

AN ORDINANCE TO AMEND THE TEXT OF SEC. 206-7 (MRU MIXED RESIDENTIAL USES DISTRICT), SEC. 214-1 (DIMENSIONAL STANDARDS OF ZONING DISTRICTS), AND SEC. 218-1 (TABLE OF PERMITTED USES) OF THE UNIFIED DEVELOPMENT ORDINANCE OF ROCKDALE COUNTY, AS AMENDED, REGARDING THE MUR ZONING DISTRICT; 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 the former MUR (Mixed-Use Residential) District 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. 206-7 entitled “MUR mixed-use residential district” is hereby amended by enacting the following:
Sec. 206-7. - MRU mixed residential uses district.

(a) *Purpose and intent.*

(1) *Intent.* The MRU district is intended to implement the policies of the board of commissioners adopted in the Rockdale County 2020 Comprehensive Plan and the recommendations of the Salem Road Corridor Study and the Sigman Road Gateway Study.

(2) *Purpose.* The purpose of the MRU district is:

- a. To provide for the needs of a diverse population with well-designed and human-scale, single-family detached, single-family zero lot line, townhomes (attached single-family), two-family (duplex), and multifamily structures that are compatible with other residential neighborhoods.
- b. To provide a transition between single-family residential neighborhoods and commercial, civic, or office uses.
- c. To encourage design flexibility for innovative development projects that set high standards for landscaping, greenspace, community design, and public amenities.

(b) *Principal uses and structures.* Principal uses and structures shall be permitted in the MRU district as listed in the UDO in section 218-1 table of permitted uses and subject to the additional use standards established in section 218-13 of the UDO.

(c) *Accessory uses and structures.* Accessory uses and structures shall be permitted in the MRU district in accordance with section 218-1 table of permitted uses and provisions detailed in section 218-7 accessory use standards of the UDO.

(d) *Supportive commercial uses.* Supportive commercial uses shall be permitted in the MRU district when within the Salem Road Corridor Overlay District in accordance with section 218-1 table of permitted uses and provisions detailed in section 218-7 accessory use standards of the UDO on the

ground floor of buildings in the MRU district, provided they occupy no more than 20 percent of the total floor area of occupied buildings within an MRU development project.

- (e) *Special uses.* Special uses may be permitted in the MRU district in accordance with section 218-1 table of permitted uses. Special uses shall be subject to approval of a special use permit and subject to the additional use standards established in section 218-13 of the UDO.
- (f) *Property development standards.* Property in the MRU district may be developed in accordance with section 214-1 of the UDO, dimensional standards for zoning districts, table 1 development standards for residential zoning districts, and the following provisions:

(1) Minimum heated floor area:

- a. Single-family detached, single-family zero lot line, two-family, and townhomes: See Sec. 214-1 Table 3: Minimum Heated Floor Area for RM, MRU, and MxD Zoning Districts.
- b. Personal care homes: 1,320 SF, plus 80 SF for each bed.

(2) *Building size:* No building shall contain more than 6 dwelling units, unless approved otherwise by the Board of Commissioners through a condition of zoning.

(3) *Off-street parking and loading areas.*

- a. Surface parking areas shall be screened from adjacent residential uses and public streets by an evergreen hedge or solid masonry wall not less than three feet in height that shall be continuous, except for driveways and sidewalks connecting said parking areas to public streets.
- b. Loading areas shall be screened from adjacent residential uses and public streets by an opaque buffer, solid fence, or masonry wall not less than six feet in height that shall be continuous, except for driveways and sidewalks connecting said loading areas to public streets.

c. Garages:

i. Single-family detached, single-family zero lot line, and two-family:

- (a) Side-load entry may be required by the Board of Commissioners through a condition of zoning.
- (b) 2-car garages shall be provided, unless approved otherwise by the Board of Commissioners through a condition of zoning.

ii. Townhomes:

- (a) Rear-load entry is encouraged and may be required by the Board of Commissioners through a condition of zoning.
- (b) 2-car garages shall be provided, unless approved otherwise by the Board of Commissioners through a condition of zoning.

d. Driveways:

i. Depth:

- (a) Single-family detached, single-family zero lot line, and two-family: 18 feet between the garage and the back of the sidewalk.

(b) Townhomes:

- i. Front-load: 18 feet between the garage and the back of the sidewalk.
- ii. Rear-load: 18 feet between the garage and the alley.
- ii. Width: Shall be a minimum of 16 feet.
- iii. No parking is allowed in the required front yard outside of an approved driveway.

(4) *Compatibility with existing development within zones and transition to adjacent zones.*

- a. Buildings over 35 feet high shall not be closer than 75 feet to property lines of single-family residential property.
- b. Parking lots, loading docks, dumpsters and outdoor recreation with outdoor lighting shall be screened from adjacent residential property by an opaque landscape buffer at least 15 feet wide or a ten-foot-wide opaque landscape buffer outside a six-foot high solid fence or wall.

(5) *Tree preservation bonus density.* Each existing healthy tree that is preserved in a required open space area may receive a bonus credit of 0.25 tree density units if, in the opinion of the county arborist/urban forester, the tree is retained along with an intact area of undisturbed soil containing natural habitat and groundcover that includes all of the area below the crown of the tree.

(6) *Aesthetics.*

- a. Balconies, covered porches, second story decks, and/or stoops shall be supported with architectural columns, architectural brackets, or pillars that provide a complimentary architectural appearance to the adjacent building elevation.
- b. All front building elevations shall be constructed with at least fifty (50) percent of the following building materials: Brick, Indigenous Rock, Natural Stone, and Synthetic Stone, or a combination of Brick, Indigenous Rock, Natural Stone, and Synthetic Stone, with accent building materials that may include but not be limited to Stucco, EIFS, Metal, Painted Cement Siding, and Wood where masonry products are not provided.

(7) *Site development.*

- a. External Right-of-way:
 - i. 10-foot-wide landscape strip shall be provided within the existing right-of-way between the roadway and the sidewalk.
 - ii. 5-foot-wide concrete sidewalks shall be provided along the existing right-of-way.
- b. Internal Right-of-way:
 - i. 24-foot-wide pavement from face of curb to face of curb for all internal streets.
 - ii. 2-foot-wide grass strip shall be provided on all internal public roads between the back of the curb and sidewalk.
 - iii. 5-foot-wide concrete sidewalks shall be five (5) feet wide, meet ADA standards, and be installed on both sides of the proposed internal streets. They shall be of

a different type of material than the driveway or poured in a manner that makes it known that they are sidewalks. Alleys are not required to have sidewalks.

- iv. 5-foot-wide landscape strip. All trees planted in this landscape strip shall be counted towards any Rockdale County required tree recompense credits or tree density units as mandated by the required development permit.

c. Alleys:

- i. 18-foot wide minimum.
- ii. Shall be privately maintained.

d. Amenity Areas:

- i. 5-foot-wide concrete sidewalks that meet ADA standards shall be installed to make all amenity areas accessible.

e. All grassed areas shall be sodded.

f. All utilities shall be placed underground.

g. Natural vegetation shall remain on the property until the issuance of a development permit.

h. Streetlights shall be provided throughout the residential development along the internal streets where residential units directly abut. When internal to the block, all streetlights shall be residential in character and meet the minimum lighting standards of Rockdale County, GA as defined in the current edition of the development regulations at the time of development permitting.

i. Traffic Impact Study shall be provided at the time of rezoning.

(8) Any standard associated with the MUR district shall apply to the MRU district.

Section II

That Sec. 214-1 entitled “Dimensional Standards of Zoning Districts” is hereby amended by enacting the following:

TABLE 1: Development Standards for Residential Zoning Districts

Zoning District	Min. Lot Size	Units / Acre	Min. Lot Width (in feet)	Min. Lot Depth (in feet)	Min. Front Setback ^{1,2} (in feet)	Min. Side Setback (in feet)	Min. Rear Setback (in feet)	Min. SF of Heated Floor Area	Max. % Impervious Surface	Min. % Open Space	Max. Bldg. Height (in feet)
W-P	2 Acres ¹⁰	0.3	150	400	35	30	60	1,600	10	0	35
A-R	1 Acre ⁸	1.0	120	250	40	10/30	50	1,600	15	0	35
R-1	30,000 SF	1.45	100	150	25	10/30	40	1,600	20	0	35
R-2	14,000 SF ⁷	5.8	80	120	35	10/25	35	1,600	30	20	45
CRS	10,000 SF	3.14	70		20	7.5	25	1,800	25	30	35
CSD ^{3,5}	6,000 SF	2.43	60		Max. 25	10	40	1,800	25	30	35
MRU	2 acres Table 4	8	200	Table 4	Table 4	Table 4	Table 4	Table 3	50	15	Table 4
RM	2 acres	12	60 ⁹		15	10/15	25	Table 3	60	400 SF / unit ⁶	35

Notes for Table 1:

1. Minimum required setbacks do not include buffers, if required by chapter 328, article I of the UDO.
2. Larger side yards dimension is for corner lots.
3. Density subject to increase through bonuses. See subsection 206-6(e)(10) and subsection 210-2(j)(2).
4. Application of density to tract land area excludes Primary Conservation Area.
5. Zoning district is only applicable within the Salem Road Corridor Overlay District.
6. 400 SF of open space or outdoor recreation per dwelling unit is required for multi-family residential developments with more than 50 dwelling units. See subsection 218-13(s).
7. 7,500 SF required per unit, 14,000 SF per duplex.
8. Minimum lot size for residences with private stables: three acres; minimum lot size for agriculture and forestry uses: five acres.
9. Duplex lot shall have a minimum lot width of 100 feet.
10. W-P district restricts residential property development to one lot per three acres, with a minimum lot size of two acres.

TABLE 3: Minimum Heated Floor Area (in square feet (SF)) for RM, MRU, and MxD Zoning Districts

RM - Multi-Family	<i>Efficiency</i>	<i>1 Bedroom</i>	<i>2 Bedroom</i>	<i>3 Bedroom</i>	<i>4 Bedroom</i>
	700	850	1,000	1,150	1,200
MRU - Mixed Residential Uses, and MxD - Mixed-use Development	<i>Efficiency</i>	<i>Two-family dwellings and Townhomes 1 Bedroom</i>	<i>Two-family dwellings and Townhomes 2 Bedroom</i>	<i>Two-family dwellings and Townhomes 3 Bedroom</i>	<i>Single-Family Detached or Single-Family Zero Lot Line dwelling</i>
	Not Allowed	900	1,200	1,400	1,800

TABLE 4: Unit Development Standards for the MRU Zoning District

Type	Min. Lot Size (in SF)	Min. Lot Width (in feet)	Min. Lot Depth (in feet)	Min. Front Setback (in feet)	Min. Rear Setback (in feet)	Min. Side Setback (in feet) ₃	Max. % Impervious Surface	Max. Bldg. Height (in feet)
Single-family detached	4,000	40	100	15	20	5/15	40	35
Single-family zero lot line	4,000	40	100	15	20	5/15 ⁴	40	35
Two-family	6,000	60	100	15	20	10/15	50	35
Townhomes: Front-loaded	1,452	22	66	15 ¹	10 ²	5 ⁵	80	45/50 ⁶
Townhomes: Rear-loaded	1,100	20	55	5	10 ²	5 ⁵	80	45/50 ⁶

Notes for Table 4

1. Encroachment of covered porches and/or stoops into the front yard setback shall be limited to no more than 50%.
2. Encroachment of balconies and/or second story decks into the rear yard setback shall be limited to no more than 50%.
3. Larger side yards dimension is for corner lots.
4. See Sec. 218-13(t), but the minimum spacing between buildings shall be 10 feet.
5. The minimum spacing between buildings shall be: (a) Side-to-side: 15 feet; (b) Front-to-front, back-to-back, front-to-back: 40 feet.
6. Building height may be increased to 50 feet if a permitted supportive commercial use is provided on ground floor. Buildings over 35 feet in height shall be a minimum of 75 feet from property lines of adjacent single-family residential property.

Section III

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 Detached		P	P		P	P	P											P
	Dwelling, Multifamily	(s)						P	P				P						
	Dwelling, Two-Family (Duplex)				P			P											
	Townhouses	(vvv) (t)						P	P				P						

Section IV

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

Section V

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.

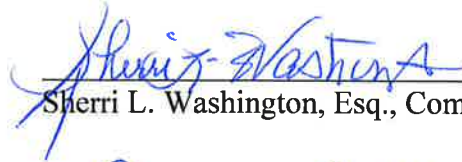
EFFECTIVE DATE: This Ordinance shall become effective as of the date hereof.

ADOPTED AND APPROVED THIS 28 **DAY OF** Sept., 2021.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**



Oz Nesbitt, Sr., Chairman



Sherri L. Washington, Esq., Commissioner Post I



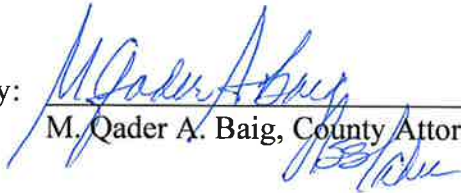
Dr. Doreen Williams, Commissioner Post II

Attest:



By: _____
Jennifer Rutledge, County Clerk

Approved as to Form:



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

First Reading: 7/27/2021

Second Reading: 9/28/2021