences adjacent to the road.
 - v. No major drainage problems.
 - vi. No major environmental issues.
 - vii. Little or no crash history.
 - viii. Approximately ½ mile in length or less.
 - b. The design of the road would be in accordance with the Guidelines for Geometric Design of Very Low-Volume Local Roads, latest edition.

- c. The pavement structure would consist of a graded aggregate base (at least four inches) and a two-inch asphalt paved riding surface of at least 18 feet wide and a total roadway width of at least 20 feet.
 - d. Trees, vegetation side slopes, and open drainage abutting the roadway would be undisturbed to the maximum extent possible without compromising public safety.
- B. Paving of the unpaved county roads has to be included in the Rockdale County Comprehensive Transportation Plan.
- C. Street names. The names of streets shall be reviewed and approved by the department in coordination with Rockdale County Department of Communications. Proposed street names shall not duplicate nor closely approximate the name of an existing street.

13.1.13 Connectivity.

- A. Connectivity.
 - 1. Where feasible, a proposed subdivision shall provide a street system that is interconnected with the existing or planned street system, subject to the following requirements:
 - a. Proposed streets shall be extended to the boundary lines of the tract to be subdivided unless prevented by topography or other physical conditions.
 - b. Whenever a tract of land that is to be subdivided abuts a street stub or dead-end street, the design of the streets within the subdivision shall be arranged so that the abutting streets or rights-of-way are continued through the new subdivision and connected with other adjoining streets.
 - c. Whenever a dedicated or platted half-width street or alley adjoins the tract to be subdivided, the other half-width shall be platted and improved as required by this chapter.
 - d. Culs-de-sac are discouraged, except where streams, lakes, geological or topographical features make through-connections infeasible.
 - e. Culs-de-sac longer than 800 feet are prohibited.
 - f. When culs-de-sac are necessary, the Director of Transportation may require that access easements be provided through one or more lots from the cul-de-sac to another nearby public street in order to ensure interconnected access for pedestrians, bicycles, and emergency vehicles to through-streets and multi-use trails.
- B. In order to ensure emergency access, every subdivision meeting the standards of Section 16.2, not exempt from preliminary plat procedures, shall have the minimum number of access points required by the table set forth in Section 13.1.2, Access Management. If two or more public street entrances to a subdivision occur along the same existing street, the entrances shall have adequate sight distance and be no less than 400 feet apart if on a local street, or 600 feet apart if on a street classified as collector or arterial street on the Rockdale County Functional Classification System.

13.1.14 Controlled Access.

- A. Access to any development that is controlled through any means, such as private gates and guardhouses, shall comply with the following standards. Emergency and “exit only” access points are exempt for these requirements.

1. Gate Width. The clear opening through gates shall be at least two (2) feet wider than the roadway it controls.
2. Queuing Distance.
 - a. Gates placed across the entrance to a private development or a private driveway at the intersection with a public street shall be setback a minimum of 100 feet from the right-of-way of the public street in order to provide queuing space and not impede traffic on public streets.
 - b. For any controlled access device that opens on a horizontal plane, such as a gate, a minimum of 20 feet of clear width shall be provided unless additional width is required by the Director of Transportation. Such a device shall open away from the street right-of-way.
 - c. For residential developments, adequate maneuvering room between the gate and the street shall be provided for a turnaround area for vehicles to exit in a forward motion. The turnaround area shall have a minimum radius of 60 feet to the outside of the turn. The turnaround area is subject to approval as determined by the Director of Transportation.

13.1.15 Street abandonment.

- A. Any abandonment of an actual existing paved public street by the County pursuant to this section shall comply with the applicable requirements set forth in state law and this Code, including, but not limited to, the requirements set forth in O.C.G.A. §32-7-2(b) and 32-7-4 and as may hereinafter be amended.
- B. A property owner may petition the Board of Commissioners to abandon an existing public street that abuts the owner's property. The petition shall include documents that comply with all of the requirements set forth in this section. The petition shall contain evidence that each abutting landowner to the public street seeks to have the street abandoned.
- C. The petition shall contain evidence that once abandoned pursuant to the requirements of state law, all property owners that abut the street agree that ownership of the street shall be placed in a property owners' association. The petition shall include evidence that 100 percent of all property owners in the property owners' association have agreed that the street at issue may become private and have agreed to maintain and exercise control over the private street as required by this ordinance.
- D. The petition shall contain evidence that the property owners' association has the financial ability to maintain the street and associated improvements in perpetuity.
- E. The petition shall include evidence that the declaration of covenants and articles of association or other legal instruments creating the property owners' association provide or have been amended to provide that membership in the property owners' association is mandatory for each original and successive purchaser of a lot, building, or unit on the street.
- F. The petition shall include evidence that the property owners' association shall be organized so that it has absolute legal authority to maintain and exercise control over the private streets and required improvements associated with private streets, including, but not limited to, sidewalks, bikeways, curbs and gutters, traffic signs and markings, associated landscaping and lighting, entry signs, monuments, perimeter walls and fences, private entry gates, and gatehouses.
- G. The petition shall include evidence that the declaration of covenants creating the property owners' association shall be recorded with Rockdale County Superior Court, and the recorded declaration of covenants and articles of incorporation creating the property owners' association

shall provide that all private streets and associated improvements are owned by the property owners' association or are held in common by the property owners within the development in compliance with all requirements for private streets as provided in Section 13.2, Private Streets.

- H. The paving and/or the resurfacing of a private street shall be inspected by a licensed engineer. The applicant developing or paving the private street shall provide a sealed inspection report by said engineer to the Director of Transportation certifying compliance with County public street standards.
- I. The Board of Commissioners shall not consider a petition for abandonment unless it:
 - 1. Contains all of the evidence and documents required by this section;
 - 2. Is supported by an analysis by the County that shows that the street is no longer used by the public to the extent that it serves no substantial public purpose and that the public at large will benefit from its closure since the public will no longer be responsible for any costs to maintain and repair the street; and
 - 3. Is supported by an analysis by the Director of Transportation that shows that the abandonment of the street does not negatively impact adjacent neighboring communities and the public at large.

13.2 Private Streets.

13.2.1 General provisions.

- A. Private streets are allowed only if the development seeking to have private streets is fifteen (15) acres or larger in area.
- B. Application of District and Supplemental Regulations.
 - 1. Where this ordinance measures minimum building setback lines and frontages, or imposes development standards in connection with, or with reference to public streets, such measurements or standards set forth in the district regulations and supplemental regulations of the UDO, in this ordinance, or elsewhere in this Code, apply similarly for property abutting a private street where such private street has been approved by the Board of Commissioners.
 - 2. Nothing in this section is intended to authorize any kind of development on a private street that would not be authorized where there was public right-of-way.
- C. Parking and Addressing.
 - 1. Private streets within any zoning district may not be used to satisfy the off-street parking requirements of this UDO.
 - 2. Private streets within any district shall be assigned names and locations. The names of these streets shall be shown on plans required for the issuance of building and development permits as provided by the building code.
 - 3. The County shall approve all private street names and addresses to avoid conflicting names and addresses.
- D. Utilities and Easements.
 - 1. Where sanitary or storm sewer lines are constructed underneath a private street, the developer is required to grant an easement to the applicable utility authority for their installation, maintenance and repair.
 - 2. In the case of private streets, the County is authorized to assign responsibility for maintenance of storm sewers to a property owners association.

- E. Emergency and Public Safety Access. Developers and property owners' associations shall ensure access to all private streets by emergency and law enforcement vehicles and shall ensure that private streets are constructed to allow access by all emergency vehicles and law enforcement vehicles.
- F. Density Limitation. The use of private streets may not result in an increase in permitted density above that which would otherwise be permitted by the applicable district regulations.
- G. Design, Construction, and Inspection Standards.
 - 1. Private streets shall comply with requirements for public streets found in the UDO and all other applicable sections of the County Code.
 - 2. Private streets shall be surfaced with the same type of materials that are used by the County for the surfacing and resurfacing of public streets or with materials that are as protective as those used by the County to surface and resurface streets so long as such alternative materials are approved by the Director of Transportation.
 - 3. All paving and/or the resurfacing of a private street shall be inspected by a licensed engineer. The applicant developing or paving the private street shall provide a sealed inspection report by said engineer to the Director Transportation certifying compliance with County public street standards.
- H. Authorization for Smaller Developments. The Board of Commissioners may authorize a private street for a development under fifteen (15) acres in size where the Director of Transportation has certified that the applicant has submitted all required documentation as set forth herein and where the Board of Commissioners finds that:
 - 1. The location of the proposed private street will not adversely impact use of any existing surrounding public street;
 - 2. The location of the proposed private street will not adversely impact adjacent existing communities or neighborhoods;
 - 3. The applicant has shown that there is the requisite legal mechanism for the maintenance of the proposed private street; and
 - 4. The applicant has provided written evidence that the proposed private street system is acceptable to the County departments or divisions responsible for law enforcement, sanitation, transportation, and fire and rescue.
- I. Ownership. Private street rights-of-way shall be owned by a mandatory homeowners' or property owners' association created by recorded covenants and incorporated under state law for any development served by such private streets, or in the case of the condominium form of ownership, owned jointly by the unit owners and maintained by the mandatory homeowner's association required by statute. Required standards for homeowners' and property owners' associations:
 - 1. A public access easement, utility easement, and or declaration of covenants shall entirely overlay the rights-of-way and be recorded with the Rockdale County Superior Court.
 - 2. All applicable setbacks, lot widths, and lot areas shall be measured from the association right-of- way. This provision is intended to prohibit the incorporation of any portion of the private street into any buildable lot.
 - 3. Membership in the association shall be mandatory for each original and successive purchaser of a lot, building, or unit within the development.

4. The association shall be organized so that it has clear legal authority to maintain and exercise control over the private streets and required improvements associated with private streets, including, but not limited to, sidewalks, bikeways, curbs and gutters, traffic signs and markings, associated landscaping and lighting, entry signs, monuments, perimeter walls and fences, entry gates, and gatehouses.
5. The recorded declaration of covenants and articles of incorporation creating the association shall provide that all private streets and associated improvements are owned by the association or are held in common by the property owners within the development.
6. The streets shall be properly maintained and insured with no liability or maintenance responsibilities accruing to the County. The recorded declaration of covenants and articles of association shall specifically require the association repair and maintain each private street in the same manner as similar public streets are maintained by the County, and such maintenance and repair shall be performed in compliance with all County standards and all applicable provisions of law.
7. The declaration of covenants and articles of association shall provide for a street maintenance fund, the proceeds of which may be used solely for the purpose of regular maintenance of the streets, whether for resurfacing or a similar purpose. For the purposes of providing further assurance that County funds may not be used for maintenance of private streets, the developer shall submit proof of deposit of 50 percent of the current estimate of resurfacing costs, as determined by the Director of Transportation, in an interest-bearing account on behalf of the association.
8. The association shall be empowered to levy assessments against owners within the development for the payment of expenditures made by the association for maintenance of the private streets and other items set forth in this subsection. At least 15 percent of all fees or assessments paid shall be set aside in the maintenance fund. Any unpaid assessments will constitute a lien in favor of the association on the lot, building, or unit of the owner.
- J. Prior to any final plat approval, the developer shall submit recorded articles of incorporation, declarations of covenants, bylaws for the association, and proof of the maintenance deposit.
- K. Maintenance Bond. A maintenance bond shall be provided in accordance with Section 16.10, Sureties and Guarantees.
- L. Inspection and Deficiencies.
 1. Within nine (9) months following approval of the final plat, the Director of Transportation shall inspect the private streets to ensure compliance with all County standards and all applicable provisions of this Code including, but not limited to, the requirements set forth in law for public streets, curbs, sidewalks, signage, and street lighting.
 2. The developer shall be notified of any deficiencies in writing, and such deficiencies shall be corrected within 60 days of the written notice of deficiencies unless the County agrees to extension of that period in writing.
- M. Failure to correct the complete list of deficiencies constitutes a violation of this Section and will subject the developer to prosecution for a code violation in the magistrate court. Any person found to have violated this Section is subject to a fine of not less than \$500.00 for each violation. Each day that the violation exists is a separate and distinct offense.

- N. The Director of Transportation shall deny the issuance of certificates of occupancy until all deficiencies have been corrected.

13.2.2 Private Street Dedication Process

- A. Authority. The dedication and acceptance of a private street as a public street in Rockdale County shall comply with all applicable provisions of state law and this Code, including but not limited to O.C.G.A. §§ 32-3-1, 32-6-1, and 44-5-230, as amended.
- B. Petition for Acceptance of Private Street. The owner or owners of property abutting a private street may petition the Rockdale County Board of Commissioners to accept the private street as a public street. The petition shall be submitted to the Department of Transportation and shall include all documentation required by this section.
- C. Required Petition Contents. A petition for acceptance of a private street as a public street shall include evidence demonstrating all of the following:
- a. Abutting Owner Consent
 - b. Written consent to dedication from all owners of property abutting the private street, unless a lesser percentage is expressly authorized by the Board of Commissioners.
 - c. Dedication Instrument
 - d. A proposed deed of dedication or other legal instrument conveying the street right-of-way to Rockdale County in a form acceptable to the County Attorney.
 - e. Clear Title
 - f. Evidence that the street right-of-way is free and clear of liens, encumbrances, or private ownership interests inconsistent with public ownership, or that such interests will be released upon dedication.
 - g. Right-of-Way Width
 - h. Evidence that the street meets or can be brought into compliance with Rockdale County right-of-way width requirements.
 - i. Construction Standards
 - j. Certification by the Department of Transportation that the street has been constructed or upgraded to meet all applicable County standards for public streets, or that required improvements have been completed or secured.
 - k. Drainage and Utilities
 - l. Evidence that drainage facilities, stormwater infrastructure, and utilities within the street right-of-way comply with County standards and do not impose unacceptable maintenance burdens.
 - m. Plat or Survey
 - n. A draft plat or survey showing the street, right-of-way boundaries, and adjoining properties.
 - o. Termination or Modification of Private Controls
 - p. Evidence that any private covenants, easements, or association documents governing the street have been terminated or amended to be consistent with public ownership and use.
- D. Staff Review. The Board of Commissioners shall not consider a petition unless it is supported by:
- a. Department of Transportation analysis demonstrating that the street meets County construction standards and is suitable for inclusion in the public street system.
 - b. Department of Planning and Development analysis demonstrating that acceptance of the street serves a public purpose and is consistent with County plans and policies.
 - c. County Attorney review confirming that all dedication instruments and title documentation are legally sufficient.

- E. Acceptance. Acceptance of a private street as a public street shall occur only upon formal action of the Rockdale County Board of Commissioners. Acceptance shall constitute the County's assumption of maintenance and responsibility for the street.
- F. Discretionary Nature. Nothing in this section shall be construed to require Rockdale County to accept any private street. Acceptance of a private street shall be solely within the discretion of the Board of Commissioners.

13.3 Subdivision Lot Design.

- A. Unbuildable lots prohibited. No preliminary plat shall be approved on which is shown a flag lot or other lot or parcel of land that would require a variance to be developed or used or that is otherwise unlawful or unbuildable, whether due to the presence of a floodplain, configuration, lack of public utilities, or other physical impediments.
- B. Lot design standards. All lots established in connection with the development of a subdivision shall comply with the following design standards unless the proposed subdivision is covered by approved variances or conditions of zoning that take precedence:
 - 1. Insofar as practical, side lot lines shall be perpendicular or radial to street lines, unless otherwise approved by the Director of Planning and Development.
 - 2. Each lot shall have direct abutting access to an approved street.
 - 3. Each lot shall abut a public street except those that front on an approved private residential street within a gated community, and shall contain at least 60 feet of street frontage, except for lots fronting on cul-de-sacs that shall abut a said public or private street with at least 30 feet of street frontage. All lots shall comply with the developmental regulations of Sections 5.3 and 6.3.
 - 4. Each lot intended for building development shall contain a building site with required buildable area that is outside the limits of floodways, easements, buffers, and building setback lines required by this UDO.
 - 5. Subdivisions shall be designed to minimize direct lot access to major thoroughfares. Reverse frontage lots shall be required for residential subdivisions along the state highway system or other arterials or collectors where internal access can be provided. An easement of at least ten feet in width, across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery. Said easement shall provide outdoor screening with an evergreen hedge planted along the roadway within said easement.
 - 6. Lot remnants that constitute reserve strips shall be prohibited. Such remnant areas shall be added to adjacent lots, rather than remain as unusable parcels.
 - 7. No lot shall be created that is of a lesser dimension than that required to meet the frontage, minimum setbacks, and yards established in Articles 5 and 6, unless a variance is granted by the Board of Adjustment. However, this provision shall not apply when a conforming lot is made nonconforming as a result of public acquisition.
 - 8. No lot shall be reduced in size less than the minimum lot area established in Articles 5 and 6.
- C. Political boundaries. No lot line of a lot established in connection with the development of a subdivision shall cross a jurisdictional boundary line.

13.4 Monumentation.

- A. Boundary monument. All subdivisions of residential property resulting in a total of three or more parcels and all subdivisions or site developments consisting of nonresidential property without regard to the number of resulting parcels shall have a boundary monument installed on its boundary with public rights-of-way.
- B. Construction. Each subdivision monument shall be embedded in concrete or similar permanent material, complete with brass cap with a unique identification stamped or engraved into the cap face.
- C. Map registration and accuracy. Georgia State Plan (West) coordinates for this boundary monument will be annotated on the final plat and also provided under separate cover to the GIS Manager, Rockdale County. The standard accuracy shall be in accordance with applicable American Land Title Act (ALTA) requirements for suburban surveys in all three planes (X, Y, and Z).
- D. Street corners. Solid steel rods at least one-half inch in diameter and 18 inches long or concrete posts at least 3.5 inches square and 18 inches long shall be set at all street corners. The top of the monument shall have an indented cross to identify the location and shall be set flush or up to six inches above the finished grade.
- E. Lot corners. All other lot corners shall be marked with solid steel rods not less than one-half (½) inch in diameter, and at least 24 inches long and shall be set flush or up to six inches above the finished grade.

Article 14: Environmental Standards

14.1 Administration.

14.1.1 Responsibility.

- A. The Director of Stormwater Management shall be responsible for the administration and enforcement of the provisions of this article, and for making professional judgments regarding any environmental protection practices related to the implementation of this article.

14.2 Wetlands.

14.2.1 Wetland Regulations.

- A. National Wetland Inventory Maps. The National Wetland Inventory Maps, prepared by the United States Fish and Wildlife Service, show the general locations of wetlands and should be consulted by persons contemplating activities in or near wetland areas. These maps should be used as a guide only. Field verification is required to determine the existence or absence of any jurisdictional waters.
- B. Plans. Design professionals, after consulting the National Wetland Inventory maps and conducting appropriate field studies, must indicate wetlands or jurisdictional waters on plans required for land disturbance permit applications.
- C. Design Professional Statement. Prior to the issuance of a land development permit, the design professional who prepared the required plans accompanying the permit

application, must add a statement to the plan sheet indicating land disturbance and the statement must read as follows:

Wetland certification:

The design professional, whose seal appears hereon, certifies the following: (1) the National Wetland Inventory maps have been consulted and appropriate field studies have been conducted; and, (2) the appropriate plan sheet ☐ DOES/☐ DOES NOT (mark appropriate box) indicate wetlands as shown on the maps; and, (3) if wetlands are indicated, the land owner or developer has been advised that land disturbance of protected wetlands or jurisdictional waters must not occur unless the appropriate federal wetlands alteration ("Section 404") permit has been obtained.

- D. ACOE Coordination. The issuance of Land Disturbance Permits by the County may be coordinated with the U.S. Army Corps of Engineers Section 404 permitting process. If the "wetland certification" above indicates the presence of wetlands or jurisdictional water as shown on the NWI generalized wetlands maps or by field study, a land disturbance permit that identifies alterations of designated wetlands or jurisdictional waters may not be issued by the County until a Section 404 Permit or Letter of Permission is obtained from the U.S. Army Corps of Engineers.

14.3 State Waters Buffers Protection.

14.3.1 Findings and Purposes.

- A. Findings. Rockdale County finds that buffers adjacent to streams provide numerous benefits, including:
1. Protecting, restoring and maintaining the chemical, physical, and biological integrity of streams and their water resources.
 2. Removing pollutants delivered by urban stormwater runoff.
 3. Reducing erosion and controlling sedimentation.
 4. Protecting and stabilizing stream banks.
 5. Providing for infiltration of stormwater runoff.
 6. Providing tree canopy to shade streams and promote desirable aquatic habitat.
 7. Providing riparian wildlife habitat.
 8. Furnishing scenic value and recreational opportunity.
 9. Providing riparian wildlife habitat.
 10. Furnishing scenic value and recreational opportunity.
 11. Providing opportunities for the protection and restoration of green space.
- B. Purposes. The purpose of this article is to protect the public health, safety, environment and general welfare; to minimize public and private losses due to erosion, siltation and water pollution; and to maintain stream water quality by provisions designed to:
- C. Create buffer and setback zones along streams within the County for the protection of water resources; and
- D. Minimize land development within such buffers and setbacks by establishing buffer and setback requirements and by requiring authorization for any such activities.

14.3.2 Applicability.

This Ordinance shall apply to all Land Development Activity on property containing a Stream Buffer Protection Area. These requirements are in addition to, and do not replace or supersede, any other applicable buffer requirements established under state law and approval or exemption

from these requirements do not constitute approval or exemption from buffer requirements established under state law or from other applicable local, state or federal regulations.

14.3.3 Grandfathered Provisions.

This Ordinance shall not apply to the following activities:

- A. Work consisting of the repair or maintenance of any lawful use of land that is zoned and approved for such use on or before the effective date of this UDO.
- B. Existing development and on-going Land-Disturbing Activity including but not limited to existing agriculture, silviculture, landscaping, gardening and lawn maintenance, except that new development or Land-Disturbing Activity not otherwise approved by the County on such properties will be subject to all applicable buffer requirements.
- C. Any Land Development Activity that is under construction, fully approved for development, scheduled for permit approval or has been submitted for approval as of the effective date of this UDO.
- D. Land Development Activity that has not been submitted for approval, but that is part of a larger master development plan, such as for an office park or other phased development that has been previously approved within two (2) years of the effective date of this UDO.

14.3.4 Exemptions.

The following specific activities are exempt from the provisions of this Ordinance. Exemption of these activities does not constitute an exemption for any other activity proposed on a property.

- A. Activities for the purpose of building one (1) of the following:
 - 1. A stream crossing by a driveway, transportation route or utility line;
 - 2. Public water supply intake or public wastewater outfall structures;
 - 3. Intrusions necessary to provide Access to a property;
 - 4. Public Access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks;
 - 5. Unpaved foot trails and paths; or
 - 6. Activities to restore and enhance Stream Bank Stabilization, vegetation, water quality and/or aquatic habitat, so long as native vegetation and bioengineering techniques are used.
- B. Public sewer line easements paralleling a creek, except that all easements (permanent and construction) and land disturbance should be at least twenty-five (25) feet from the top of the Stream Bank. This includes such impervious cover as is necessary for the operation and maintenance of utilities, including but not limited to manholes, vents, and valve structures. This exemption shall not be construed as allowing the construction of roads, bike paths or other transportation routes in such easements, regardless of paving material, except for access for the uses specifically cited in subsection A above.
- C. Land development activity within a right-of-way existing at the time this UDO takes effect or approved under the terms of this UDO.
- D. Within an easement of any utility existing at the time this UDO takes effect or approved under the terms of this UDO, land disturbing activity and such impervious cover as is

necessary for the operation and maintenance of such utility, including but not limited to manholes, vents, and valve structures.

- E. Emergency work necessary to preserve life or property. However, when emergency work is performed under this section, the person performing it shall report such work to the Directory of Stormwater Management on the next business day after commencement of the work. Within 10 days thereafter, the person shall apply for a permit and perform such work within such time period as may be determined by the Director of Stormwater Management to be reasonably necessary to correct any impairment such emergency work may have caused to the water conveyance capacity, stability, or water quality of the Stream Buffer Protection Area.
- F. Forestry and silviculture activities on land that is zoned for forestry, silvicultural, or agricultural uses and are not incidental to other land development activity. If such activity results in land disturbance in the Stream Buffer that would otherwise be prohibited, then no other land disturbing activity other than normal forest management practices will be allowed on the entire property for three (3) years after the end of the activities that intruded on the Stream Buffer.
- G. Any land development activity within a Stream Buffer established hereunder or any impervious cover within a setback established hereunder is prohibited unless a variance is granted pursuant to Section 18.8, Variances, of this UDO.

14.3.5 Stream Buffer and Setback Requirements.

All Land Development Activity subject to this Ordinance shall meet the following requirements:

- A. An undisturbed natural vegetative Stream Buffer shall be maintained for fifty (50) feet, measured horizontally, on both banks (as applicable) of a stream as measured from the top of the stream bank.
- B. An additional Stream Setback shall be maintained for twenty-five (25) feet, measured horizontally, beyond the undisturbed natural vegetative Stream Buffer, in which all impervious cover shall be prohibited. Grading, filling, and earthmoving shall be minimized within the Stream Setback.
- C. No septic tanks or septic tank drain fields shall be permitted within the Stream Buffer or Stream Setback.

14.3.6 Inspections.

- A. Rockdale County may cause inspections of the work in the Stream Buffer or Stream Setback to be made periodically during the course thereof and shall make a final inspection following completion of the work. The permittee shall assist the Zoning Director in making such inspections. The County shall have the authority to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in this Ordinance, and for this purpose to enter at reasonable time upon any property, public or private, for the purpose of investigating and inspecting the sites of any land development activity within the Stream Buffer Protection Area.
- B. No person shall refuse entry or access to any authorized representative or agent who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out official duties.

14.3.7 Minor Land Disturbing Activities.

The following land-disturbing activities are examples of projects not specifically listed in O.C.G.A. § 12-7-17(3) that would be considered minor land-disturbing activities and are, therefore, exempt from the Georgia Erosion and Sedimentation Act and the applicable buffer requirements for state waters:

- A. Elevated structures such as decks, gazebos, patios, walkways, viewing platforms or open picnic shelters, provided that:
 - 1. The floor or decking is built in a pervious manner to allow for the infiltration of stormwater;
 - 2. No more than 100 square feet of footprint of the elevated structure extends into or over the buffer, with an exception for structures compliant with the Americans with Disabilities Act (ADA);
 - 3. No grading, cutting, filling or similar land-disturbing activities occurring as a part of the site preparation, construction or subsequent development;
 - 4. The structure is built on posts, concrete blocks, or similar supports;
 - 5. Permanent protective vegetative cover remains, or protective measures (for example, mulch or gravel) are installed within the footprint of the elevated structure to prevent post-construction soil erosion;
 - 6. A natural canopy is left in sufficient quantity to keep shade on the streambed; and
 - 7. No concrete or asphalt slabs, pads or foundations are constructed or placed as a part of the site preparation, construction or subsequent development.
- B. A pervious ground-level walkway approach to a dock or similar structure, provided that:
 - 1. No more than 100 square feet of the constructed walkway extends into the buffer, with an exception for structures compliant with the Americans with Disabilities Act (ADA);
 - 2. No grading, cutting, filling or similar land-disturbing activities occur as a part of the site preparation, construction or subsequent development;
 - 3. No concrete or asphalt slabs, pads, supports or foundations are constructed or placed as a part of the site preparation, construction or subsequent development; and
 - 4. All ground preparation and walkway material placement is completed with the use of hand-held equipment.
- C. Restoration of buffer area after the removal of an existing structure, provided that the buffer area must be replanted with native vegetation.
- D. Maintenance or repair of existing structures, the failure of which would result in a threat to human health or County waters, such as sewer lines, water lines, dams or gas lines. Total disturbance must be less than 100 square feet.

- E. Placement of rock riprap within the buffer not to exceed 100 square feet on any one property, provided that:
1. The placement of the riprap does not result in soil disturbance outside the placement area; and
 2. No grading, cutting, filling or similar land-disturbing activities occur as part of the site preparation, construction or subsequent development.

14.3.8 Land Disturbing Activities not Considered Minor.

- A. The following land-disturbing activities are examples of projects that are not considered minor land-disturbing activities and are, therefore, not exempt from the Georgia Erosion and Sedimentation Act and the applicable buffer requirements for state waters:
1. Any land-disturbing activity utilizing wheeled or tracked machinery and equipment resulting in soil erosion within the buffer;
 2. Paving with poured or prefab concrete or asphalt;
 3. Any project or combination of projects occurring within the same calendar year on the same property resulting in more than 100 square feet of any elevated structures or pervious ground level walkways within or extending into the buffer;
 4. Construction of a barbeque pit on a concrete or asphalt slab or pad within the buffer;
 5. Construction of a ground-level patio within the buffer;
 6. Construction of a swimming pool within the buffer;
 7. Construction of a decorative or structural retaining wall within the buffer;
 8. Construction of a new seawall with land-disturbing activities occurring within the buffer; and
 9. Backfilling any new seawall construction within the buffer.
- B. Prohibited Activity. Any land development activity within a buffer established under this Ordinance or any impervious cover within a setback established under this Ordinance is prohibited unless a variance is granted.

14.4 Floodplain Management.

14.4.1 In General.

- A. Purpose. The purpose of this section is to protect, maintain, and enhance the public health, safety, environment, and general welfare and to minimize public and private losses due to flood conditions in flood hazard areas, as well as to protect the beneficial uses of floodplain areas for water quality protection, streambank and stream corridor protection, wetland preservation, and ecological and environmental protection by provisions designed to:
1. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

2. Restrict or prohibit uses which are dangerous to health, safety and property due to flooding or erosion hazards, or which increase flood heights, velocities, or erosion;
 3. Control filling, grading, dredging, and other development which may increase flood damage or erosion;
 4. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters, or which may increase flood hazards to other lands;
 5. Limit the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters; and
 6. Protect the stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation, and ecological functions of natural floodplain areas.
- B. Applicability. This section shall be applicable to all areas of special flood hazard within the County. For the purposes of defining and determining areas of special flood hazard, areas of future-conditions flood hazard, areas of shallow flooding, base flood elevations, floodplains, floodways, future-conditions floodplains, potential flood hazard or risk categories as shown on FIRM maps, and other such terms used in this section, the following documents and sources may be used for such purposes and are adopted by reference thereto:
- C. The flood insurance study (FIS) for the county with accompanying maps and other supporting data and any revision thereto.
- D. Other studies which may be relied upon for the establishment of the base flood elevation or delineation of the base or one-percent (100-year) floodplain and flood prone areas, including:
1. Any flood or flood-related study conducted by the United States Corps of Engineers, the United States Geological Survey, or any other local, state or federal agency applicable to the County; and
 2. Any base flood study conducted by a licensed professional which has been prepared utilizing FEMA-approved methodology and approved by the Director of Stormwater Management.
- E. Other studies which may be relied upon for the establishment of the future-conditions flood elevation or delineation of the future-conditions floodplain and flood prone areas including:
1. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey, or any other local, state, or federal agency applicable to the County; and
 2. Any future-conditions flood study conducted by a licensed professional engineer which has been prepared by utilizing FEMA-approved methodology approved by the Director of Stormwater Management.
- F. The repository for public inspection of the FIS, accompanying maps and other supporting data is located at the Department of Stormwater Management.
- G. Compatibility with Other Regulations. This section is not intended to modify or repeal any other chapter, rule, regulation, statute, easement, covenant, deed restriction or other provision of law. The requirements of this section are in addition to the requirements of any other chapter, rule, regulation or other provision of law, and where any provision of this section imposes restrictions different from those imposed by any other chapter, rule, regulation or other provision of law,

whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

- H. Severability. If the provisions of any section, subsection, paragraph, subdivision, or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.
- I. Warning and Disclaimer of Liability. The degree of flood protection required by this Division is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by manmade or natural causes. This Division does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This section shall not create liability on the part of the County or by any officer or employee thereof for any flood damages that result from reliance on this section, or any administrative decision lawfully made thereunder.

14.4.2 Administration and Enforcement.

- A. Designation of Administrator. The Director of Stormwater Management is hereby appointed to administer and implement the provisions of this section.
- B. Duties and Responsibilities. Duties of the Director of Stormwater Management shall include, but not be limited to:
 - 1. Review all land development applications and permits to assure that the requirements of this ordinance have been satisfied and to determine whether proposed building sites will be reasonably safe from flooding;
 - 2. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1344;
 - 3. Require the applicant to obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, when base flood elevation data or floodway data have not been provided;
 - 4. Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new or substantially improved structures;
 - 5. Review and record the actual elevation, in relation to mean sea level to which any substantially improved structures have been flood proofed;
 - 6. Obtain certification of design criteria from a registered professional engineer or architect when flood proofing is utilized for a structure;
 - 7. Notify affected adjacent communities and the state Department of Natural Resources (DNR) prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the federal Emergency Management Agency (FEMA);
 - 8. Make the necessary interpretation where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (e.g., where there appears to be a conflict between a mapped boundary and actual field conditions). Any person contesting the location of the boundary is given a reasonable opportunity to appeal the interpretation, as provided in this ordinance. Where floodplain elevations have been

defined, the floodplain is determined based on flood elevations rather than the area graphically delineated on the floodplain maps.

9. Coordinate all Flood Insurance Rate Map (FIRM) revisions with the Georgia DNR and FEMA.

10. Review variance applications and make recommendations to the appointed board.

C. Records.

1. All records pertaining to the provisions of this section is maintained in the office of the County Clerk and is open for public inspection.
2. Lowest floor means 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 adopted County building code.

D. Permit Requirements.

1. No owner or developer shall perform any land development activities on a site where an area of special flood hazard or area of future-conditions flood hazard is located, without first meeting the requirements of this division prior to commencing the proposed activity.
2. No land development permit will be approved for any land development activities that do not meet the requirements, restrictions and criteria of this ordinance.

E. Additional Requirements. An application for a development project with any area of special flood hazard located on the site shall include a floodplain management/flood damage prevention plan.

This plan shall include the following items:

1. Site plan drawn to scale, which includes but is not limited to:
 - a. Existing and proposed elevations of the area in question and the nature, location and dimensions of existing and/or proposed structures, earthen fill placement, amount and location of excavation material, and storage of materials or equipment;
 - b. For all proposed structures, spot ground elevations at building corners and 20-foot or smaller intervals along the foundation footprint, or one-foot contour elevations throughout the building site;
 - c. Proposed locations of water supply, sanitary sewer, and utilities;
 - d. Proposed locations of drainage and stormwater management facilities;
 - e. Proposed grading plan;
 - f. Base flood elevations and future-conditions flood elevations;
 - g. Boundaries of the base flood floodplain and future-conditions floodplain;
 - h. If applicable, the location of the floodway; and
 - i. Certification of the information required in this subsection by a licensed professional engineer or surveyor.
2. Building and foundation design detail, including but not limited to:
 - a. Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all proposed structures;
 - b. Elevation in relation to mean sea level to which any nonresidential structure will be floodproofed;
 - c. Certification that any proposed nonresidential floodproofed structure meets the criteria in Section 14.4.4.B.2, Nonresidential Buildings;

- d. For enclosures below the base flood elevation, location and total net area of flood openings as required in Section 14.4.4.A.5, Elevated Buildings; and
 - e. Design plans certified by a licensed professional engineer or architect for all proposed structure(s).
 3. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development;
 4. Hard copies and digital files of computer models, if any, copies of work maps, comparison of pre-development and post-development conditions base flood elevations, future-conditions flood elevations, flood protection elevations, special flood hazard areas and regulatory floodway, flood profiles and all other computations and other information similar to that presented in the FIS;
 - a. Copies of all applicable state and federal permits necessary for proposed development, including but not limited to permits required by Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1334; and
 - b. All appropriate certifications required under this section.
 5. The approved floodplain management/flood damage prevention plan shall contain certification by the applicant that all development activities will be done according to the plan or previously approved revisions. Any and all development permits and/or use and occupancy certificates or permits may be revoked at any time if the construction and development activities are not in strict accordance with approved plans.
- F. Construction Stage Submittal Requirements.
 1. New Construction and Substantial Improvements. For all new construction and substantial improvements on sites with a floodplain management/flood damage prevention plan, the permit holder shall provide to the Director of Stormwater Management a certified as-built elevation certificate or floodproofing certificate for nonresidential construction, including the lowest floor elevation or floodproofing level immediately after the lowest floor or floodproofing is completed. A final elevation certificate is provided after completion of construction including final grading of the site. Any lowest floor certification made relative to mean sea level is prepared by or under the direct supervision of a licensed land surveyor or professional engineer and certified by same. When floodproofing is utilized for nonresidential structures, said certification is prepared by or under the direct supervision of a professional engineer or architect and certified by same, using the FEMA floodproofing certificate. This certification shall also include the design and operation/maintenance plan to assure continued viability of the floodproofing measures.

14.4.3 Development Standards.

- A. Definition of Floodplain Boundaries.
 1. "A" zones, as identified in the FIS, are used to establish base flood elevations.
 2. For all streams with a drainage area of 100 acres or greater, the future-conditions flood elevations are provided by the County. If future-conditions elevation data is not available from the County, then it is determined by a licensed professional engineer using a method approved by FEMA and the County.
- B. Definition of Floodway Boundaries. The width of a floodway is determined from the FIS or FEMA-approved flood study. For all streams with a drainage area of 100 acres or greater, the regulatory floodway is provided by the County. If floodway data is not available from the County,

then it is determined by a licensed professional engineer using a method approved by FEMA and the County.

C. General Standards.

1. No development shall be allowed within any area of special flood hazard or area of future-conditions flood hazard that could result in any of the following:
 - a. Raising the base flood elevation or future-conditions flood elevation equal to or more than 0.01 foot;
 - b. Reducing the base flood or future-conditions regulatory flood storage capacity;
 - c. Changing the flow characteristics as to the depth and velocity of the waters of the base flood or future-conditions flood as they pass both the upstream and the downstream boundaries of the property; or
 - d. Creating hazardous or erosion-producing velocities or resulting in excessive sedimentation.
2. Any development within any area of special flood hazard or area of future-conditions flood hazard allowed under this ordinance shall also meet the following conditions:
 - a. Compensation for storage capacity shall occur between the average groundwater table elevation and the base flood elevation for the base flood, and between the average groundwater table elevation and the future-conditions flood elevation for the future-conditions flood and lie within the boundaries of ownership of the property being developed and is within the immediate vicinity of the location of the encroachment. Acceptable means of providing required compensation:
 - i. Include lowering of natural ground elevations within the floodplain, or lowering of adjoining land areas to create additional floodplain;
 - ii. Storage. In no case shall any required compensation be provided via bottom storage or by excavating below the elevation of the natural (pre-development) stream channel unless such excavation results from the widening or relocation of the stream channel;
 - b. Cut areas are stabilized and graded to a slope of no less than two percent;
 - c. Effective transitions are provided such that flow velocities occurring on both upstream and downstream properties are not increased or decreased;
 - d. Verification of no-rise conditions (0.01 foot or less), flood storage volumes, and flow characteristics are provided via a step-backwater analysis meeting the requirements of Section 14.4.3.D, Engineering Study Requirements for Floodplain Encroachments;
 - e. Public utilities and facilities, such as water, sanitary sewer, gas, and electrical systems, are located and constructed to minimize or eliminate infiltration or contamination from floodwaters; and
 - f. Any significant physical changes to the base flood floodplain is submitted as a conditional letter of map revision (CLOMR) or conditional letter of map amendment (CLOMA), whichever is applicable. The CLOMR submittal is subject to approval by the Department using the FEMA community concurrence forms before forwarding the submittal package to FEMA for final approval. The responsibility for forwarding the CLOMR to FEMA and for obtaining the CLOMR approval is the responsibility of the applicant. Within six months of the completion of development, the applicant shall submit as-built surveys and plans for a final letter of map revision (LOMR).

- D. Engineering Study Requirements for Floodplain Encroachments. An engineering study is required, as appropriate to the proposed development activities on the site, whenever a development proposes to disturb any land within the future-conditions floodplain, except for a residential single-lot development on streams without established base flood elevations and floodways. This study is prepared by a licensed professional engineer and made a part of the application for a permit. This information is submitted to and approved by the Department prior to the approval of any permit which would authorize the disturbance of land located within the future-conditions floodplain. Such study shall include all requirements specified in the Rockdale Technical Manual:
1. Description of the extent to which any watercourse or floodplain will be altered or relocated as a result of the proposed development;
 2. Step-backwater analysis, using a FEMA-approved methodology approved by the Department. Cross sections (which may be supplemented by the applicant) and flow information will be obtained whenever available. Computations will be shown duplicating FIS results and will then be rerun with the proposed modifications to determine the new base flood profiles and future-conditions flood profiles;
 3. Floodplain storage calculations based on cross sections (at least one every 100 feet) showing existing and proposed floodplain conditions to show that base flood floodplain and future-conditions floodplain storage capacity would not be diminished by the development;
 4. The study shall include a preliminary plat, grading plan, or site plan, as appropriate, which shall clearly define all future-conditions floodplain encroachments.
- E. Floodway Encroachments. Located within areas of special flood hazard are areas designated as floodways. A floodway may be an extremely hazardous area due to capacity floodwaters, debris or erosion potential. In addition, floodways must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:
1. Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway, except for activities specifically allowed in [subsection] (2) below.
 2. Exemptions. Encroachments for bridges, culverts, roadways and utilities within the regulatory floodway may be permitted provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment will not result in any increase to the pre-project base flood elevations, floodway elevations, or floodway widths during the base flood discharge.
 - a. A licensed professional engineer must provide supporting technical data and certification thereof; and
 - b. If the applicant proposes to revise the floodway boundaries, no permit authorizing the encroachment into or an alteration of the floodway is issued by the County until an affirmative conditional letter of map revision (CLOMR) is issued by FEMA or a no-rise certification is approved by the Department.
- F. Maintenance Requirements. The property owner is responsible for continuing maintenance as may be needed within an altered or relocated portion of a floodplain on the property so that the flood-carrying or flood storage capacity is maintained. The County may direct the property owner, at no cost to the County, to restore the flood-carrying or flood storage capacity of the

floodplain if the owner has not performed maintenance as required by the approved floodplain management plan on file with the Department of Stormwater Management.

14.4.4 Flood Damage Reduction.

- A. General Standards. In all areas of special flood hazard and areas of future-conditions flood hazard the following provisions apply:
1. New construction and substantial improvements of structures (residential or nonresidential), including manufactured homes, shall not be allowed within the limits of the future-conditions floodplain, unless all requirements of Section 12.4.3, Development Standards have been met.
 2. New construction and substantial improvements shall be anchored to prevent flotation, collapse, and lateral movement of the structure.
 3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
 4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage.
 5. Elevated buildings. All new construction and substantial improvements that include any fully enclosed area located below the lowest floor formed by foundation and other exterior walls are designed so as to be an unfinished or flood-resistant enclosure. The enclosure is designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.
 - a. Designs for complying with this requirement must either be certified by a licensed professional engineer or architect to meet or exceed the following minimum criteria:
 - i. Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - ii. The bottom of all openings are no higher than one foot above grade; and
 - iii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.
 - b. So as not to violate the lowest floor criteria of this Division, the unfinished or flood-resistant enclosure shall only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area; and
 - c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms.
 6. All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities are designed and/or located three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher, so as to prevent water from entering or accumulating within the components during conditions of flooding;
 7. Manufactured homes are anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard is in addition to and consistent with applicable state requirements for resisting wind forces;

8. All proposed development shall include adequate drainage and stormwater management facilities per the requirements of the County to reduce exposure to flood hazards;
 9. New and replacement water supply systems are designed to minimize or eliminate infiltration of floodwaters into the system;
 10. New and replacement sanitary sewage systems are designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters;
 11. On-site waste disposal systems are located and constructed to avoid impairment to, or contamination from such systems during flooding;
 12. Other public utilities such as gas and electric systems shall be located and constructed to avoid impairment to them, or public safety hazards from them during flooding;
 13. Any alteration, repair, reconstruction or improvement to a structure which is not compliant with the provisions of this Division is undertaken only if the nonconformity is not furthered, extended or replaced;
 14. If the proposed development is located in multiple flood zones or multiple base flood elevations cross the proposed site, the higher or more restrictive base flood elevation or future-condition elevation and development standards shall take precedence;
 15. When only a portion of a proposed structure is located within a flood zone or the future conditions floodplain, the entire structure shall meet the requirements of this ordinance; and
 16. Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, shall be reasonably safe from flooding:
 - a. All such proposals shall be consistent with the need to minimize flood damage within the flood-prone area;
 - b. All public utilities and facilities, such as sewer, gas, electrical, and water systems shall be located and constructed to minimize or eliminate flood damage; and
 - c. Adequate drainage shall be provided to reduce exposure to flood hazards.
- B. Building Standards for Structures and Buildings within the Future-Conditions Floodplain.
1. Residential Buildings:
 - a. New Construction New construction of principal residential structures shall not be allowed within the limits of the future-conditions floodplain.
 - b. Substantial Improvements Substantial improvements of any principal residential structure shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is highest. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Section 14.4.4.A, General Standards.
 2. Nonresidential Buildings:
 - a. New Construction New construction of principal nonresidential structures shall not be allowed within the limits of the future-conditions floodplain unless all of the requirements of Section 14.4.3, Development Standards are met.
 - i. If all of the requirements of Section 14.4.3, Development Standards have been met, all new construction shall have the lowest floor, including basement, elevated no lower than one foot above the base flood

elevation or at least as high as the future-conditions flood elevation, whichever is higher.

- ii. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Section 14.4.4.A, General Standards.
 - iii. New construction that has met all of the requirements of Section 14.4.3, Development Standards may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above and shall provide such certification to the Director of Stormwater Management using the FEMA floodproofing certificate along with the design and operation/maintenance plan.
- b. Substantial Improvements Substantial improvements of any principal nonresidential structure located in A1-30, AE, or AH zones may be authorized by the Director of Stormwater Management to be elevated or floodproofed.
- i. Substantial improvements shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher.
 - ii. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Section 14.4.4.A, General Standards.
 - iii. Substantial improvements may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is highest, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above and shall provide such certification to the Director of Stormwater Management using the FEMA floodproofing certificate along with the design and operation/maintenance plan.
- C. Accessory Structures and Facilities. Accessory structures and facilities (i.e., barns, sheds, gazebos, detached garages, recreational facilities and other similar non-habitable structures and facilities) which meet the requirements of Section 9.8, Accessory Uses and Structures and

are permitted to be located within the limits of the future-conditions floodplain shall be constructed of flood-resistant materials and designed to provide adequate flood openings in accordance with Section 14.4.4.A, General Standards, and be anchored to prevent flotation, collapse, and lateral movement of the structure.

D. Recreational Vehicles. All recreational vehicles placed on sites must either:

1. Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or
2. Meet all the requirements for residential buildings—substantial improvements set forth in Section 14.4.4.B.1.b, including the anchoring and elevation requirements.

E. Manufactured Homes.

1. New manufactured homes shall not be allowed to be placed within the limits of the future-conditions floodplain unless all of the requirements of Section 14.4.3, Development Standards have been met, all new construction and substantial improvements shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Section 14.4.4.A, General Standards.
2. Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision are elevated so that either: (a) The lowest floor of the manufactured home is elevated no lower than three feet above the level of the base flood elevation, or one foot above the future-conditions flood elevation, whichever is higher; or (b) The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.
3. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement in accordance with the standards of Section 14.4.4.A.7.

F. Building Standards for Structures and Buildings Authorized Adjacent to the Future-Conditions Floodplain.

1. Residential Buildings. For new construction of and substantial improvement to any principal residential building or manufactured home, the elevation of the lowest floor, including basement and access to the building, is at least three feet above the level of the highest base flood (100-year) elevation adjacent to the building or at least one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Section 14.4.4.A, General Standards.
2. Nonresidential Buildings. For new construction of and substantial improvement to any principal nonresidential building, the elevation of the lowest floor, including basement and access to the building, is at least three feet above the level of the highest base flood elevation adjacent to the building or at least one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to

elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Section 14.4.4.B.2, Nonresidential Buildings may be floodproofed in lieu of elevation.

- G. Building Standards for Residential Single-Lot Development on Streams without Established Base Flood Elevations and/or Floodway (A zones).
1. For a residential single-lot development not part of a subdivision that has areas of special flood hazard, where streams exist but no base flood data have been provided (A zones), the Director of Stormwater Management shall review and reasonably utilize any available scientific or historic flood elevation, data, base flood elevation floodway data or future-conditions flood elevation data available from a federal, state, or other source in order to administer the provisions and standards of this Division. If data are not available from any of these sources, the following provisions shall apply:
 - a. No encroachments, including structures or fill material, shall be located within an area equal to twice the width of the stream or fifty feet from the top of the bank of the stream, whichever is greater.
 - b. In special flood hazard areas without base flood or future-conditions flood elevation data, new construction and substantial improvements shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three feet above the highest adjacent grade at the building site. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces shall be provided for flood-prone enclosures in accordance with Section 14.4.4, Flood Damage Reduction.
- H. Building Standards for Areas of Shallow Flooding (AO zones). Areas of special flood hazard may include designated AO shallow flooding areas. These areas have base flood depths of one foot to three feet above ground, with no clearly defined channel. In these areas the following provisions apply:
1. All new construction and substantial improvements of residential and nonresidential structures shall have the lowest floor, including basement, elevated to no lower than one foot above the flood depth number specified on the flood insurance rate map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, is elevated at least three feet above the highest adjacent grade. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces shall be provided in accordance with the standards of Section 14.4.4.A.5, Elevated Building;
 2. New construction and substantial improvement of a nonresidential structure may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to the specified FIRM flood level plus one foot above the highest adjacent grade, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice, and shall provide such certification to the County using the FEMA floodproofing certificate along with the design and operation/maintenance plan; and
 3. Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

- I. Standards for Subdivisions of Land and Other Development.
 - 1. All subdivision proposals shall identify the areas of special flood hazard and areas of future-conditions flood hazard therein and provide base flood elevation data and future-conditions flood elevation data;
 - 2. All residential lots in a subdivision proposal shall have sufficient buildable area outside of the future-conditions floodplain such that encroachments into the future-conditions floodplain for residential structures will not be required;
 - 3. All subdivision plans will provide the elevations of proposed structures in accordance with Section 14.4.2.C, Additional Requirements.
- J. Standards for Utilities.
 - 1. All new and replacement water supply and sanitary sewerage systems are designed to minimize or eliminate:
 - a. Infiltration of floodwaters into the systems; and
 - b. Discharges from the systems into floodwaters.
 - 2. On-site waste disposal systems are located outside the floodplain to avoid impairment to them, or contamination from them during flooding.

14.5 Stormwater Management.

14.5.1 Purpose.

The purpose of this Division is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development stormwater runoff and non-point source pollution associated with new development and redevelopment by focusing on the types of frequently occurring storm events that generate the most water quality impacts. Proper management of post-development stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. This Division seeks to meet that purpose through the following objectives:

- A. Establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of water resources;
- B. Require that new development and redevelopment maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding, stream bank erosion, non-point source pollution and increases in stream temperature, and maintain the integrity of stream channels and aquatic habitats;
- C. Establish minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality and to preserve and/or restore natural hydrologic conditions on development sites;
- D. Establish design and application criteria for the construction and use of structural stormwater control facilities that meet the minimum post-development stormwater management standards;
- E. Encourage the use of nonstructural stormwater management and stormwater better site design practices, peak rate and/or runoff reduction, and the preservation of greenspace and other conservation areas, by establishing minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality. Coordinate site design plans, which include greenspace, with the County's greenspace protection plan;

- F. Establish provisions for the long-term responsibility of operation, inspection, maintenance and repair of private structural stormwater control facilities and private commitments for nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety or the environment;
- G. Establish administrative procedures for the submission, review, approval and disapproval of stormwater management plans, and for the inspection of approved active projects, and long-term compliance; and
- H. Protect public health and safety by reducing the risk of localized flooding and reducing the amount of runoff entering streets.

14.5.2 Standards.

- A. Applicability. This section is applicable to all land development, including, but not limited to, site plan applications, single family residential applications, subdivision applications, and grading applications, unless exempt pursuant to subsection (2) of this section. These standards apply to any new development or redevelopment site that meets one or more of the following criteria, or as otherwise required by the Director of Stormwater Management:
 - 1. Any new development, redevelopment, addition or replacement that involves the creation of 1,000 square feet or more of impervious cover, or that involves other land development activities of 5,000 square feet or more;
 - 2. Any new development or redevelopment, regardless of size, if such activities are part of a larger common plan of development, even though multiple, separate and distinct land development activities may take place at different times on different schedules or that is defined by the Director to be a hotspot land use.
- B. Exemptions. The following activities are exempt from this section:
 - 1. Agricultural or silvicultural land management activities within areas zoned for these activities; and
 - 2. Repairs to any stormwater management facility or practice deemed necessary by the Director of Stormwater Management.
 - 3. Minor improvements to public parks involving less than 5,000 square feet of land disturbance and less than 1,000 square feet of impervious surface.
 - 4. Utility installations, repairs or modifications outside of stream buffers.
 - 5. Installations or modifications to existing structures to accommodate Americans with Disability Act (ADA) requirements.
 - 6. Installation of pervious pavement less than 5,000 square feet.
 - 7. Maintenance, repair and resurfacing of existing paved surfaces.
 - 8. Addition of sidewalks along streets.
 - 9. Stream bank stabilization or restoration.
 - 10. Land disturbance required for environmental cleanup or remediation.
 - 11. Residential driveway replacement.
- C. Minimum Requirements. Except for repairs to existing stormwater facilities or stormwater facilities in the right-of-way, all developments and redevelopment activity, including single-family residential and those which are otherwise exempt from this section, the following minimum requirements shall apply:
 - 1. Lots and buildings shall be developed in a manner to ensure that stormwater exiting individual parcels or lots under post-development conditions does not adversely impact

the adjacent parcels or lots as a result of concentrated flows, flooding, erosion or deposits of silt or sediment;

2. The stormwater discharge from a downspout, cistern, or any water collection device shall be located no closer to a property line than ten feet and oriented so direction of flow is away from any downstream improvements. Discharge from any outlet must be dissipated, infiltrated or diverted such that flows will not be concentrated; and
 3. No person shall erect, construct, or otherwise permit any obstruction that prevents the natural or contained flow of water to or from any component of the stormwater system of the County unless such obstruction is allowed as a part of a permit approved pursuant to this section.
 4. Lots and buildings shall be developed to provide Green Infrastructure/Low Impact Development best management practices. Single Family - Single Lot Development that is not part of a larger common development shall be exempt from this requirement.
- D. Designation of Administrator. The Director of Stormwater Management is hereby appointed to administer and implement the provisions of this section.
- E. Compatibility With Other Regulations. This section is not intended to modify or repeal any other chapter, rule, regulation or other provision of law. The requirements of this section are in addition to the requirements of any other chapter, rule, regulation or other provision of law, and where any provision of this section imposes restrictions different from those imposed by any other chapter, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

14.5.3 Stormwater Design Manual.

The County will utilize the policy, criteria and information including technical specifications and standards in the latest edition of the 2016 Georgia Stormwater Management Manual and any relevant County addenda (or equivalent County stormwater management design manual) for the proper implementation of the requirements of this section. The manual may be updated and expanded periodically, based on improvements in science, engineering, monitoring and local maintenance experience.

14.5.4 Permit Application Requirements.

- A. No owner or developer shall perform any land development activities without first meeting the requirements of this Division prior to commencing the proposed activity.
- B. Unless specifically exempted by this Division, any owner or developer proposing a land development activity shall submit to the Department a permit application on a form provided by the County for that purpose.
- C. Unless otherwise exempted by this Division, a permit application is accompanied by the following items in order to be considered:
 1. Stormwater concept plan and consultation meeting certification in accordance with Section 14.5.6;
 2. Stormwater management plan in accordance with Section 14.5.7;
 3. Green Infrastructure Feasibility Form in accordance with Section 14.5.6, if applicable;
 4. Inspection and maintenance agreement in accordance with Section 14.5.7, if applicable;
 5. Performance bond, if applicable; and
 6. Permit application and plan review fees in accordance with Section 14.5.8.

- D. The approved stormwater management plan shall obligate the responsible party to accomplish all land clearing, construction, development and drainage in accordance with the stormwater management plan. Any and all permits for development activities may be revoked at any time if the construction of stormwater management facilities is not conducted in substantial conformity with approved plans.
- E. Applicant or responsible party shall obtain all state and federal permits required for the proposed development activity in addition to the plans and permits required by the County.
- F. Upon completion of the project the applicant or responsible party shall submit the engineer-of-record's certification and as-built plan that includes the global positioning system coordinates of the stormwater management facilities. If the as-built plan differs substantially from the approved plan but is still acceptable to the County, then the applicant or responsible party shall update the recorded inspection and maintenance agreement upon approval by the County.

14.5.5 Application Procedure.

- A. Applications for land development permits are filed with the Department of Planning and Development.
- B. Permit applications shall include the items set forth in Section 14.5.4, Permit Application Requirements. The stormwater management plan and the inspection maintenance agreement, if applicable, shall be included.
- C. The Department shall inform the applicant whether the application, stormwater management plan and inspection and maintenance agreement are approved or disapproved.
- D. If the permit application, stormwater management plan, or inspection and maintenance agreement is disapproved, the Department shall notify the applicant of such fact in writing. The applicant may then revise any item not meeting the requirements hereof and resubmit the same, in which event this section and Section 14.5.4 shall apply to such resubmittal.
- E. Upon a finding by the Department that the permit application, stormwater management plan and inspection and maintenance agreement, if applicable, meet the requirements of this section, the Department may issue a permit for the land development project, provided all other legal requirements for the issuance of such permit have been met.
- F. Notwithstanding the issuance of the permit, in conducting the land development project, the applicant or other responsible person is subject to the following requirements:
 - 1. The applicant shall comply with all applicable requirements of the approved plan and this section and shall certify that all land clearing, construction, land development and drainage will be done according to the approved plan;
 - 2. The land development project is conducted only within the area specified in the approved plan;
 - 3. The Department is allowed to conduct periodic inspections of the project;
 - 4. No changes may be made to an approved plan without review and written approval by the Department; and
 - 5. Upon completion of the project, the applicant or other responsible person shall submit the engineer's report and certificate and as-built plans required by Section 14.5.10, Performance Criteria.

14.5.6 Stormwater Concept Plan.

- A. Discussion of post-development stormwater management. Before any stormwater management permit application is submitted, it is recommended that the landowner or developer shall meet

with the Department for a consultation meeting on a concept plan for the post-development stormwater management system to be utilized in the proposed land development project. This consultation meeting shall take place at the time of the preliminary plan of subdivision or other early step in the development process. The purpose of this meeting is to discuss the post-development stormwater management measures necessary for the proposed project, as well as to discuss and assess constraints, opportunities and potential ideas for stormwater management designs before the formal site design engineering is commenced.

- B. Information to be submitted. To accomplish this goal, the following information is included in the concept plan that is submitted in advance of the meeting:
1. Existing Conditions Proposed site plans. Existing conditions and proposed site layout sketch plans which illustrate, at a minimum, existing and proposed topography; perennial and intermittent streams; mapping of predominant soils from soil surveys (when available); boundaries of existing predominant vegetation and proposed limits of clearing and grading; and location of existing and proposed roads, buildings, parking areas and other impervious surfaces.
 2. Natural Resources Inventory. A written or graphic inventory of the natural resources at the site and surrounding area as it exists prior to the commencement of the project. This description should include a discussion of soil conditions, forest cover, topography, wetlands, and other native vegetative areas on the site, as well as the location and boundaries of other natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.). Particular attention should be paid to environmentally sensitive features that provide particular opportunities or constraints for development.
 3. Stormwater Management System Concept Plan. A written or graphic concept plan of the proposed post-development stormwater management system including: preliminary selection and location of proposed structural stormwater controls; location of existing and proposed conveyance systems such as grass channels, swales, and storm drains; flow paths; location of floodplain/floodway limits; relationship of site to upstream and downstream properties and drainages; and preliminary location of proposed stream channel modifications, such as bridge or culvert crossings. Local watershed plans, the County greenspace protection plan (if applicable), and any relevant resource protection plans will be consulted in the discussion of the concept plan.
 4. Green Infrastructure Feasibility Form. The standard County form will be provided with required documentation for Linear or Non-linear projects determining whether the installation of Green Infrastructure best management practices are feasible or infeasible for the proposed project based on soil infiltration rates, water table or bedrock conditions, setbacks, landmark trees, endangered species, brownfield site conditions, on-site contaminants, historic resources, steep slopes, utility conflicts or practicability hardships.

14.5.7 Stormwater Management Plan.

- A. The stormwater management plan shall detail how post-development stormwater runoff will be controlled or managed and how the proposed project will meet the requirements of this ordinance, including the performance criteria set forth in Section 14.5.10, Performance Criteria.
- B. This plan is in accordance with the criteria established in this section and must be submitted with the stamp and signature of a design professional licensed in the state, who must verify that

the design of all stormwater management facilities and practices meet the submittal requirements outlined in the current Georgia Stormwater Management Manual 2016 Edition (here and henceforth all references to this manual assume the 2016 edition, including all amendments as may be forthcoming from time to time) and the County's submittal requirements for commercial and single-family residential development.

- C. Submittal Requirements. The stormwater management plan must ensure that the requirements and criteria in this ordinance are being complied with and that opportunities are being taken to minimize adverse post-development stormwater runoff impacts from the development. The plan shall consist of maps, narrative, and supporting design calculations (hydrologic and hydraulic) for the proposed stormwater management system. The plan shall include all of the applicable design requirements and forms found in the Georgia Stormwater Management Manual and the County's submittal requirement for commercial and single-family residential development. This includes but is not limited to:
1. The common address and legal description of the site.
 2. Vicinity map.
 3. Existing conditions and proposed site plans. Existing conditions and proposed site layout plans which illustrate at a minimum: existing and proposed topography; perennial and intermittent streams; mapping of predominant soils from soil surveys; boundaries of existing predominant vegetation and proposed limits of clearing and grading; and location of existing and proposed roads, building parking area and other impervious surfaces.
 4. Infiltration rates. Infiltration rates shall be determined by soil surveys, on-site soil analysis or a percolation test. If the site has been previously developed or graded or contains urban soil types, a percolation test is required.
 5. Natural resources inventory. A written or graphic inventory of the natural resources in existence prior to the commencement of the project. This inventory shall address resources both on the site and in the surrounding area that are or may be impacted by the project. This inventory shall also include a description of the soil conditions, forest cover, topography, wetlands, and other native vegetative areas on the site, as well as the location and boundaries of other natural features protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks, including but not limited to drinking water well setbacks and septic setbacks. Particular attention should be paid to environmentally sensitive features that present constraints for development.
 6. Existing conditions hydrologic analysis. The existing condition hydrologic analysis for stormwater runoff rates, volumes, and velocities in accordance with the current Georgia Stormwater Management Manual, which shall include: a topographic map of existing site conditions with the drainage basin boundaries indicated; acreage, soil types and land cover of areas for each subbasin affected by the project; all perennial and intermittent streams and other surface water features; all existing stormwater conveyances and structural control facilities; direction of flow and exits from the site; analysis of runoff provided by off-site areas upstream of the project site; and methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. For redevelopment sites, pre-development conditions are modeled using guidelines established by the Director for the portion of the site undergoing land development activities.

7. Post development hydrologic analysis. The post-development hydrologic analysis for stormwater runoff rates, volumes, and velocities shall be calculated in accordance with the Georgia Stormwater Management Manual and include: a topographic map of developed site conditions with the post-development drainage basin boundaries indicated; total area of post development impervious surfaces and other land cover areas for each subbasin affected by the project; calculations for determining the runoff volumes that need to be addressed for each subbasin for the development project to meet the post-development stormwater management performance criteria in Section 6.4.12; location and boundaries of proposed natural feature protection and conservation areas; documentation and calculations for any applicable site design credits that are being utilized; methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. If the land development activity on a redevelopment site constitutes more than 50 percent of the site area for the entire site, then the performance criteria in Section 6.4.12 must be met for the stormwater runoff from the entire site. For a subdivision of land or planned development, post-development runoff volumes, rates, and velocities shall be calculated based on the built-out conditions of the entire parcel to be subdivided, regardless of future ownership of individual lots. Estimates of impervious surfaces shall be made based on maximum allowable lot coverage in accordance with the County's Development Code when meeting the performance criteria. The developer of said subdivided parcel may provide runoff reduction and water quality measures for individual lots, which must be reflected accordingly on the final plat.
8. Stormwater management system. The description, scaled drawings and design calculations for the proposed post-development stormwater management system, which shall include: A map and/or drawing or sketch of the stormwater management facilities, including the location of nonstructural site design features and the placement of existing and proposed structural stormwater controls, including design water surface elevations, storage volumes available from zero to maximum head, location of inlet and outlets, location of bypass and discharge systems, and all orifice/restrictor sizes; a narrative describing how the selected structural stormwater controls will be appropriate and effective; cross section and profile drawings and design details for each of the structural stormwater controls in the system, including supporting calculations to show that the facility is designed according to the applicable design criteria; a hydrologic and hydraulic analysis of the stormwater management system for all applicable design storms (including stage-storage or outlet rating curves, and inflow and outflow hydrographs); documentation and supporting calculations to show that the stormwater management system adequately meets the post-development stormwater management performance criteria in section 109-195; drawings, design calculations, elevations and hydraulic grade lines for all existing and proposed stormwater conveyance elements including stormwater drains, pipes, culverts, catch basins, channels, swales and areas of overland flow; and where applicable, a narrative describing how the stormwater management system corresponds with any watershed protection plans and/or local greenspace protection plan.
9. Post development downstream analysis. A downstream peak flow analysis that includes the assumptions, results and supporting calculations to show safe passage of post-development design flows downstream. The analysis of downstream conditions in the

report shall address each and every point or area along the project site's boundaries at which runoff will exit the property. The analysis shall focus on the portion of the drainage channel or watercourse immediately downstream from the project. This area shall extend downstream from the project to a point in the drainage basin where the project area is ten percent of the total basin area. In calculating runoff volumes and discharge rates, consideration may need to be given to any planned future upstream land use changes. The analysis is in accordance with the stormwater design manual.

10. Construction-phase erosion and sedimentation control plan. An erosion and sedimentation control plan in accordance with the Georgia Erosion and Sedimentation Control Act of 1975 (O.C.G.A. § 12-7-1 et seq.) or NPDES permit for construction activities. The plan shall also include information on the sequence/phasing of construction and temporary stabilization measures and temporary structures that will be converted into permanent stormwater controls. Prior to the approval of the stormwater management plan, the applicant or responsible party shall submit a proposed staged construction and inspection control schedule for approval; otherwise, the construction and inspection control schedule will be for the entire drainage system. No stage work related to the construction of stormwater management facilities or BMPs shall proceed until the next proceeding stage of work, according to the sequence specified in the approved stage construction and inspection control schedule, as inspected and approved. Runoff reduction and water quality measures shall be installed in the final phase of construction to prevent clogging.
11. Landscaping and open space plan. A detailed landscaping and vegetation plan describing the woody and herbaceous vegetation that will be used within and adjacent to stormwater management facilities and practices. The landscaping plan must also include: the arrangement of planted areas, natural and greenspace areas and other landscaped features on the site plan; information necessary to construct the landscaping elements shown on the plan drawings; descriptions and standards for the methods, materials and vegetation that are to be used in the construction; density of plantings; descriptions of the stabilization and management techniques used to establish vegetation; and a description of who will be responsible for ongoing maintenance of vegetation for the stormwater management facility and what practices will be employed to ensure that adequate vegetative cover is preserved.
12. Operations and maintenance plan. Detailed description of ongoing operations and maintenance procedures for stormwater management facilities and practices to ensure their continued function as designed and constructed or preserved. These plans will identify the parts or components of a stormwater management facility or practice that need to be regularly or periodically inspected and maintained, and the equipment and skills or training necessary. The plan shall include a narrative describing how the stormwater management system is designed to function, including capture, runoff control, water quality treatment, channel and flood protection, and ongoing operations and maintenance procedures for all stormwater management facilities and practices shown on the stormwater management site plan. The plan shall include an inspection and maintenance schedule, maintenance tasks, responsible parties for maintenance, funding, access and safety issues. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures are included in the plan.

13. Maintenance access easements. The applicant must ensure access from right-of-way to stormwater management facilities and practices requiring regular maintenance at the site for the purpose of inspection and repair by securing all the maintenance access easements needed on a permanent basis. Such access is sufficient for all necessary equipment for maintenance activities. Upon final inspection and approval, a plat or document indicating that such easements exist is recorded and shall remain in effect even with the transfer of title of the property.
 14. Inspection and maintenance agreements. Unless an on-site stormwater management facility or practice is dedicated to and accepted by the Department as provided in Section 6.4.9, the applicant must execute an easement and an inspection and maintenance agreement binding on all subsequent owners of land served by an on-site stormwater management facility or practice in accordance with Section 6.4.9.
 15. Evidence of acquisition of applicable local and nonlocal permits. The applicant shall certify and provide documentation to the Department that all other applicable environmental permits have been acquired for the site prior to approval of the stormwater management plan.
- D. Responsibility for the operation and maintenance of the stormwater management facility or practice, unless assumed by a governmental agency, shall remain with the property owner and shall pass to any successor owner. If portions of the land are sold or otherwise transferred, legally binding arrangements are made to pass the inspection and maintenance responsibility to the appropriate successors in title. These arrangements shall designate for each portion of the site the person to be permanently responsible for its inspection and maintenance.

14.5.8 Application Review Fees.

The fee for review of any stormwater management application is based on the fee structure established by the Department of Planning and Development and is made prior to the issuance of any building permit for the development.

14.5.9 Modifications for Off-Site Facilities.

- A. The stormwater management plan for each land development project shall provide for stormwater management measures located on the site of the project, unless provisions are made to manage stormwater by an off-site or regional facility. The off-site or regional facility must be located on property legally dedicated for the purpose, must be designed and adequately sized to provide a level of stormwater quantity and quality control that is equal to or greater than that which would be afforded by on-site practices and there must be a legally obligated entity responsible for long-term operation and maintenance of the off-site or regional stormwater facility. In addition, on-site measures are implemented, where necessary, to protect upstream and downstream properties and drainage channels from the site to the off-site facility.
- B. A stormwater management plan must be submitted to the Department that shows the adequacy of the off-site or regional facility.
- C. To be eligible for a modification, the applicant must demonstrate to the satisfaction of the Director that the use of an off-site or regional facility will not result in the following impacts to upstream or downstream areas:
 1. Increased threat of flood damage to public health, life, and property;
 2. Deterioration of existing culverts, bridges, dams, and other structures;
 3. Accelerated stream bank or streambed erosion or siltation;

4. Degradation of in-stream biological functions or habitat; or
5. Water quality impairment in violation of the state water quality standards, and/or violation of any state or federal regulations.

14.5.10 Performance Criteria.

- A. For new developments, the following performance criteria shall be applied to the area of the site impacted by the proposed work. For redevelopment, the following performance criteria shall be applied to the area of the site impacted by the proposed work, provided that the impacted area does not exceed 35 percent of the previously developed area. If the impacted area exceeds 35 percent of the previously developed area, the following performance criteria shall be applied to the entire development, including previously developed area:
 1. **Water Quality/Runoff Reduction.** All stormwater runoff generated from a site shall provide runoff reduction of the first 1.2 inches of rainfall or shall be adequately treated for water quality before discharge. With the exception of single lot residential developments that are not part of a common development, this shall be accomplished by the use of Green Infrastructure Best Management Practices unless determined to be infeasible in accordance with Section 14.5.6.B.4, Green Infrastructure Feasibility.
 - a. It will be presumed that a stormwater management system complies with this requirement if it satisfies the stormwater reduction criteria in this section. However if any of the stormwater runoff volume generated by the first 1.2 inches of rainfall cannot be reduced or retained on site due to constraints such as a high water table, rock, low infiltration rates or the presence of a hotspot, the remaining volume shall be increased by a multiplier of 1.2 and shall be intercepted and treated in one or more stormwater management practices that provide at least an 80 percent reduction in total suspended solids loads in accordance with the following criteria:
 - i. It is sized to treat the prescribed water quality treatment volume from the site, as defined in the Georgia Stormwater Management Manual;
 - ii. Appropriate structural stormwater controls or nonstructural practices are selected, designed, constructed or preserved, and maintained according to the specific criteria in the Georgia Stormwater Management Manual or constitutes an alternative practice responsibly designed and documented by the design professional to reproduce the intent of the Georgia Stormwater Management Manual; and
 - iii. Runoff from hotspot land uses and activities identified by the Department are adequately treated and addressed through the use of appropriate structural stormwater controls, nonstructural practices and pollution prevention practices.
 2. **Stream Channel Protection.** Protection of stream channels from bank and bed erosion and degradation is provided by using all of the following three approaches:
 - a. Preservation, restoration and/or reforestation (with native vegetation) of the applicable stream buffer;
 - b. Twenty-four-hour extended detention storage of the one-year, 24-hour return frequency storm event;
 - c. Erosion prevention measures such as energy dissipation and capacity control.

- d. For redevelopment projects that create, add, or demolish and replace less than 5,000 square feet of impervious surface and meet the performance criteria of this section, stream channel protection is not required.
- 3. Overbank Flooding Protection.
 - a. Downstream overbank flood and property protection is provided by controlling (attenuating) the post-development peak discharge rate to the pre-development rate for the 25-year, 24-hour return frequency storm event. If control of the one-year, 24-hour storm under subsection (a) of this section is exempted, then peak discharge rate attenuation of the two-year through the 25-year return frequency storm event must be provided. For redevelopment projects overbank flood and property protection shall be provided by reducing the peak discharge rate up to the 25-year, 24-hour storm event in accordance with the following formula:
$$\%PIC/2 = \%PDRR$$

PIC = Predevelopment Impervious Cover
PDRR = Peak Discharge Rate Reduction
 - b. For sites where previous demolition has removed impervious surfaces, pre-development peak discharge rate calculations and percentage of impervious coverage shall be calculated based on pre-demolition conditions. For sites that have been demolished and have remained fallow and stabilized with vegetation for a minimum of five years, they shall be considered as having pre-development conditions of 20 percent impervious cover for purposes of calculating peak discharge rate reduction.
 - c. For land development permitted after 2005 and served by appropriate stormwater management facilities, subsequent redevelopment of the same area is not required to further reduce the peak discharge rate, provided that the site continues to meet the reduction previously achieved.
 - d. For redevelopment projects that create, add, or demolish and replace less than 5,000 square feet of impervious surface and meet the performance criteria of this section, overbank flooding protection is not required.
- 4. Extreme Flooding Protection.
 - a. Extreme flood and public safety protection is provided by controlling and safely conveying the 100-year, 24-hour return frequency storm event such that flooding is not exacerbated.
 - b. For redevelopment projects that create, add, or demolish and replace less than 5,000 square feet of impervious surface and meet the performance criteria of this section, extreme flooding protection is not required.
- 5. Structural Stormwater Controls. All structural stormwater management facilities are selected and designed using the appropriate criteria from the Georgia Stormwater Management Manual. All structural stormwater controls must be designed appropriately to meet their intended function. For other structural stormwater controls not included in the Georgia Stormwater Management Manual, or for which pollutant removal rates have not been provided, the effectiveness and pollutant removal of the structural control must be documented through prior studies, literature reviews, or other means and receive approval from the Department before being included in the design of a stormwater management system. In addition, if hydrologic or topographic conditions, or land use activities warrant greater control than that provided by the minimum control

requirements, the County may impose additional requirements deemed necessary to protect upstream and downstream properties and aquatic resources from damage due to increased volume, frequency, and rate of stormwater runoff or increased non-point source pollution loads created on the site in question. Applicants shall consult the Georgia Stormwater Management Manual for guidance on the factors that determine site design feasibility when selecting and locating a structural stormwater control.

6. Stormwater Credits for Nonstructural Measures. The use of one or more site design measures by the applicant may allow for a reduction in the water quality treatment volume required under Section 14.5.10.A.1, Water Quality/Runoff Reduction. The applicant may, if approved by the Department, take credit for the use of stormwater better site design practices and reduce the water quality volume requirement. For each potential credit, there is a minimum set of criteria and requirements that identifies the conditions or circumstances under which the credit may be applied. The site design practices that qualify for this credit and the criteria and procedures for applying and calculating the credits are included in the Georgia Stormwater Management Manual.
 7. Drainage System Guidelines. Stormwater conveyance facilities, which may include but are not limited to culverts, stormwater drainage pipes, catchbasins, drop inlets, junction boxes, headwalls, gutters, swales, channels, ditches, and energy dissipaters, are provided when necessary for the protection of right-of-way and private properties adjoining project sites and/or rights-of-way. Stormwater conveyance facilities that are designed to carry runoff from more than one parcel, existing or proposed, shall meet the following requirements:
 - a. Methods to calculate stormwater flows are in accordance with the stormwater design manual;
 - b. All culverts, pipe systems and open channel flow systems are sized in accordance with the stormwater management plan using the methods included in the Georgia Stormwater Management Manual; and
 - c. Design and construction of stormwater conveyance facilities are in accordance with the criteria and specifications found in the Georgia Stormwater Management Manual.
 8. Dam Design Guidelines. Any land disturbing activity that involves a site that proposes a dam shall comply with the Georgia Safe Dams Act of 1978 (O.C.G.A. § 12-5-370 et seq.) and rules for dam safety as applicable.
- B. All applicants are required to submit actual "as-built" plans for any stormwater management facilities or practices after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and practices and must be certified by a professional engineer. A final inspection by the Department is required before the release of any performance securities can occur.
- C. Long-Term Maintenance Inspection of Stormwater Facilities and Practices.
1. The absence of an inspection and maintenance agreement shall not relieve the owner or responsible party from performing proper maintenance and inspection of the stormwater management facility. If the owner or responsible party fails or refuses to meet the requirements of this Division, the County may correct the violation at the owner's expense.
 2. For facilities constructed prior to the effective date of this Division the owner or responsible party shall perform proper maintenance of the stormwater maintenance

facility as required by the indemnification agreement. If the owner or responsible party fails or refuses to meet the requirements of this Division, the County may correct the violation at the owner's expense.

3. Stormwater management facilities and practices included in a stormwater management plan which are subject to an inspection and maintenance agreement must undergo ongoing inspections to document maintenance and repair needs and ensure compliance with the requirements of the agreement, the plan and this Division.
 4. A stormwater management facility or practice is inspected on a periodic basis by the responsible person in accordance with the approved inspection and maintenance agreement or in the absence of an inspection and maintenance agreement, in accordance with the requirements of this Division. In the event that the stormwater management facility has not been maintained and/or becomes a danger to public safety or public health, the Department shall notify the person responsible for carrying out the maintenance plan who is specified in the inspection and maintenance agreement by registered or certified mail. The notice shall specify the measures needed to comply with the agreement and the plan and shall specify the time within which such measures are completed. Failure of the County to provide such notice shall not relieve the owner or responsible party from performing proper maintenance and inspection of the stormwater maintenance facility. If the responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the Department may correct the violation as provided in Section 6.6.14 hereof.
 5. An annual inspection shall be performed and attested to by a professional engineer with results reported to the County. Any deficiencies noted in either operation or maintenance of the facility must be included in the report along with the proposed remedies required and a time table for their implementation. If substantial deficiencies are found, a follow-up inspection to confirm correction of said deficiencies shall be performed and reported to the County.
- D. Records of Maintenance Activities. Parties responsible for the operation and maintenance of a stormwater management facility shall provide records of all maintenance and repairs to the Department.

14.6 Soil Erosion and Sedimentation Control.

14.6.1 Title and Findings.

- A. Title. This section will be known as "The Rockdale County Soil Erosion, Sedimentation and Pollution Control Ordinance."
- B. Findings. Rockdale County finds that soil erosion and sediment deposition onto land and into water within the watersheds of the County are a result of failure to apply proper soil erosion and sedimentation control practices in land clearing, soil movement, and construction activities and that such erosion and sediment deposition result in pollution of state waters and damage to domestic, agricultural, recreational, fish and wildlife, and other resource uses. It is therefore declared to be the policy of Rockdale County and the intent of this section to strengthen and extend the present erosion and sediment control activities and programs of Rockdale County and to provide for the establishment and implementation of a County-wide comprehensive soil erosion and sediment control program to conserve and protect the land, water, air, and other resources of Rockdale County.

14.6.2 Exemptions.

This section shall apply to any land-disturbing activity undertaken by any person or any land except for the following:

- A. Surface mining, as the same is defined in O.C.G.A. § 12-4-72, "The Georgia Surface Mining Act of 1968";
- B. Granite Quarrying and land for such quarrying;
- C. Such minor land-disturbance activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities. If such activities cause excessive erosion an official notice shall be provided to implement a best management practice (BMP) to stop continued erosion;
- D. The construction of single-family residences, when such construction disturbs less than one acre and is not a part of a larger common plan or development or sale with a planned disturbance of equal to or greater than one acre and not otherwise exempted under this paragraph; provided, however:
 - 1. Construction of any such residence (single-family) shall conform to the minimum requirements as set forth in Section 6.7.3.C of this Division.
 - 2. For single-family residential construction covered by the provisions of this paragraph, there shall be a buffer zone between the residence and any state waters classified as trout streams pursuant to Article 1 of Chapter 5 of the Georgia Water Quality Control Act. In any such buffer zone, no land-disturbing activity shall be constructed between the residence and the point where vegetation has been wrested by normal stream flow or wave action from the banks of the trout waters. For primary trout waters, the buffer zone shall be at least 50 horizontal feet, and no variance to a smaller buffer shall be granted. For secondary trout waters, the buffer zone shall be at least 50 horizontal feet, but the Director of Stormwater Management may grant variances to no less than 25 feet. Regardless of whether a trout stream is primary or secondary, for first order trout waters, which are streams into which no other streams flow except for springs, the buffer shall be at least 25 horizontal feet, and no variance to a smaller buffer shall be granted.
 - 3. The minimum requirements of Section 6.7.3.C of this Division and the buffer zones provided by this section shall be enforced by the County;
- E. Agricultural operations as defined in O.C.G.A. §1-3-3, "definitions," to include 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, including, but not limited to, cattle, calves, swine, hogs, goats, sheep, and rabbits or for use in the production of poultry, including, but not limited to, chickens, hens and turkeys; producing plants, trees, fowl, or animals; the production of aquaculture, horticultural, dairy, livestock, poultry, eggs and apiarian products; farm buildings and farm ponds;
- F. Forestry land management practices, including harvesting; provided, however, that when such exempt forestry practices cause or result in land-disturbing or other activities otherwise prohibited in a buffer, as established in Section 6.7.3.C of this Division, no other land-disturbing activities, except for normal forest management practices, shall be allowed on the entire property upon which the forestry practices were conducted for a period of three years (3) after completion of such forestry practices;
- G. Any project carried out under the technical supervision of the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture;

- H. Any project involving less than one acre of disturbed area; provided, however, that this exemption shall not apply to any land-disturbing activity within a larger common plan of development or sale with a planned disturbance of equal to or greater than one acre or within 200 feet of the banks/points of wretched vegetation of any state waters, and for purposes of this paragraph, "state waters" excludes channels and drainage ways which have water in them only during and immediately after rainfall events, however, that any person responsible for a project which involves less than one acre, which involves land-disturbing activity, and which is within 200 feet of any such excluded channel or drainageway, must prevent sediment from moving beyond the boundaries of the property on which such project is located and provided, further, that nothing contained herein shall prevent the local issuing authority from regulating any such project which is not specifically exempted by paragraphs A., B., C., D., E., F., G., I. or J. of this Section;
- I. Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Georgia Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority; or any road construction or maintenance project, or both, undertaken by any county or municipality; provided, however, that construction or maintenance projects of the Georgia Department of Transportation or the State Road and Tollway Authority which disturb one or more contiguous acres of land shall be subject to provisions of O.C.G.A. § 12-7-7.1; except where the Georgia Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case a copy of a notice of intent under the state general permit shall be submitted to the local issuing authority, the local issuing authority shall enforce compliance with the minimum requirements set forth in O.C.G.A. § 12-7-6, as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders;
- J. Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Georgia Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. § 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power; except where an electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Georgia Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. § 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case the local issuing authority shall enforce compliance with the minimum requirements set forth in O.C.G.A. § 12-7-6, as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders; and
- K. Any public water system reservoir.

14.6.3 Minimum Requirements.

- A. General Provisions. Excessive soil erosion and resulting sedimentation can take place during land-disturbing activities if requirements of the ordinance [from which this Division derived] and the NPDES general permit are not met. Therefore, plans for those land-disturbing activities that

are not exempted by this Division shall contain provisions for application of soil erosion, sedimentation and pollution control measures and practices. The provisions shall be incorporated into the erosion, sedimentation and pollution control plans. Soil erosion, sedimentation and pollution control measures and practices shall conform to the minimum requirements of Section 14.6.3.B and Section 14.6.3.C of this ordinance. The application of measures and practices shall apply to all features of the site, including street and utility installations, drainage facilities and other temporary and permanent improvements. Measures shall be installed to prevent or control erosion, sedimentation and pollution during all stages of any land-disturbing activity in accordance with requirements of this Division and the NPDES general permit.

B. Minimum Requirements/BMPs.

1. Best management practices as set forth in this section of this Division shall be required for all land-disturbing activities. Proper design, installation, and maintenance of best management practices shall constitute a complete defense to any action by the Director of Stormwater Management or to any other allegation of noncompliance with Section 14.6.3.B.2 or any substantially similar terms contained in a permit for the discharge of stormwater issued pursuant to O.C.G.A. § 12-5-30(f), the "Georgia Water Quality Control Act." As used in this section, the terms "proper design" and "properly designed" mean designed in accordance with the hydraulic design specifications contained in the "Manual for Erosion and Sediment Control in Georgia" specified in O.C.G.A. § 12-7-6(b).
 2. A discharge of stormwater runoff from disturbed areas where best management practices have not been properly designed, installed, and maintained shall constitute a separate violation of any land-disturbing permit issued by a local issuing authority or of any state general permit issued by the division pursuant to O.C.G.A. § 12-5-30(f), the "Georgia Water Quality Control Act," for each day on which such discharge results in the turbidity of receiving waters being increased by more than 25 nephelometric turbidity units for waters supporting warm water fisheries or by more than ten nephelometric turbidity units for waters classified as trout waters. The turbidity of the receiving waters shall be measured in accordance with guidelines to be issued by the Director of Stormwater Management, EPD. This paragraph shall not apply to any land disturbance associated with the construction of single-family homes which are not part of a larger common plan of development or sale unless the planned disturbance for such construction is equal to or greater than five acres.
 3. Failure to properly design, install, or maintain best management practices shall constitute a violation of any land-disturbing permit issued by a local issuing authority or of any state general permit issued by the division pursuant to O.C.G.A. § 12-5-30(f), the "Georgia Water Quality Control Act," for each day on which such failure occurs.
 4. The Director of Stormwater Management may require, in accordance with regulations adopted by the Board of Natural Resources, reasonable and prudent monitoring of the turbidity level of receiving waters into which discharges from land-disturbing activities occur.
 5. The local issuing authority (LIA) may set more stringent buffer requirements than stated in Section 14.6.3.C.15 and Section 14.6.3.C.16, in light of O.C.G.A. § 12-7-6(c).
- C. The rules and regulations, ordinances, or resolutions adopted pursuant to O.C.G.A. § 12-7-1 et seq. for the purpose of governing land-disturbing activities shall require, as a minimum, protections at least as stringent as the state general permit and best management practices,

including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the "Manual for Erosion and Sediment Control in Georgia" published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, as well as the following:

1. Stripping of vegetation, regrading and other development activities shall be conducted in a manner so as to minimize erosion;
2. Cut-fill operations must be kept to a minimum;
3. Development plans must conform to topography and soil type so as to create the lowest practicable erosion potential;
4. Whenever feasible, natural vegetation shall be retained, protected and supplemented;
5. The disturbed area and the duration of exposure to erosive elements shall be kept to a practicable minimum;
6. Disturbed soil shall be stabilized as quickly as practicable;
7. Temporary vegetation or mulching shall be employed to protect exposed critical areas during development;
8. Permanent vegetation and structural erosion control practices shall be installed as soon as practicable;
9. To the extent necessary, sediment in runoff water must be trapped by the use of debris basins, sediment basins, silt traps, or similar measures until the disturbed area is stabilized. As used in this paragraph, a disturbed area is stabilized when it is brought to a condition of continuous compliance with the requirements of O.C.G.A. § 12-7-1 et seq.;
10. Adequate provisions must be provided to minimize damage from surface water to the cut face of excavations or the sloping of fills;
11. Cuts and fills may not endanger adjoining property;
12. Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners;
13. Grading equipment must cross flowing streams by means of bridges or culverts except when such methods are not feasible, provided, in any case, that such crossings are kept to a minimum;
14. Land-disturbing activity plans for erosion, sedimentation and pollution control shall include provisions for treatment or control of any source of sediments and adequate sedimentation control facilities to retain sediments on site or preclude sedimentation of adjacent waters beyond the levels specified in this article;
15. Except as provided in paragraph (16) of this section, there is established a 25-foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except where the Director of Stormwater Management, EPD determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the Director of Stormwater Management, EPD pursuant to O.C.G.A. § 12-2-8, where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented; or along any ephemeral stream. As used in this provision, the term "ephemeral stream" means a stream: that under normal circumstances has water flowing only during and for a short duration after precipitation events; that has the channel located above the groundwater table year round; for which

groundwater is not a source of water; and for which runoff from precipitation is the primary source of water flow, unless exempted as along an ephemeral stream, the buffers of at least 25 feet established pursuant to Part 6 of Article 5, Chapter 5 of Title 12, the "Georgia Water Quality Control Act," shall remain in force unless a variance is granted by the Director of Stormwater Management, EPD as provided in this paragraph. The following requirements shall apply to any such buffer:

- a. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the streambed; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for their own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the streambed; and
 - b. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) stream crossings for water lines; or (ii) stream crossings for sewer lines;
16. There is established a 50-foot buffer as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, along the banks of any state waters classified as "trout streams" pursuant to Article 2 of Chapter 5 of Title 12, the "Georgia Water Quality Control Act," except where a roadway drainage structure must be constructed; provided, however, that small springs and streams classified as trout streams which discharge an average annual flow of 25 gallons per minute or less shall have a 25-foot buffer or they may be piped, at the discretion of the landowner, pursuant to the terms of a rule providing for a general variance promulgated by the Board of Natural Resources, so long as any such pipe stops short of the downstream landowner's property and the landowner complies with the buffer requirement for any adjacent trout streams. The Director of Stormwater Management, EPD may grant a variance from such buffer to allow land-disturbing activity, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented. The following requirements shall apply to such buffer:
- a. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed, state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the streambed; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for their own

occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the streambed; and

- b. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) stream crossings for water lines; or (ii) stream crossings for sewer lines.
17. Nothing contained in O.C.G.A. § 12-7-1 et seq. shall prevent any local issuing authority from adopting rules and regulations, ordinances, or resolutions which contain stream buffer requirements that exceed the minimum requirements in Section 14.6.3.B and Section 14.6.3.C of this ordinance.
18. The fact that land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this Division or the terms of the permit.

14.6.4 Application/Permit Process.

- A. General. The property owner, developer and designated planners and engineers shall design and review before submittal the general development plans. The local issuing authority shall review the tract to be developed and the area surrounding it. They shall consult the zoning ordinance, stormwater management ordinance, subdivision ordinance, flood damage prevention ordinance, this Division, and any other ordinances, rules, regulations or permits, which regulate the development of land within the jurisdictional boundaries of the local issuing authority. However, the owner and/or operator are the only parties who may obtain a permit.
- B. Application Requirements.
 1. No person shall conduct any land-disturbing activity within the jurisdictional boundaries of Rockdale County, Georgia, without first obtaining a permit from the Department to perform such activity and providing a copy of notice of intent submitted to EPD, if applicable.
 2. The application for a permit shall be submitted to the Department and must include the applicant's erosion, sedimentation and pollution control plan with supporting data, as necessary. Said plans shall include, as a minimum, the data specified in Section 14.6.4.C, Plan Requirements of this ordinance. Erosion, sedimentation and pollution control plans, together with supporting data, must demonstrate affirmatively that the land-disturbing activity proposed will be carried out in such a manner that the provisions of Section 14.6.3.B and Section 14.6.3.C of this ordinance will be met. Applications for a permit will not be accepted unless accompanied by three copies of the applicant's erosion, sedimentation and pollution control plans. All applications shall contain a certification stating that the plan preparer or the designee thereof visited the site prior to creation of the plan in accordance with EPD Rule 391-3-7-10.
 3. In addition to the local permitting fees, fees will also be assessed pursuant to paragraph O.C.G.A. § 12-5-23(5)(a), provided that such fees shall not exceed \$80.00 per acre of land-disturbing activity, and these fees shall be calculated and paid by the primary permittee as defined in the state general permit for each acre of land-disturbing activity

included in the planned development or each phase of development. All applicable fees shall be paid prior to issuance of the land disturbance permit. In a jurisdiction that is certified pursuant to O.C.G.A. § 12-7-8(a), half of such fees levied shall be submitted to the division; except that any and all fees due from an entity which is required to give notice pursuant to O.C.G.A. § 12-7-17(9) or (10) shall be submitted in full to the division, regardless of the existence of a local issuing authority in the jurisdiction.

4. Upon receipt of an application and plan for a permit, the County shall review and approve or disapprove concerning the adequacy of the erosion, sedimentation and pollution control plan. The County shall approve or disapprove a plan within 35 days of receipt. Failure of the County to act within 35 days shall be considered an approval of the pending plan. No permit will be issued unless the plan has been approved by the County, and any variances required by Section 14.6.3.C have been obtained, all fees have been paid, and bonding, if required as per Section 14.6.4.B, has been obtained.
5. If a permit applicant has had two or more violations of previous permits, this Division section, or the Erosion and Sedimentation Act, as amended, within three years prior to the date of filing the application under consideration, the local issuing authority may deny the permit application.
6. The local issuing authority may require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, \$3,000.00 per acre or fraction thereof of the proposed land-disturbing activity, prior to issuing the permit. If the applicant does not comply with this section or with the conditions of the permit after issuance, the local issuing authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance. These provisions shall not apply unless there is in effect an ordinance or statute specifically providing for hearing and judicial review of any determination or order of the local issuing authority with respect to alleged permit violations.

C. Plan Requirements.

1. Plans must be prepared to meet the minimum requirements as contained in Section 14.6.3.B and Section 14.6.3.C of this ordinance, or through the use of more stringent, alternate design criteria which conform to sound conservation and engineering practices. The "Manual for Erosion and Sediment Control in Georgia" is hereby incorporated by reference into this ordinance. The plan for the land-disturbing activity shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures, including roadways, constructed waterways, sediment control and stormwater management facilities, local ordinances and state laws. Maps, drawings and supportive computations shall bear the signature and seal of the certified design professional. Persons involved in land development design, review, permitting, construction, monitoring, or inspections or any land-disturbing activity shall meet the education and training certification requirements, dependent on their level of involvement with the process, as developed by the commission and in consultation with the division and the stakeholder advisory board created pursuant to O.C.G.A. § 12-7-20.
2. Data required for site plan shall include all the information required from the appropriate erosion, sedimentation and pollution control plan review checklist established by the

commission as of January 1 of the year in which the land-disturbing activity was permitted.

3. Stand-alone residential development permit and procedures.
4. All building permits for a standalone residential development or redevelopment shall be submitted for review and approval that includes an erosion control plan and details.
5. The building permit shall include a site erosion control plan, sealed by a Georgia registered Engineer, Landscape Architect, Certified Person in Erosion and Sediment Control (CPESC) or Land Surveyor, to accompany the building plans. No permit shall be issued by the local issuing authority unless the erosion, sedimentation and pollution control plan has been approved by the local issuing authority pursuant to Section 14.6.3.C. All proposed BMPs on the site erosion control plan shall be designed per requirements and specifications contained in the "Manual for Erosion and Sediment Control in Georgia."
6. At the time of the preconstruction meeting the owner, operator or applicant shall sign the memorandum of understanding titled "Erosion Control Responsibilities." This document is on file with the Department.
7. Self-inspections and rain event logs.
 - a. The on-site operator, owner or applicant shall perform self-inspections of the erosion control BMPs daily when land disturbing is underway and at a minimum of once per week when the site is stabilized.
 - b. An inspection be conducted after every rain event of 0.5 inches or more within a 24-hour period.
 - c. Any problems noted during these inspections should be logged and corrected immediately.
 - d. A log of the self-inspections and remedial measures undertaken must be available for review by Rockdale County at any time during the development and up to the final site stabilization.
8. Permits.
 - a. Permits shall be issued or denied as soon as practicable, but in any event not later than 45 days after receipt by the local issuing authority of a completed application, providing variances and bonding are obtained, where necessary, and all applicable fees have been paid prior to permit issuance. The permit shall include conditions under which the activity may be undertaken.
 - b. No permit shall be issued by the local issuing authority unless the erosion, sedimentation and pollution control plan has been approved by the district and the local issuing authority has affirmatively determined that the plan is in compliance with this section, any variances required by Section 14.6.3.C.15 and Section 14.6.3.C.16 are obtained, bonding requirements, if necessary, as per Section 14.6.4.B.6 are met and all ordinances and rules and regulations in effect within the jurisdictional boundaries of the local issuing authority are met. If the permit is denied, the reason for denial shall be furnished to the applicant.
 - c. Any land-disturbing activities by a local issuing authority shall be subject to the same requirements of this section and any other ordinances relating to land development, as are applied to private persons, and this section shall enforce such requirements upon the local issuing authority.

- d. If the tract is to be developed in phases, then a separate permit shall be required for each phase.
- e. The permit may be suspended, revoked, or modified by the local issuing authority, as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in the title is not in compliance with the approved erosion and sedimentation control plan or that the holder or his successor in title is in violation of this section. A holder of a permit shall notify any successor in title to him as to all or any portion of the land affected by the approved plan of the conditions contained in the permit.
- f. The local issuing authority may reject a permit application if the applicant has had two or more violations of previous permits or the Erosion and Sedimentation Act permit requirements within three years prior to the date of the application, in light of O.C.G.A. § 12-7-7(f)(1).

14.6.5 Education and Certification.

- A. Persons involved in land development design, review, permitting, construction, monitoring, or inspection or any land-disturbing activity shall meet the education and training certification requirements, dependent on their level of involvement with the process, as developed by the commission in consultation with the division and the stakeholder advisory board created pursuant to O.C.G.A. § 12-7-20.
- B. For each site on which land-disturbing activity occurs, each entity or person acting as either a primary, secondary, or tertiary permittee, as defined in the state general permit, shall have as a minimum one person who is in responsible charge of erosion and sedimentation control activities on behalf of said entity or person and meets the applicable education or training certification requirements developed by the commission present on site whenever land-disturbing activities are conducted on that site. A project site shall herein be defined as any land-disturbance site or multiple sites within a larger common plan of development or sale permitted by an owner or operator for compliance with the state general permit.
- C. Persons or entities involved in projects not requiring a state general permit but otherwise requiring certified personnel on site may contract with certified persons to meet the requirements of this ordinance.
- D. If a state general permittee who has operational control of land-disturbing activities for a site has met the certification requirements of O.C.G.A. § 12-7-19(b)(1), then any person or entity involved in land-disturbing activity at that site and operating in a subcontractor capacity for such permittee shall meet those educational requirements specified in O.C.G.A. § 12-7-19(b)(4) and shall not be required to meet any educational requirements that exceed those specified in said subsection.

14.6.6 Effectivity, Validity, and Liability.

- A. Effectivity. This section became effective upon the date of adoption.
- B. Validity. If any section, paragraph, clause, phrase, or provision of this section shall be adjudged invalid or held unconstitutional, such decisions shall not affect the remaining portions of this section.
- C. Liability.
 - 1. Neither the approval of a plan under the provisions of this section, nor the compliance with provisions of this section shall relieve any person from the responsibility for damage

to any person or property otherwise imposed by law nor impose any liability upon the local issuing authority or district for damage to any person or property.

2. The fact that a land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this section or the terms of the permit.
3. No provision of this section shall permit any persons to violate the Georgia Erosion and Sedimentation Act of 1975, the Georgia Water Quality Control Act or the rules and regulations promulgated and approved thereunder or pollute any waters of the state as defined thereby.

14.7 Illicit Discharge and Connection.

14.7.1 General Provisions.

- A. Purpose and intent. The purpose of this section is to protect the public health, safety, environment and general welfare through the regulation of nonstormwater discharges to the County separate storm sewer system to the maximum extent practicable as required by federal law. This section establishes methods for controlling the introduction of pollutants into the County separate storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this section are to:
 1. Regulate the contribution of pollutants to the storm sewer system by any person;
 2. Prohibit illicit discharges and illegal connections to the storm sewer system;
 3. Prevent nonstormwater discharges, generated as a result of spills, inappropriate dumping or disposal, to the storm sewer system; and
 4. Establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this section.
- B. Compatibility with Other Regulations. This section is not intended to modify or repeal any other chapter, rule, regulation, or other provision of law. The requirements of this section are in addition to the requirements of any other chapter, rule, regulation, or other provision of law, and where any provision of this section imposes restrictions different from those imposed by any other chapter, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.
- C. Responsibility for Administration. The Department of Stormwater Management shall administer, implement, and enforce the provisions of this section.

14.7.2 Prohibitions.

- A. Prohibition of Illicit Discharges. No person shall throw, drain, or otherwise discharge, cause, or allow others under his control to throw, drain, or otherwise discharge into the County separate storm sewer system any pollutants or waters containing any pollutants other than stormwater.
- B. Exemptions The following discharges are exempt from the prohibition provision above:
 1. Water line flushing performed by a government agency, other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising groundwater, groundwater infiltration to storm drains, uncontaminated pumped groundwater, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, natural riparian habitat or wetland flows, and any other water source not containing pollutants;

2. Discharges or flows from firefighting, and other discharges specified in writing by the Director of Stormwater Management as being necessary to protect public health and safety;
 3. The prohibition provision above shall not apply to any nonstormwater discharge permitted under an NPDES permit or order issued to the discharger and administered under the authority of the state and the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the County separate storm sewer system.
- C. Prohibition of Illegal Connections. The construction, connection, use, maintenance or continued existence of any illegal connection to the storm sewer system is prohibited.
1. This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
 2. A person violates this section if the person connects a line conveying sewage to the storm sewer system or allows such a connection to continue.
 3. Improper connections in violation of this section must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the Department of Stormwater Management.
 4. Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, is located by the owner or occupant of that property upon receipt of written notice of violation from the Department of Stormwater Management requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be completed, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the Department of Stormwater Management.

14.7.3 Industrial, Construction Discharges.

Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Department of Stormwater Management prior to allowing discharges to the County separate storm sewer system.

14.7.4 Reporting Illicit Discharge to Issuing Authority / Rockdale County.

- A. Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity or operation has information of any known or suspected release of pollutants or nonstormwater discharges from that facility or operation which is resulting or may result in illicit discharges or pollutants discharging into stormwater, the County separate storm sewer system, state waters, or waters of the U.S., said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge.

- B. Said person shall notify the authorized enforcement agency by phone, in writing, or in person no later than 24 hours of the nature, quantity and time of occurrence of the discharge. Notifications in person or by phone are confirmed by written notice addressed and mailed to the Department of Stormwater Management within three business days of the phone or in-person notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records are retained for at least three years. Said person shall also take immediate steps to ensure no recurrence of the discharge or spill.
- C. In the event of such a release of hazardous materials, emergency response agencies and/or other appropriate agencies are immediately notified.
- D. Failure to provide notification of a release as provided above is a violation of this section.

