

**AN ORDINANCE TO AMEND THE TEXT OF SEC. 106-1 (DEFINITIONS), SEC. 218-1 (TABLE OF PERMITTED USES), AND SEC. 218-13 (STANDARDS OF USE AND DEVELOPMENT) OF THE UNIFIED DEVELOPMENT ORDINANCE OF ROCKDALE COUNTY, GEORGIA, AS AMENDED, ADDING SMALL BOX DISCOUNT RETAILERS TO THE DEFINITIONS SECTION, ADDING SMALL BOX DISCOUNT RETAILERS TO THE TABLE OF PERMITTED USES, AND ADDING SUPPLEMENTAL REGULATIONS RELATED THERETO; 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**, Section 106-1 of the Unified Development Ordinance provides definitions of uses and Small Box Discount Retailers are not currently defined in the section; and

**WHEREAS**, a Small Box Discount Retailer shall be defined as a retail establishment with a floor area less than 12,000 square feet that offers for sale a combination and variety of convenience shopping goods and consumer shopping goods, and continuously offers a majority of the items in its inventory for sale at a price per item of \$10.00 or less, adjusted for inflation; and

**WHEREAS**, Small Box Discount Retailers will be subject to supplemental regulations to be found in Sec. 218-13 (mmm1); and

**WHEREAS**, the County has an excessive number of Small Box Discount Retailers and the intent is to limit the number of stores; and

**WHEREAS**, studies indicate that Small Box Discount Retailers can result in negative outcomes such as obesity, food insecurity, crime, and decrease in home property values; 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 Section 106-1 entitled “Definitions and Abbreviations” is hereby amended by enacting the following:

*Small Box Discount Retailer:* A retail establishment with a floor area of less than 12,000 square feet that offers for sale a combination and variety of convenience shopping goods and consumer shopping goods and continuously offers a majority of the items in its inventory for sale at a price per item of \$10.00 or less, adjusted for inflation.

## **Section II**

That Section 218-1 entitled “Table of Permitted Uses” is hereby amended by adding the word “Yes” in the column headed by the words “Suppl. Reg.,” adding the words “Small Box Discount Retailer” in the column headed by “Uses,” and adding the letter “P” in the columns headed by C-1 and C-2 to the referenced table as depicted and shown on Exhibit “A” which is attached hereto and made a part hereof by reference.

## **Exhibit A**

| NAICS Code | Uses                         | Sec. 218-13 | Suppl Reg? | A-R | R-1 | R-2 | CRS | CSD | CUD | MRU | RM | CID | O-I | NC | MxD | C-1 | C-2 | OBP | M-1 | M-2 | CSO |
|------------|------------------------------|-------------|------------|-----|-----|-----|-----|-----|-----|-----|----|-----|-----|----|-----|-----|-----|-----|-----|-----|-----|
| 455219     | Small Box Discount Retailers | mmm1        | Yes        |     |     |     |     |     |     |     |    |     |     |    |     | P   | P   |     |     |     |     |

## **Section III**

That Section 218-13 Standards of Use and Development Article III Supplemental Use Standards (Subpart B Planning and Development of the Code of Rockdale County, Georgia, as amended, is hereby amended to add Paragraph (mmm1) “*Small Box Discount Retailer*”, which new paragraph shall read as follows:

(mmm1) *Small Box Discount Retailer*.

- (1) The use shall not be established on any lot that is adjacent to a lot that is zoned to a residential zoning classification under the Rockdale County Zoning Map.
- (2) The use shall not be within 200 feet of a lot that is zoned to a residential zoning classification under the Rockdale County Zoning Map.
- (3) No Small Box Discount Retailer shall be located within four (4) miles of another Small Box Discount Retailer. This distance shall be measured in a straight line from the nearest property line of the existing Small Box Discount Retailer to the nearest property line of the proposed Small Box Discount Retailer.

## **Section IV**

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

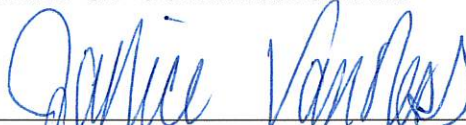
## **Section V**

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.

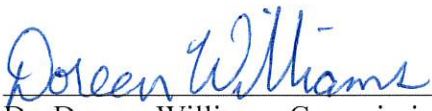
This Ordinance shall become effective upon adoption.

ADOPTED AND APPROVED THIS 8<sup>th</sup> DAY OF April, 2025.

**ROCKDALE COUNTY, GEORGIA  
BOARD OF COMMISSIONERS**

  
JaNice Van Ness, Chair & CEO

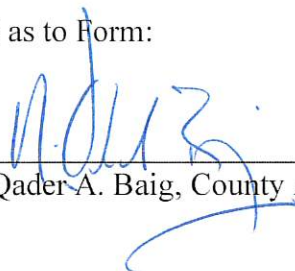
  
Tuwanya C. Smith, Commissioner Post I

  
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: 2/25/25

Second Reading: 4/8/25