

AN ORDINANCE TO AMEND THE TEXT OF SEC. 106-1 (DEFINITIONS) AND SEC. 218-13 (STANDARDS OF USE AND DEVELOPMENT) SUBSECTIONS (LLL) AND (MMM) OF THE UNIFIED DEVELOPMENT ORDINANCE OF ROCKDALE COUNTY, AS AMENDED, REGARDING SCHOOL K-12, PRIVATE; AND SCHOOL, RESIDENTIAL PRIVATE; TO REPEAL CONFLICTING LAWS; AND FOR OTHER PURPOSES.

WHEREAS, Title 2 the Unified Development Ordinance of Rockdale County (Subpart B – Planning and Development of The Code of Rockdale County, Georgia), as amended, governs land use and zoning; and

WHEREAS, provisions within the Unified Development Ordinance pertaining to School K-12, Private; and School, Private Residential require revisions in order to create standardized regulations and criteria governing the establishment of private schools, so as to protect the health, safety and welfare;

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

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

Section I

That Sec. 106-1 Definitions is hereby amended by repealing the following:

School, private residential: a private school or similar institution that may include residential facilities and accessory kitchen, dining, and recreational facilities for program participants.

Section II

That Sec. 106-1 Definitions is hereby amended by enacting the following:

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

Section III

That Sec. 218-13 entitled “Supplemental Regulations” subsection (III) entitled “School K-12, private” is hereby amended by repealing the following:

(1) *Minimum lot size*.

- a. Elementary school: Five acres, plus one additional acre for each 100 students based on the design capacity of the school.
- b. Middle school: 12 acres plus one additional acre for each 100 students based on the design capacity of the school.
- c. High school: 20 acres, plus one additional acre for each 100 students based on the design capacity of the school.

Section IV

That Sec. 218-13 entitled “Supplemental Regulations” subsection (III) entitled “School K-12, private” is hereby amended by enacting the following:

- (1) *Minimum lot size*. The minimum lot size shall be five (5) acres, plus one additional acre for each 100 students (including portions thereof) based on the design capacity of the school.

Section V

That Sec. 218-13 entitled "Supplemental Regulations" subsection (mmm) entitled "School, private residential" is hereby amended by repealing the following:

A private school or similar institution may include residential facilities and accessory kitchen, dining, and recreational facilities, provided it is granted a conditional use permit and meets the following standards:

- (1) The site contains at least ten acres.

Section VI

That Sec. 218-13 entitled "Supplemental Regulations" subsection (mmm) entitled "School, private residential" is hereby amended by enacting the following:

A private school or similar institution shall include residential facilities with accessory kitchen, dining, and recreational facilities, provided it is granted a special use permit and meets the following standards:

- (1) *Minimum lot size.* The minimum lot size shall be five acres, plus one additional acre for each 100 students (including portions thereof) based on the design capacity of the school.

Section VII

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

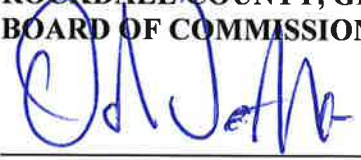
Section VIII

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

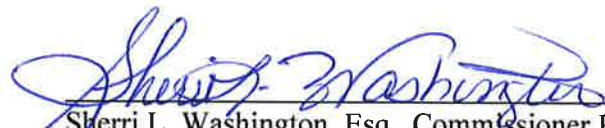
EFFECTIVE DATE: This Ordinance shall become effective as of the date hereof.

ADOPTED AND APPROVED THIS 4 **DAY OF** August, 2020.

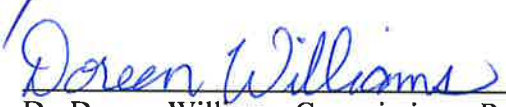
**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**



Oz Nesbitt, Sr., Chairman



Sherri L. Washington, Esq., Commissioner Post I



Dr. Doreen Williams, Commissioner Post II

Attest:

By: 
Jennifer Rutledge, County Clerk

Approved as to Form:

By: 
M. Qader A. Baig, County Attorney

First Reading: Ord. 2020-223 on May 26, 2020

Second Reading: 