

**RESOLUTION NO. 25-23**

**A RESOLUTION TO ADOPT INTERIM PERMITTING REQUIREMENTS  
FOR ON-SITE ROCK CRUSHING ACTIVITIES**

**WHEREAS**, multiple developers and contractors have requested an avenue to harvest and crush rock on their active construction site to be used on that site for gravel to backfill utility lines, roadway and building pad fill; and

**WHEREAS**, the City intends to ensure that the development of any land within the City of Spring Hill subject to the standards and requirements set forth in the Unified Development Code, and other applicable standards and requirements of the City will reasonably protect the health, safety, and welfare of Spring Hill's residents, property owners, and businesses from having undue hardships, impacts, and damages as a result of the use of construction equipment and production of construction materials within new developments; and

**WHEREAS**, by clearly limiting the noise, dust, odor, vibrations, air quality, environmental, and storm water issues that happen due to the use of a rock harvesting, and crushing rocks by use of a machine designed to perform these tasks on site of an active construction site; and,

**WHEREAS**, the rock crushing machines will require a temporary use permit and shall not be permitted without a valid permit application, site plan and supplementary information, proof of insurance, a performance bond sufficient to pay for any costs of restoring the site, including clean-up and landscaping in the event the machine and area are abandoned, and repairing any damage done to neighboring persons or property; and,

**WHEREAS**, rock harvesting and crushing will be limited to the site where the rocks are harvested and crushed, and crushed rocks may not be taken off-site, or rocks brought into a site for crushing. And the crushed rock may only be used in the site preparation of the actual site where rocks were harvested. Hours of operation shall be pursuant to the same time constraints as all other construction per the Spring Hill Municipal Code; and,

**WHEREAS**, a fee will be imposed per Exhibit A attached to this Resolution; so,

**BE IT THEREFORE RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF SPRING HILL, TENNESSEE**, that staff be directed to enforce the requirements attached hereto as Exhibit A on a temporary basis until the preparation of an ordinance is completed; and

**BE IT FURTHER RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF SPRING HILL, TENNESSEE**, that staff prepare an ordinance using Exhibit A as a basis to amend the Unified Development Code to regulate the activities as they relate to and regulate rock harvesting and crushing activities for a Planning Commission recommendation and BOMA action; and

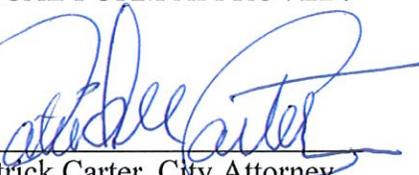
Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill,  
Tennessee on the 18th day of February, 2025.

  
Jim Hagaman, Mayor

ATTEST:

  
April Goad, City Recorder

LEGAL FORM APPROVED:

  
Patrick Carter, City Attorney



**REQUEST:** Approval of Resolution 25-23

**SUBMITTED BY:** Dara Sanders, Development Director  
M. Dwayne Hicks, Deputy Development Director

**DATE:** February 07, 2025

**RE:** Rock Harvesting & Crushing Activities

**ATTACHMENTS:** Rules and Regulations

---

**PURPOSE:**

To require staff to begin working on an ordinance to approve an amendment to the UDC to allow rock harvesting and crushing as a Temporary Use in certain zoning districts.

**BACKGROUND:**

We have multiple contractors and developers using the large, harvested rock on their site to crush and use as gravel. We had the discussion at the BOMA Meeting in November and was asked to come up with a set of rules and regulations to allow this activity and keep the community and surrounding properties free from many forms of possible contamination. Free from sound pollution, dust pollution, and water contamination into the waters of the State of Tennessee. We have researched a few local jurisdictions to determine the means and methods they are currently using to regulate these activities and used their guidelines to develop our ordinance. By incorporating neighboring residences, we are creating predictability for our customers, developers, and contractors. On Wednesday, February 5<sup>th</sup>, 2025 the Development Services Department hosted a TEAMS meeting with several contractors and developers about the ordinance. We have also met with a few since then on a one-on-one basis to discuss. Staff feels like throughout these discussions we have reached a consensus with the stakeholders on this issue and bring this to the BOMA.

**FINANCIAL IMPACT:**

The financial impact should be a zero net offset as the permit costs should absorb the inspection costs for the management of these activities. This is pursuant to BOMA's cost recovery priority.

**ACTION REQUIRED (INCLUDE DEADLINE /PRIORITY):**

BOMA approval is needed immediately to have the ability to implement these standards to allow developers and contractors to continue this process in a safe and clean method.

*Exhibit A (rev.2/18/25 as amended by BOMA)*

## **Section 8.4.H Temporary Rock Crushing activities**

1. No rock crushing shall be permitted on a construction site without a valid Temporary Use Permit, and a Permit to perform Rock Crushing Activities issued by the Development Services Department of the City of Spring Hill.
2. Before issuing a permit, the Development Services Department shall require submittal of the following information:
  - Copies of any required city, state or federal permits. Note: Spring Hills Public Works Department (MS4), State and federal regulations impose strict limitations as to dust, pollution and maximum allowable noise levels;
  - Proof of liability insurance, in the amount of \$1,000,000.00, with the City of Spring Hill named as an additional beneficiary, shall be provided;
  - Permittee agrees to indemnify and hold harmless the City of Spring Hill from any and all claims, demands, losses, causes of action, damage, lawsuits, and judgments, including attorney's fees and costs, arising out of or directly or indirectly related to the temporary rock crushing activities performed by the Permittee.
  - Permittee agrees to supply an estimate of the quantity rock to be crushed and used on the site during the permit period.
4. Upon submission of a completed application and site plan depicting the location(s) planned for erecting a temporary portable rock crusher on-site and the distance it's planned location to the adjoining property lines , the Director or Deputy Director of the Development Services Department may issue a permit for conducting of temporary rock crushing operations consistent with this ordinance.
5. Prohibition of operations:
  - Rock crushing operations may occur only during approved construction hours for all other construction activities unless as specified in writing in the City of Spring Hill UDC, and/or by Spring Hill Ordinance governing construction activities and shall be enforced by the Development Services Director, or Deputy Director.

- Rock crushing operations shall be conducted in such a manner as to comply with the City of Spring Hill Temporary Use Permit and/or Permit to perform Rock Crushing Activities. No operations will be permitted which causes rock dust generated from temporary rock crushing activities to exceed the legal limits as defined by EPA Method 9 Testing as enforced by the Tennessee Division Air Pollution Control, a Division of TDEC.

- Rock crushing activities and machinery must be located no closer than 250 feet from any property line of adjacent properties. They shall also be located no closer than 300 feet from an adjacent occupied residential or commercial property.

- Any violation of this ordinance may result in suspension of temporary rock crushing operations until noncompliance with this ordinance is corrected pursuant to this Exhibit A to the Temporary Rock Crushing Ordinance.

- Transportation of rocks of import rock material to be used as fill material and/or to be crushed and be utilized as select and/or structural fill material shall be permitted to achieve final grading of the site.

- Removal or Transportation of excess crushed rock/gravel from the site shall be allowed as an **Exception as follows:** Any extra amount of rock/gravel material leftover after all crushed stone has been used on the site per the estimated quantity of rock to be crushed may be removed and hauled offsite for disposal. Permitted party shall notify the City of the excess amount to be moved and location to where the rock material is to be moved to.

- Rock crushed on site shall not be sold.

- Rock crushed on the permitted site may not be used on another site other than excess rock being hauled off for disposal as outlined herein.

Uses of Crushed rocks:

- Rock crushed on site shall not be used for any purpose other than listed below until approval is granted by the Development Services Director, or Deputy Director.

- Construction Entrances

- Sidewalks

- Parking Lots

- Utilities\*

- Roadways\*
- Building Pads\* and/or Structural Fill Material
- Rip Rap, Surge Stone, etc.

**\*Rock crushed for Public utility, building, and roadway uses must be, tested per TDOT and City of Spring Hill standards by a third-party testing agency approved by the City of Spring Hill, at the expense of the applicant / Permittee / contractor / Developer and approved by the appropriate Public Works, Utility Director, or City Engineer. Said approval shall not be unreasonably withheld.**

7. Any rock crushing temporary use permit issued hereunder shall be issued for a 180-Day term. After the expiration date of such permit term, the permittee may request subsequent 180 term extensions or as needed to complete the project in accordance with the Permit Requirements outlined herein. The Development Services Director, or Deputy Director may grant up to a 180-Day extensions of time in the same manner and procedure as prescribed for an original application. There are no limits on the number of extensions a permittee may request. If no extension is requested, all rock crushing machinery and equipment shall be properly dismantled and removed from the site within 30 calendar days following the expiration of the permit.
8. Wet suppression requirements:
  - Emissions from all crushers, screens, drop points, and other possible release points shall be controlled by wet suppression.
  - Wet Suppression Monitoring At least once during each calendar month the permitted source operates, the permittee shall inspect to check that water is flowing to discharge spray nozzles in the wet suppression system. The owner or operator must initiate corrective action within 24 hours and complete corrective action as expediently as practical.

The Permit fee for the issuance of the Temporary Rock Crushing Permit shall be \$250.00 and shall be in addition to the to the Temporary Use Permit fee.