

**AN ORDINANCE TO AMEND THE TEXT OF SEC. 106-1 (DEFINITIONS), SEC. 218-1 (TABLE OF PERMITTED USES), SEC. 218-13 (SUPPLEMENTAL STANDARDS OF USE AND DEVELOPMENT), AND SEC. 222-2 (PARKING SPACE REQUIREMENTS) OF THE UNIFIED DEVELOPMENT ORDINANCE OF ROCKDALE COUNTY, AS AMENDED, REGARDING VARIOUS TYPES OF DWELLINGS; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.**

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

**WHEREAS**, provisions within the Unified Development Ordinance pertaining to various types of dwellings in order to create standardized regulations and criteria governing the location and density of dwelling units so as to protect the health, safety, climate, welfare, and economic growth; and

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

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

**Section I**

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

- (c) *Definitions.* As used in the UDO, the following terms shall have the meaning set forth below, except where otherwise specifically set forth in subsection (b) above.

*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, 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.

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

- (1) 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.
- (2) 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.

*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:

- (1) Two dwellings only on adjoining lots.
- (2) Three or more dwellings on adjoining lots.

**Section II**

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

NAICS Code	Uses	Sec. 218-13	A-R	R-1	R-2	CRS	CSD	MRU	RM	CID	O-I	NC	MxD	C-1	C-2	OBP	M-1	M-2	CSO
	Dwelling, Single-Family Zero Lot Line	(t)						P											
	Mixed-use building residential unit							P					P						
	Townhomes, 3 units or more	(vvv)						P	P				P						
	Townhomes, 2 units only	(vvv)			P			P	P				P						

**Section III**

That Sec. 218-13 entitled “Supplemental Standards of Use and Development” is hereby amended by deleting the existing subsections (s), (t), and (vvv); and enacting the following:

- (s) *Dwelling, multi-family.* In approving the site plan for a multifamily development, the county shall determine that the streets, driveways, parking areas and other public and private drives shown on the plan meet the following standards:
- (1) Multi-family developments with more than 50 units must have access to a collector or arterial street.
  - (2) Private streets may be permitted, provided such streets meet the standards of public streets as specified in chapter 332, article I.
  - (3) Adequate provision is made for vehicular traffic to and from the premises and for vehicular traffic and pedestrian traffic to and from the proposed buildings, structures and parking areas on the premises; including firefighting and police equipment and personnel, ambulance service, garbage collection service, postal service, delivery service and other public and private services and individuals who would require access to the premises.
  - (4) Insofar as practicable, off-street parking facilities shall be grouped in bays, either adjacent to streets or in the interior of blocks; and no off-street parking space shall be more than 100 feet, by the most direct pedestrian route, from a door of the dwelling unit it intends to serve.
  - (5) Multifamily developments may not abut a single-family residential zoning district on more than 75 percent of the boundary of the site.
  - (6) Not more than 50 percent of the lot area shall be occupied by buildings.
  - (7) Open space and recreation.

- (8) Multi-family residential developments with more than 50 dwelling units shall provide a minimum of 400 feet of open space or outdoor recreation per dwelling unit.
- (9) A residential sprinkler system for the suppression of fire shall be installed in each residential unit in all multi-family dwellings permitted in the county. No waiver or variance to this requirement shall be permitted.
- (10) See Sec. 206-7. - MRU (mixed residential uses) district; Sec. 206-8. - RM (residential multi-family district); Sec. 206-14. - MxD (mixed-use development) district for further standards.

(t) *Dwelling, single-family zero lot line.*

- (1) Adjacent interior lots on the block face shall be developed as zero lot line dwellings.
- (2) 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.
- (3) Each lot shall meet the minimum area requirements of the zoning district.
- (4) Easement agreements shall be recorded which allow maintenance and access for that side of the dwelling adjacent to the property line.
- (5) When the minimum side yard is used, a privacy fence at least six feet high is required between buildings.
- (6) See Sec. 206-7. - MRU (mixed residential uses) district for further standards.

(vvv) *Townhomes.*

- (1) Townhomes, 3 units or more: No building shall contain more than 6 dwelling units, unless approved otherwise by the Board of Commissioners through a condition of zoning.
- (2) Townhomes, 2 units only and Townhomes, 3 units or more: See Sec. 206-4. - R-2 (two-family (duplex) residential) district; Sec. 206-7. - MRU (mixed residential uses) district; Sec. 206-8. - RM (residential multi-family district); Sec. 206-14. - MxD (mixed-use development) district for further standards.

**Section IV**

That Sec. 222-2 entitled "Parking Space Requirements" is hereby amended by enacting the following:

Table of Minimum Parking Requirements		
Use	Minimum Number of Parking Spaces:	Required for Each:
<b>Residential</b>		
Single-Family Zero Lot Line Dwelling	2	Dwelling Unit
Townhomes	2 1 Overflow Parking Space	Dwelling Unit 3 Dwelling Units

**Section V**

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

**Section VI**

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

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

**ADOPTED AND APPROVED THIS** 12 **DAY OF** October, 2021.

**ROCKDALE COUNTY, GEORGIA  
BOARD OF COMMISSIONERS**



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Oz Nesbitt, Sr., Chairman




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Sherri L. Washington, Esq., Commissioner Post I

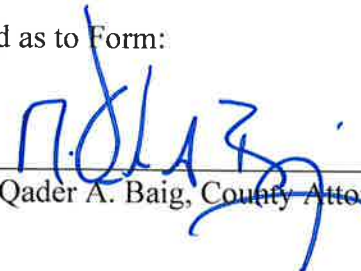


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Dr. Doreen Williams, Commissioner Post II

Attest:

By:   
\_\_\_\_\_  
Jennifer Rutledge, County Clerk

Approved as to Form:

By:   
\_\_\_\_\_  
M. Qader A. Baig, County Attorney

First Reading: August 24, 2021

Second Reading: 10/12/2021