

AN ORDINANCE TO AMEND THE TEXT OF SEC. 106-1 (DEFINITIONS), SEC. 2-135 AND 238-3 PLANNING COMMISSION (STANDARDS OF USE AND DEVELOPMENT) OF THE UNIFIED DEVELOPMENT ORDINANCE OF ROCKDALE COUNTY, GEORGIA, AS AMENDED, REGARDING PLANNING COMMISSION; AND AMENDING THE 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, provisions within the Unified Development Ordinance of the Planning Commission to create standardized regulations and criteria governing the; 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.

Section I

Sec. 2-135. Planning Commission.

Sec. 106-1. Definitions.

- (a) *Definitions.* The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context indicates a different meaning:

City means the City of Conyers, Georgia.

Planning Commission means the Rockdale County Planning Commission.

- (b) *Composition.* The planning commission shall consist of five (5) members.
- (c) *Appointment.* The members of the planning commission shall be residents of Rockdale County and shall be appointed by the county commissioners.
- (d) *Terms.*
- (1) Three of the members initially appointed to serve on the Planning Commission shall serve for a term of three (3) years each, and the other two members initially appointed to serve on the Planning Commission shall serve a term of four (4) years each. Thereafter, each person appointed to serve on the Planning Commission shall serve for a term of four (4) years each, the intent being to have staggered terms for membership on the Planning Commission. Each person appointed to be on the planning commission shall serve for the term the member was appointed for unless the person dies, resigns, or is otherwise disqualified from serving or removed from said position.
 - (2) No member of the planning commission will be eligible for more than two (2) consecutive terms.
 - (3) Appointments shall expire on July 1 in the last year of the term.

- (e) *Filling vacancies.* Any vacancy occurring in the membership of the planning commission shall be filled for the unexpired term in the same manner as the initial appointment.
- (f) *Compensation.* All members of the planning commission shall serve without compensation but may be reimbursed for expenses, as outlined in a resolution adopted by the county, incurred in connection with their official duties.
- (g) *Officers.* The planning commission shall elect its chairperson from among its members, the term to be one year with eligibility for reelection. The director of the department of Planning and Development shall designate a secretary from the said department.
- (h) *Procedures, meetings.* The planning commission shall make its own rules of procedure and determine its time of meeting. Such rules shall be subject to the approval of the county board of commissioners. Except as provided in O.C.G.A. § 50-14-3, all meetings of the planning commission should be open to the public, and all records of the planning commission shall be public record.
- (i) *Staff.* The planning commission may work with the state department of community affairs and other consultants for such services as it may require.
- (j) *Finances.* The expenditures of the planning commission, exclusive of gifts, shall be within the amounts appropriated for the purpose by the board of commissioners.
- (k) *Powers and duties.* From and after the time when the planning commission shall have organized and selected its officers, the planning commission shall have the powers, duties and responsibilities to conduct public hearings, request and receive studies and reports from staff, review and make recommendations to the board of commissioners concerning matters brought before them, review and take action on, as appropriate, subdivision plats, and perform those duties and functions outlined in the UDO.

Section II

Sec. 238-1. Administrative bodies.

The provisions of the UDO shall be administered by the Department of Planning and Development in association with the Planning Commission, the Board of Adjustment, and the Board of Commissioners of Rockdale County.

Section III

Sec. 238-3. Planning Commission.

- (a) *Authority.* The planning commission shall have the authority granted by section 2-135 of the Rockdale County Code of Ordinances and by the provisions of the UDO.
- (b) *Purpose and duties.* The purpose and duties of the planning shall include, but not be limited to, conducting public hearings, requesting and receiving studies and reports from staff, and reviewing and making recommendations to the board of commissioners concerning matters brought before them. Carrying out this purpose shall include, but not be limited to, the following duties:
 - (1) To review and make recommendations regarding proposed amendments to the comprehensive plan, UDO, official zoning map, and applications for special use permits according to the standards of subsection 238-6(c) of this chapter.
 - (2) To review preliminary and final plats according to the standards of the UDO.

- (3) To advise the Board of Commissioners regarding environmental policy, comprehensive planning, community development, housing, transportation, land use issues, and capital improvements.
 - (4) To work with the department, other county departments, boards, and authorities, when appropriate for the planning commission, the board of commissioners in carrying out their various functions by making recommendations to achieve the desired benefits on behalf of present and future Rockdale County residents, businesses, and property owners.
- (c) *Finances.* The expenditures of the planning commission, exclusive of gifts, shall be within the amounts appropriated for that purpose by the Board of Commissioners.
- (d) *Appointment and terms.*
- (1) *Composition.* The planning commission shall be composed of five (5) members. Members of the planning commission shall be residents of the county and shall be appointed by the board of commissioners.
 - (2) *Terms.* Three of the members initially appointed to serve on the Planning Commission shall serve for a term of three (3) years each, and the other two members initially appointed to serve on the Planning Commission shall serve a term of four (4) years each. Thereafter, each person appointed to serve on the Planning Commission shall serve for a term of four (4) years each, the intent being to have staggered terms for membership on the Planning Commission. Each person appointed to be on the planning commission shall serve for the term the member was appointed for unless the person dies, resigns, or is otherwise disqualified from serving or removed from said position.
 - (3) *Qualifications.* When possible, the chair and at least two other members of the planning commission shall be professionally qualified in the fields of planning, architecture, landscape architecture, civil engineering, real estate, building construction, or related fields.
 - (4) *Compensation.* All members of the planning commission shall serve without compensation but may be reimbursed for expenses as outlined in a resolution adopted by the county, incurred in connection with their official duties.
 - (5) *Vacancies.* All appointees shall continue to serve until a successor is appointed. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. If a member appointed by the board of commissioners moves to reside outside of the county, such members shall be deemed to have resigned from the planning commission.
 - (6) *Other offices.* Members of the planning commission shall hold no other elected or appointed office or other county-compensated position.
 - (7) *Expiration of term.* Appointments shall expire on July 1 in the last year of the term.
 - (8) *Removal from office.* A member of the planning commission may be removed from office before the expiration of his/her appointed term by a majority vote of the Board of Commissioners. A member also may be automatically removed pursuant to subsection (h)(3).
- (e) *Planning commission officers.*
- (1) *Chair.* In July of each year, the planning commission shall elect its chairperson from among its members. The chair's term shall be one year with eligibility for re-election.

- (2) *Duties of the chair.* The chair shall preside over all meetings and hearings of the planning commission and decide all points of order and procedure. The chair may appoint committees necessary to assist and advise the planning commission in its work.
 - (3) *Vice-chair.* The planning commission shall elect a vice-chair in July of each year. The vice-chair's term shall be one year with eligibility for re-election.
 - (4) *Duties of the vice-chair.* The vice chair shall serve as an acting chair in the absence of the chair and, when acting in such capacity, shall have the same powers and duties as the chair.
 - (5) *Secretary.* A designated person from the department shall serve as the secretary of the planning commission. The secretary shall have responsibility for assisting the chair with scheduling and preparing an agenda for meetings; providing copies of staff reports to members of the planning commission; preparing public notice of hearings and other meetings; and making, publishing and preserving public records of the attendance, proceedings, reports and actions of the planning commission; attendance to the correspondence of the planning commission; and other duties assigned by the chair, subject to the budgetary limitations of the department.
- (f) *Committees.* The chair may appoint, with the concurrence of the planning commission, various standing and temporary committees to further the purposes of the planning commission. Such committees may include ex-officio members of the staff of various county departments (excluding the staff of the board of commissioners), residents and business owners of the county, and other individuals whose background and knowledge may be of benefit to the planning commission in its deliberations.
- (g) *Meetings of the planning commission.*
- (1) *Regular meetings.* Unless there is no business to be conducted, the planning commission shall hold regularly scheduled meetings each month. The planning commission shall establish and make available to the public the time, place, and dates of its regular meetings. Except as otherwise authorized by the Georgia Open Meetings Act, O.C.G.A. § 50-14-1 et seq., all meetings shall be open to the public. Public notice of all meetings shall be as required by said Georgia Open Meetings Act. Each member shall be notified of each regular meeting at least five days preceding the meeting through a written agenda prepared and distributed by the secretary.
 - (2) *Special-called meetings.* The chair, secretary, or a majority of the planning commission may call a special meeting at any time provided that written notice is posted for at least 24 hours at the place of regular meetings and written or oral notice is given at least 24 hours in advance of the meeting to the official legal organ of the county. The secretary shall prepare and cause to be delivered a written notice stating the specific purpose of the special-called meeting to each planning commission member at least 24 hours in advance of the meeting. No business other than the specific stated purpose shall occur at the special-called meeting.
 - (3) *Cancellation of meetings.* In the event there is a lack of business to be discussed and/or voted upon at a future meeting, the meeting may be canceled. In such a case, the secretary should notify each member at least 24 hours before such a scheduled meeting and shall place appropriate public notice at the county courthouse or annex building stating the date of the canceled meeting at least 24 hours in advance of the scheduled meeting.
 - (4) *Agenda and minutes.*
 - a. The chair and secretary shall determine the meeting agenda. All matters to be considered and/or acted upon by the planning commission shall appear on the agenda. The agenda should be available before each meeting and posted at the meeting site for the public.

- b. Not more than two business days following the adjournment of a meeting of the planning commission, the secretary shall ensure that a written summary of the subjects acted on by the planning commission and a list of those members present is available for public inspection in the offices of the department.
 - c. Meeting minutes shall include and indicate all important facts, a report on all actions taken, a listing of those members present and those absent, a record of the vote of each member on each action taken on each matter and a summary of any explanation or commentary that is relevant to the decisions made on matters before the planning commission.
 - d. Copies of the approved minutes for each meeting of the planning commission shall be available to the public immediately following the next regularly scheduled meeting of the planning commission.
- (5) *Procedures.* The planning commission shall make its own rules of procedure and determine its time of meeting. Such rules shall be subject to the approval of the board of commissioners. Robert's Rules of Order shall govern any procedural question not otherwise covered by section 238-3 or said rules of procedure.
- (6) *Order of business at meetings.* The order of business at meetings shall be as follows:
- a. Roll call and determination of a quorum.
 - b. Approval of the minutes of previous meetings.
 - c. Approval of the agenda.
 - d. Unfinished business.
 - e. New business.
 - f. Reports.
 - g. Adjournment.
- (7) *Agenda changes.* The chair may change the order of the agenda on matters appearing on the agenda during the meeting if, in his or her judgment, time and purpose may be served.
- (h) *Quorum and voting.*
- (1) *Quorum.* A quorum shall consist of three (3) members of the planning commission. A majority vote of those present constituting a quorum shall be sufficient to decide all matters that come before the planning commission except where a greater number is required by Roberts Rules of Order.
- (2) *Voting.*
- a. A planning commission member who is part of a quorum of the planning commission during the consideration of any matter but not participating in the discussion or voting on a specific matter because of a conflict of interest shall be considered present for quorum purposes but abstaining from voting on that specific matter. No planning commission member who is present may abstain from voting except in the case of having a conflict of interest concerning the matter under consideration as provided in O.C.G.A. § 36-67A-1 et seq.
 - b. A majority of the vote of those members present of the planning commission is required for approval of all motions. A motion that fails by a majority vote shall not be deemed as approval of the opposite position.

- c. The planning commission may add conditions to any proposed amendment to the comprehensive plan, amendment to the official zoning map, or any special use permit it deems necessary to mitigate impacts of the proposal upon surrounding properties consistent with the purposes of the county's resolutions, ordinances, regulations, policies and procedures.
- (3) *Attendance.* If any member of the planning commission is absent without cause for three consecutive regular meetings of the commission, that member shall be automatically removed from membership, and a replacement shall be appointed in the same manner as the initial appointment as described in subsection (d)(1) of this section.

Section IV

Sec. 238-16. Orientation and continuing education training for planning commission and board of adjustment members.

- (a) *Training.* Each planning commission and board of adjustment member shall, within 120 days after appointment, attend a minimum of four hours of orientation training concerning the duties of the planning commission or board of adjustment, as applicable, and the substance of the UDO about his/her responsibilities. Such training programs shall be provided by the staff of the county.
- (b) *Continuing education.* Each planning commission and board of adjustment member shall, within each period of two consecutive calendar years, starting at the date of the individual's appointment, attend no less than eight hours of continuing education in any of the subjects listed in subsection (e) of this section as provided by the American Planning Association (APA) or the Georgia Chapter of APA, Georgia Association of Zoning Administrators (GAZA) or as otherwise approved by the director of Planning and Development. Such training program shall be either through personal attendance or through audio or video teleconference.
- (c) *Written statements.* Each of the individuals above shall certify his or her attendance by a written statement filed with the secretary of his or her respective planning commission or board of adjustment by December 31 of each calendar year. Each statement shall identify the date of each program attended, its subject matter, location, sponsors, and the time spent on each program.
- (d) *Funding.* The planning commission, board of adjustment or the Board of Commissioners shall be responsible for providing training, as required in subsections (a) and (b) of this section or for providing funding to each planning commission and board of adjustment member so that each individual may obtain training, as required by subsections (a) and (b) of this section, from other sources approved by the director of Planning and Development.
- (e) *Education subjects.* The subjects for the education required by subsections (a) and (b) of this section shall include, but not be limited to, the following: land use planning; zoning; floodplains; transportation; community facilities; ethics; public utilities; parliamentary procedure; public hearing procedure; planning or administrative law; economic development; housing; public buildings; building construction; land subdivision; and powers and duties of the planning commission and board of adjustment. Other topics reasonably related to the duties of planning officials may be approved by the director of Planning and Development before December 31 of the year for which the credit is sought.

- (f) *Documentation of training.* The planning commission and board of adjustment shall keep in its official public records originals of all statements and the written documentation of attendance required in subsection (c) of this section filed with the secretary of each board pursuant to subsections (a) and (b) of this section for three years after the calendar year in which each statement and appurtenant written documentation is filed.
- (g) *Removal from position.* Members of the planning commission or board of adjustment shall be subject to removal if they fail to:
 - (1) Complete the requisite number of hours of orientation training and continuing education within the time allotted in this section.
 - (2) File the statement required by this section.
 - (3) File the documentation required by this section.

Section V

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

Section VI

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, or any part thereof, which is not explicitly declared to be invalid or unconstitutional.

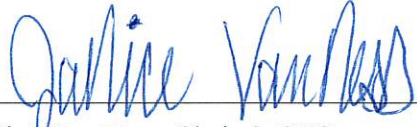
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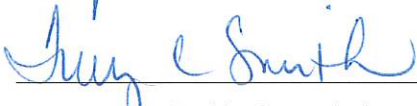
Case No. TEXT2025-07

This Ordinance shall become effective upon adoption.

APPROVED AND ADOPTED THIS 8th DAY OF April, 2025.

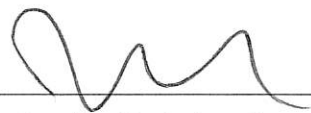
**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**


JaNice Van Ness, Chair & CEO

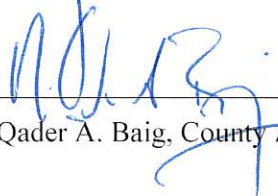

Tuwanya C. Smith, Commissioner Post I


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:

212512025

Second Reading:

410812025