

RESOLUTION AND ORDINANCE OF THE BOARD OF COMMISSIONERS OF CARROLL COUNTY REGARDING AMENDMENTS TO THE CARROLL COUNTY ZONING ORDINANCE TO AMEND SECTION 8.1 (AGRICULTURAL – USES) AND SECTION 8.9.2 (INDUSTRIAL – CONDITIONAL USES)

WHEREAS, the Board of Commissioners of Carroll County, Georgia, has the duty to protect the health, safety and welfare of persons and property within its jurisdiction limits; and

WHEREAS, the Board of Commissioners has determined a need to define, clarify, and regulate “permitted uses,” and “conditional uses” in Section 8.1, Agricultural, and “conditional uses” in Section 8.9, Industrial, in the Code of Ordinances of Carroll County, Georgia, to protect the health, safety and welfare of persons and property within the unincorporated areas of the County;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners that Sections 8.1 and 8.9 of Chapter 102 – “Zoning” of its Code of Ordinances be amended as follows:

Section 1.

1. The following “permitted use” shall be added as a new subsection “m” under Section 8.1.1 as follows:

Borrow pit, as the same is defined in O.C.G.A. § 12-4-72, “The Georgia Surface Mining Act of 1968,” or in any successor statute, provided such use or operation does not disturb more than 1.1 acres of land and is not part of a larger common plan with a planned disturbance greater than 1.1 acres of land.

2. The following “conditional use” shall be added as a new subsection “g” under Section 8.1.2 as follows:

Borrow pit, as the same is defined in O.C.G.A. § 12-4-72, “The Georgia Surface Mining Act of 1968,” or in any successor statute, provided such use or operation disturbs, or is part of a larger common plan to disturb, greater than 1.1 acres of land.

Section 2.

1. Section 8.9.2(f) shall be stricken in its entirety and the following substituted therefor:

Surface mining, as the same is defined in O.C.G.A. § 12-4-72, “The Georgia Surface Mining Act of 1968,” or in any successor statute, including, but shall not be limited to, rock quarries; provided that:

1. Such operation shall be located on at least 100 acres of land.
2. The areas extracted shall be entirely enclosed within a fence located at least ten feet back from the edge of any excavation and that said fence shall be of adequate strength and height to be demonstrably capable of excluding children and livestock from such areas.
3. The buildings, machinery and other equipment and appurtenances shall not be closer than 1,000 feet to any property line.
4. At the time of application for a permit, the owner or operator shall file comprehensive plans for the reclamation and reuse of the property after operations cease.

Adopted this _____ day of _____, 2021.

Michelle Morgan, Chairman of
Board of Commissioners of Carroll County

Attest: _____
_____, Clerk