

ROCKDALE PLANNING COMMISSION MEETING

October 9, 2025, at 6:00 PM
Rockdale County Assembly Hall
901 Main St NW, Conyers, GA, 30012



AGENDA

1. **Call to Order:**
 - A. **Invocation.**
 - B. **Pledge of Allegiance.**
2. **Determination of a Quorum:**
 - A. **Roll Call.**
3. **Approval of the Agenda.**
4. **Approval of the Minutes.**
5. **Rules of Procedure for Public Hearings.**
6. **Unfinished Business: NONE**
7. **New Business:**

ITEM R-1:	REZ2025-09
PURPOSE:	To rezone 13.85 acres located at 2880 SW Highway 212 from C-1 (Local Commercial) District to C-2 (General Commercial) District for an AutoZone commercial development.
LOCATION:	2880 SW Highway 212
PARCEL:	01300100140
SIZE:	13.85 acres
APPLICANT:	Teresa Curry
OWNERS:	BDB Smyrna Crossing LLC A Delaware LLC

ITEM R-2:	TEXT2025-10
PURPOSE:	TEXT2025-08 to amend the text of Subpart B (Planning and Development) of the code of ordinances of Rockdale County, Georgia, as amended, so as to amend Title 2 (Land Use and Zoning), Chapter 218 (Use Regulations), Article IV (Telecommunication Facilities), Section 218-22(q) (Application Requirements and Standards); to provide for repeal of conflicting provisions; to provide for an adoption date; and for other purposes.
APPLICANT:	County Staff

ITEM R-3:	TEXT2025-11
PURPOSE:	TEXT2025-11: to amend Chapter 10, Sections 10-33(d), 10-38, 10-39(b), 10-51(d), 10-51(g), 10-52(d), 10-63(a), 10-63(b), 10-69(d)(4), 10-68(e) of the Code of Rockdale County, Georgia regulate the issuance of licensing of alcohol sales; and the time it takes to issue an alcohol license.
APPLICANT:	County Staff

ITEM R-4:	TEXT2025-12
PURPOSE:	TEXT2025-12: to amend Section 206-10 - O/I Office – Institutional District by adding (e) Maximum building height: 85 feet, excluding rooftop mechanical equipment for the zoning district in question.
APPLICANT:	County Staff

8. Reports:

The Next Regularly Scheduled Rockdale County Planning Commission Meeting will be on

Date	Day	Time	Location	Address
TBD	THU	6:00 PM	Assembly Hall	901Main St NW, Conyers, GA, 30012

9. Adjournment.



CONYERS/ROCKDALE PLANNING COMMISSION

August 14, 2025, at 6:00 PM

Rockdale County Assembly Hall

901 N Main St NW, Conyers, GA, 30012

MINUTES

[The video is on Facebook](#)

MEMBERS' PRESENT:

John Lee Peterson, Chair
Marlessia Yancey, Vice Chair
Danny Forrester
Angelique McClendon
Ernestine Stovall-Goolsby

STAFF PRESENT:

LaShawn Gardiner, Director
Denise Tugman, Planning Manager
Aischa Paul, Admin. Operations Coordinator
Kristen McDaniel, Development Plan Review Specialist
Lara Parker, Deputy Director

MEMBERS ABSENT:

1. **Call to Order:** John Lee Peterson, Chair; called the meeting to order at 6:00 p.m. for the items on the agenda. The agenda is attached hereto and is now made a part of these minutes.
 - A. Invocation: Commissioner Danny Forrester
 - B. Pledge of Allegiance
 - C. Determination of a Quorum
 - a. Roll Call
2. **Approval of the Agenda:** Commissioner Yancey moved to approve the amended agenda. Commissioner Forrester seconded the motion. The motion passed unanimously.
3. **Approval of the Minutes:** Commissioner McClendon moved to approve the minutes of June 12, 2025, as written. Vice Chair Yancey seconded the motion. The motion passed unanimously. Commissioner Yancey moved to approve the minutes from July 10, 2025 and was second by Commissioner Forrester.
4. **Rules of Procedure for Public Hearings:** A pre-recording of the rules and procedures for public hearings was played aloud for members and the public.
5. **Old Business:** None
6. **New Business:**

ITEM R-1:	REZ2025-04
PURPOSE:	To Rezone 4.3 acres from R-1 (Single-Family Residential) to O-I (Office Institutional) for Local Commercial Development.
LOCATION:	1955 SE Flat Shoals Road
PARCEL:	076002001E
SIZE:	4.3 acres
APPLICANT:	David Alan Letson

STAFF REPORT: Planning Manager Tugman presented the case files and provided an overview of the staff report. Staff recommended approval of the rezoning request with eight conditions.

THE APPLICANT: David Alan Letson

PUBLIC COMMENTS: N/A

PLANNING COMMISSION QUESTIONS AND COMMENTS: Commissioner Stovall-Goolsby asked staff about the O-I zoning and what types of uses would be permitted in the area once rezoned

BOARD VOTE/ RECOMMENDATION: Vice Chair Yancey moved to approve the request for REZ2025-04. Commissioner Forrester seconded the motion, and the motion carried.

ITEM R-2:	CUP2025-01
PURPOSE:	A request by Che Tuma for a Conditional Use Permit for 3601 GA HWY 212 SW, Tax Parcel 013001031A, total acreage 20, A-R (Agricultural Residential) for a Recreational and Vacation Campsite
LOCATION:	3601 GA HWY 212 SW
PARCEL:	013001031A
SIZE:	20 acres
APPLICANT:	Che Tuma

STAFF REPORT: Planning Manager Tugman presented the case files and provided an overview of the staff report. Staff recommended denial based on Code Article Section 2018-7, which allows a maximum of three accessory structures, a limit that has already been reached.

THE APPLICANT: Che Tuma

PUBLIC COMMENTS:

Josh Wright

PLANNING COMMISSION QUESTIONS AND COMMENTS:

Commissioner McClendon requested clarification from staff regarding the reasons for denial.

Commissioner Stovall-Goolsby asked staff whether individuals would be staying in the domes on a short-term basis for clarification.

BOARD VOTE/ RECOMMENDATION:

Commissioner Stovall-Goolsby moved to deny the request for CUP2025-01. Commissioner Forrester seconded the motion, and the motion carried.

ITEM R-3:	TEXT2025-08
PURPOSE:	Initiation of UDO Text Amendment TEXT2025-08 to Article II of Chapter 328 in Title 3 of Subpart B of the Code of Rockdale County, Georgia providing updates to the Rockdale County Landscaping and Tree Protection and Replacement Ordinance.
APPLICANT:	County Staff

STAFF REPORT: Director Gairdner presented the case files and provided an overview of the staff report. She reviewed the proposed amendments to Article II of Chapter 328 of the Ordinance.

THE APPLICANT: County Staff

PUBLIC COMMENTS: N/A

PLANNING COMMISSION QUESTIONS AND COMMENTS:

Chairman asked staff for confirmation on whether Section B was being replaced.

Commissioner Stovall-Goolsby requested clarification from staff regarding the use of the term “tree specimen” instead of “exceptional.”

BOARD VOTE/ RECOMMENDATION: Vice Chair Yancey moved to approve the request for TEXT2025-08. The motion was seconded by Commissioner Stovall-Goolsby and passed unanimously.

ITEM R-4:	TEXT2025-09
PURPOSE:	An ordinance to amend the code of Rockdale County, Georgia, Subpart B, Unified Development Ordinance, to establish Architectural Standards for residential uses; to repeal conflicting ordinances; to set an effective date; and for other purposes
APPLICANT:	County Staff

STAFF REPORT: Before presenting the case, Director Gairdner requested that the Board amend the agenda to correct a numbering error. Two items had been listed as R-3, so the second item was amended and renumbered as R-4 to ensure sequential order for TEXT2025-09, which amendment is hereto documented and now made a part of the minutes. Commissioner Stovall-Goolsby moved to approve the amendment to the agenda. Commissioner Forrester seconded the motion, and the motion carried. Following the amendment, Director Gairdner presented the case files and provided an overview of the staff report. She introduced Rebecca from CPL, the consultant who assisted in drafting the proposed ordinance.

THE APPLICANT: County Staff

PUBLIC COMMENTS: N/A

PLANNING COMMISSION QUESTIONS AND COMMENTS: Commissioner Stovall-Goolsby inquired whether the new guidelines would be in effect moving forward.

BOARD VOTE/ RECOMMENDATION: Vice Chair Yancey moved to approve the request for TEXT2025-09. Commissioner McClendon seconded the motion, and the motion passed unanimously.

ITEM R-5:	PP25-0171
PURPOSE:	Preliminary Plat for Sterling Manor - Hwy 138 – 56 Lots Subdivision
LOCATION:	4850 GA HWY 138 SW
PARCEL:	0050030006
SIZE:	68.12 acres
APPLICANT:	John Brewer (LJA Engineering)

STAFF REPORT: Planning Manager Tugman presented the case files and provided an overview of the staff report. She introduced Mr. Tyler and stated that, while the vote and Chair’s signature were primarily procedural, staff would entertain any questions from the Board regarding the development.

THE APPLICANT: John Brewer (LJA Engineering)

PUBLIC COMMENTS: *The public comment period is closed, as this item is a Preliminary Plat and does not require public input under applicable ordinances.*

PLANNING COMMISSION QUESTIONS AND COMMENTS:

Commissioner Forester inquired about the soil profile, asking why they were listed separately and whether they have different qualities.

The Chair asked whether the development consists of single-family homes.

Commissioner McClendon requested clarification on the Board’s role in the matter.

BOARD VOTE / RECOMMENDATION: Commissioner Stovall-Goolsby moved to approve the request for PP25-0171. Commissioner Forester seconded the motion, and the motion passed, with Commissioner McClendon opposing.

ITEM R-6:	PP25-0177
PURPOSE:	Preliminary Plat for Enclave at Parker Townhomes – 66 Townhome Units
LOCATION:	1816 SE Parker Road
PARCEL:	0750010025C
SIZE:	7.77 acres
APPLICANT:	Mark Walton for Patrick and Associates

STAFF REPORT: Planning Manager Tugman presented the case files and noted that this item was procedural, as it had already been reviewed and signed off. She introduced Mark Walton and stated that the Board could ask any questions if needed.

THE APPLICANT: Mark Walton for Patrick and Associates

PUBLIC COMMENTS: *The public comment period is closed, as this item is a Preliminary Plat and does not require public input under applicable ordinances.*

PLANNING COMMISSION QUESTIONS AND COMMENTS: Commissioner McClendon asked the applicant what prompted the developer to change from rental units to allowing purchase.

Commissioner Stovall-Goolsby inquired whether the developer reduced the number of units when transitioning from rental to townhomes.

BOARD VOTE/ RECOMMENDATION: Vice chair Yancey made a motion to pass the request for PP25-0177, which was seconded by Commissioner Stovall-Goolsby and passed unanimously.

7. Reports:

A. Rockdale County:

B. The Board of Commissioners will hold the Zoning Public Hearing for county items in person at 6:00 PM at 901 Main Street NW, Conyers, GA 30012, in the auditorium.

C. The Next Regularly Scheduled Planning Commission Meeting will be in person on.

Date	Day	Time	Location	Address
10/09/25	THU	6:00 PM	Assembly Hall	901 Main St NW, Conyers, GA, 30012

8. Adjournment:

Chairman Patterson made a motion to adjourn the meeting. Vice chair Yancey seconded the motion, and it passed unanimously. The meeting was adjourned at 7:29 p.m.

BOARD OF COMMISSIONERS

JANICE VAN NESS, CHAIR & CEO
TUWANYA C. SMITH, COMMISSIONER POST I
DR. DOREEN WILLIAMS, COMMISSIONER POST II



DEPARTMENT OF PLANNING & DEVELOPMENT

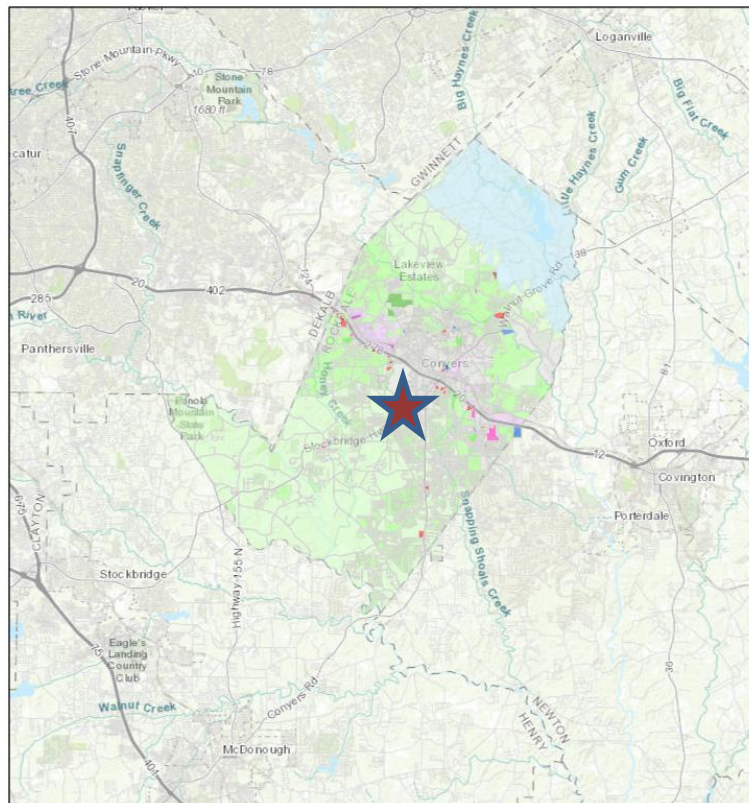
LASHAWN GARDINER, DIRECTOR
PHONE: (770) 278-7100
planningandzoning@rockdalecountyga.gov

PLANNING COMMISSION AND BOARD OF COMMISSIONERS
ROCKDALE COUNTY PLANNING STAFF REPORT

Case Number: REZ2025-09
Address: 2880 SW HWY 212
Tax Parcel ID: 003001014D
Site Area: 13.85 acres
Current Zoning: C-1 (Local Commercial District)
Existing Conditions: Publix Shopping Center and other small retail shops
Request: To rezone 13.85 acres from C-1 (Local Commercial District) to C-2 (General Commercial District) to convert vacant restaurant and adjacent suites (located at the far right of the site) into an AutoZone retail location.

Applicant: Axis Infrastructure c/o Teresa Curry
Owner: BDB Smyrna Crossing LLC
Staff Recommendation: *Approval with Conditions*

PC Hearing Date: **October 9, 2025**
BOC Hearing Date: **October 23, 2025**



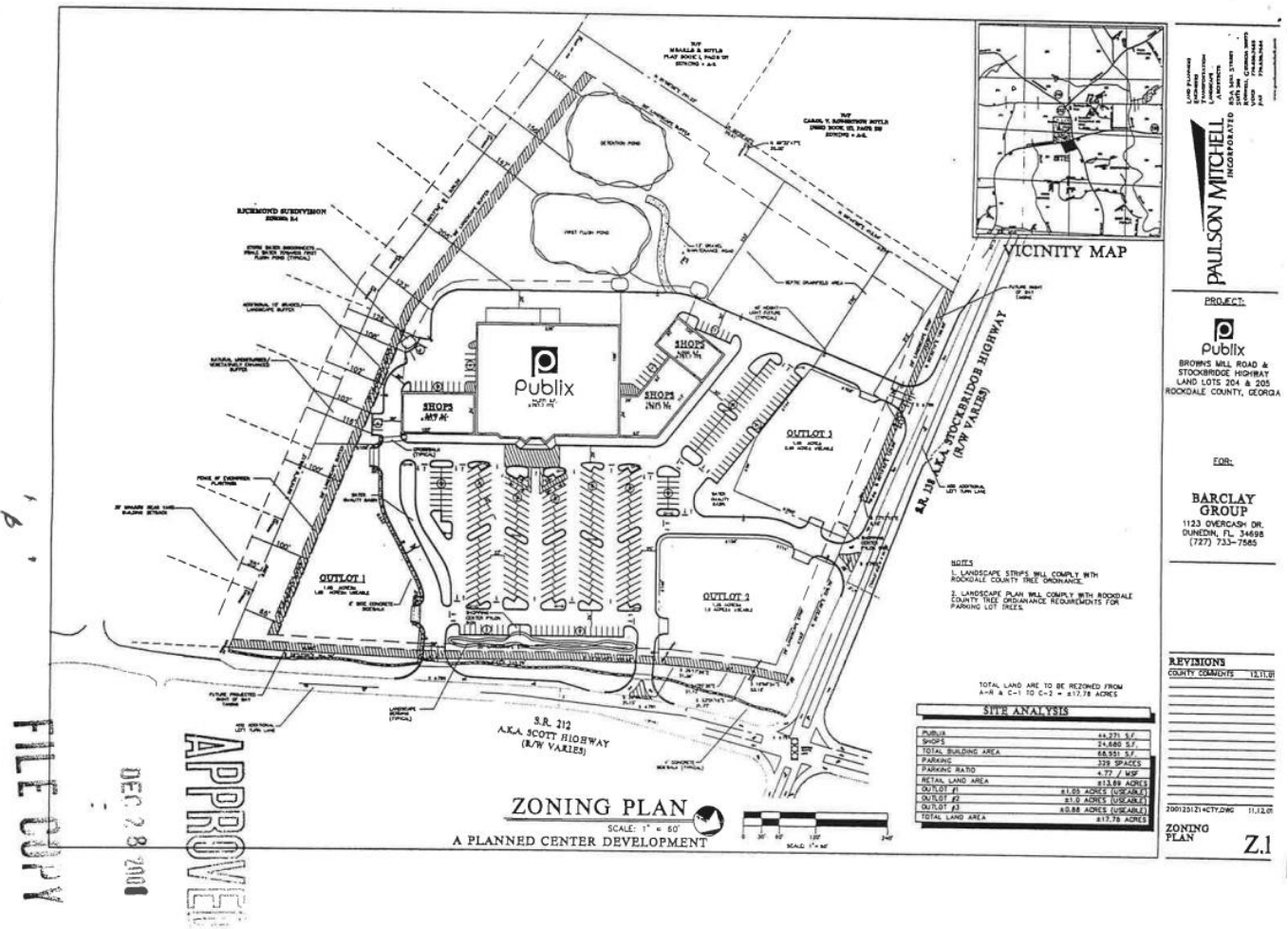
ZONING HISTORY

The subject site is located at 2880 SW HWY 212 and is zoned C-1 (Local Commercial District). This property was zoned C-1 on December 28, 2001 with the following conditions:

1. Approval of C-1 zoning conditioned to a site plan for a Publix Shopping Center; (**Exhibit A**)
2. Incorporation of a letter dated December 11, 2001 from Paulson Mitchell to Rockdale County and the covenants contained therein.

This property is currently developed with a Publix Supermarket and other small retail shops. No variances or special use permits have been granted for this property.

EXHIBIT A



EXISTING SITE CONDITIONS

The subject site is a 13.5-acre developed property. The property has approximately 410 +/- feet of road frontage along Highway 212. A sidewalk is present along the property's frontage.

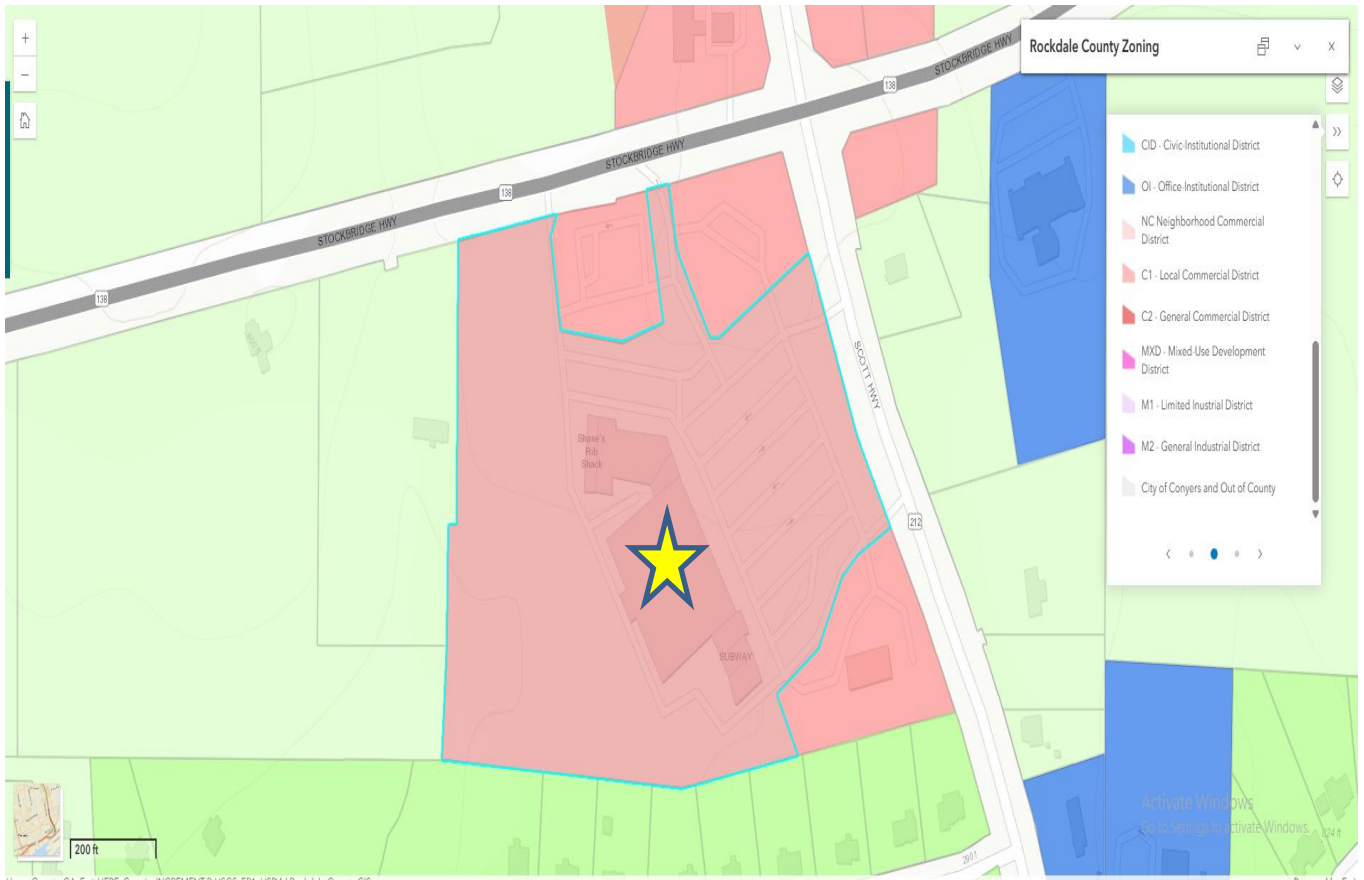
SURROUNDING USE AND ZONING

The following is a summary of surrounding uses and zoning:

ADJACENT ZONING AND CURRENT LAND USE			
Direction	Address	Zoning District	Current Land Use
North	2930 HIGHWAY 138	C-1	Fast Food Restaurant
East	2825 HIGHWAY 212	A-R	Single Family Structure
South	2860 GA-212	R-1	Single Family Neighborhood
West	2946 HIGHWAY 138	A-R	Single Family Structure

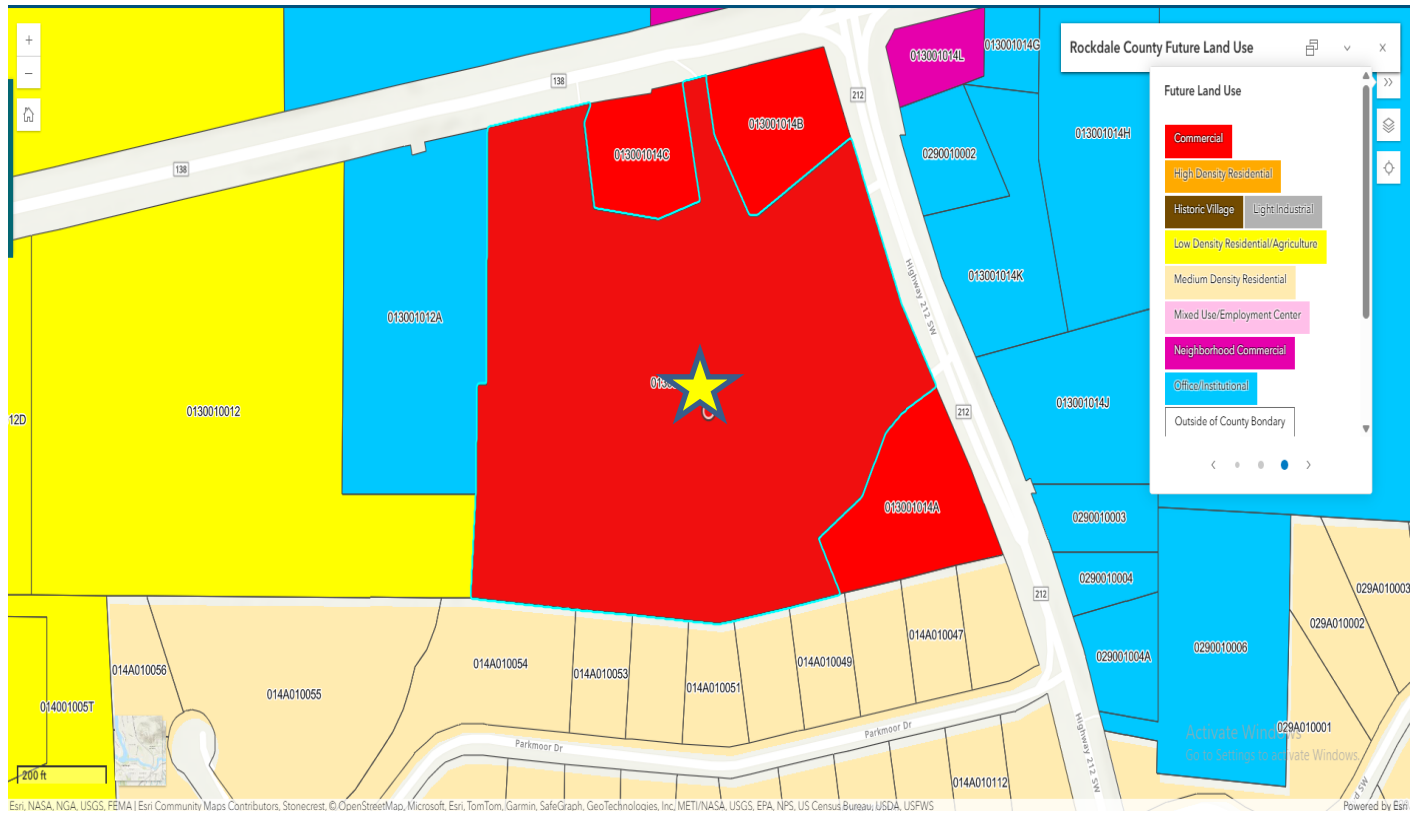
ROCKDALE COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT

ZONING MAP



ROCKDALE COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT

FUTURE LAND USE MAP



PROJECT SUMMARY

The applicant is requesting a rezoning of a 13.85-acre parcel from Local Commercial District (C-1) to General Commercial District (C-2) to allow for the sale of automotive parts by AutoZone, a use not permitted under the current C-1 zoning. The property is currently developed with a Publix Supermarket and several small retail shops, totaling approximately 70,162 square feet of building area with 316 parking spaces.

No changes to the overall site layout, parking, or building footprint. The rezoning is intended to allow AutoZone to occupy a space previously used as a sit-down restaurant. The applicant proposes to combine three existing tenant suites, two measuring 3,000 square feet each and one measuring 1,400 square feet into a single 7,400-square-foot retail space. Exterior modifications will be minimal and limited to storefront and signage updates to reflect the new tenant. Below are the proposed suite combinations (**EXHIBIT B**).

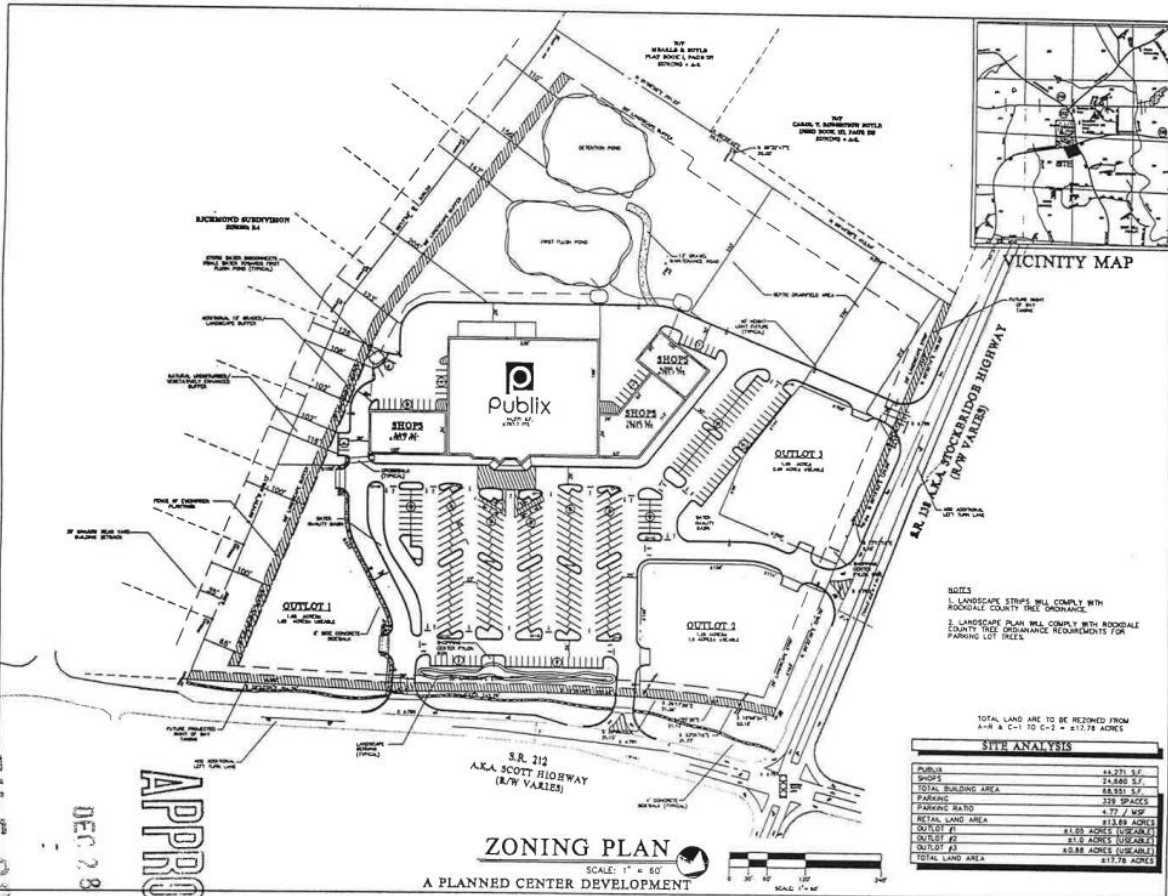
The proposed 7,400 square foot building is subject to the parking requirement of 4.5 spaces per 1,000 square feet of gross floor area. Based on this standard, the development is required to provide a minimum of 34 off-street parking spaces with 2 handicap-accessible parking spaces, totaling 36 off-street parking spaces.

EXHIBIT B



ROCKDALE COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT

PROPOSED SITE PLAN



PAULSON MITCHELL
INCORPORATED

PROJECT:
publix
BROWNS MILL ROAD &
STOCKBRIDGE HIGHWAY
LAND LOTS 204 & 205
ROCKDALE COUNTY, GEORGIA

FOR:
BARCLAY GROUP
1123 OVERCASH DR.
DUNEDIN, FL 34608
(727) 733-7585

REVISIONS
COUNTY COMMENTS 12.11.01

2001201214CTV.DWG 11.12.01

ZONING PLAN
Z.1

FILE COPY

DEC 28 2001

APPROVED

SITE PHOTOS



AERIAL



INTERNAL AND EXTERNAL AGENCY REVIEW

The applicant must meet all other UDO requirements related to infrastructure improvements. Internal and External agency comments are attached and provided below.

Fire

The proposed location has an existing fire sprinkler system which is an added benefit seeing the proposed use will house various motor vehicle supplies. Any enhancements or modifications to the sprinkler system will be addressed during the formal plan review. If this location will have a waste oil collection tank, ensure that the tank is a double-walled tank.

Rockdale Board of Education

No impact on Rockdale County Public Schools.

Stormwater Department

Based on the submitted rezoning documents, there are no existing State waters and Wetlands requirements. Tree protection will not be required for this project.

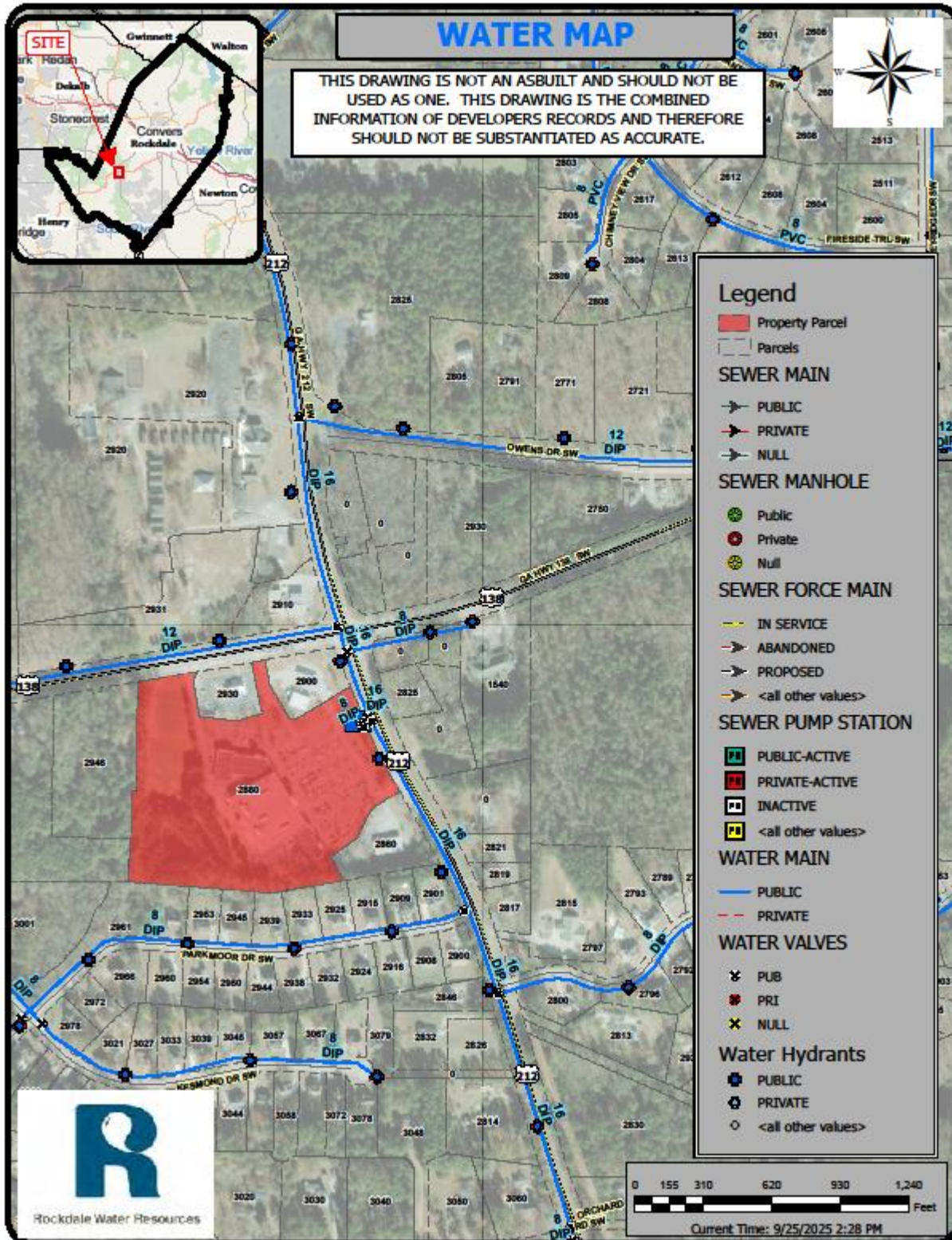
Transportation Department

The transportation department request for a traffic impact study will remain.

Water/Sewer

Existing 16" DIP water main along GA Hwy 212 SW and existing 12" DIP water main along GA Hwy 138 SW. Public wastewater is not available. See Map (**EXHIBIT C**)

EXHIBIT C



EVALUATION OF THE REZONING REQUEST

When considering an application to amend the current zoning designation of a property, the Board of Commissioners, the Planning Commission, and the Planning & Development Department shall consider the following standards as described in Section 238-4(G1) of the UDO:

A. Is the zoning proposal permitted as a use that is suitable in view of the use and development of adjacent and nearby property?

The proposed zoning is appropriate given the surrounding land uses. This is an existing developed parcel with a Publix Shopping Center, and several outparcels. The outparcels include a fast-food restaurant, a gas station, and a package store. These nearby uses reflect a commercial character that supports high-traffic, service-oriented businesses. The zoning proposal complements this established pattern and is not anticipated to introduce any significant changes that would be out of scale or incompatible with adjacent properties.

B. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?

The existing uses of adjacent or nearby properties would likely not be impacted by the requested zoning change. The proposed sale of automotive parts is not anticipated to negatively impact adjacent or nearby property owners. The use is consistent with the character of the surrounding area and is compatible with other permitted uses within the C-2 (General Commercial) zoning district.

C. Will the property to be affected by the zoning proposal have a reasonable economic use as currently zoned?

The subject property maintains reasonable economic viability under its current zoning designation. However, a rezoning to C-2 (General Commercial) would permit a broader range of commercial uses, which could enhance the site's overall economic utility and development potential in the future.

D. Will the zoning proposal result in a use which will or could cause excessive or burdensome use of existing streets, transportation, facilities, utilities, or schools?

If all land development regulations are permitted in accordance with code requirements, the proposed rezoning would likely not increase adverse impacts on public facilities. The development will have no impact on the Rockdale County School System.

E. Is the zoning proposal in conformity with the Future Land Use Map and the policy with the intent of the Comprehensive Land Use Plan?

The request to rezone the subject property to C-2 (General Commercial) is in conformance with the Future Land Use category of Commercial. This category includes standard retail and commercial services activities. These establishments should be located along transportation corridors to easily serve the public. Visual impacts should be minimized through design controls and landscaping. This request conforms with the policy intent of commercial in the Comprehensive Land Use Plan.

F. Are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval, or disapproval of the zoning proposal?

The subject property is currently zoned Local Commercial, which is intended for neighborhood-serving retail and services. However, the property's location along a major roadway (HWY 212 & SR 138), combined with existing infrastructure and strong visibility, enhances its suitability for a regional commercial use and supports the proposed rezoning. The proposed AutoZone retail use aligns with other existing businesses in the vicinity and is not anticipated to negatively impact adjacent land uses, given the existing site design and buffering.

PLANNING AND DEVELOPMENT STAFF RECOMMENDATIONS

Based on the staff's evaluation of the request, and the standards governing exercise of zoning power, the Department of Planning and Development recommends **Approval with Conditions** of the request to rezone from C-1 (Local Commercial) to C-2 (General Commercial) with the following conditions:

1. No major or minor automobile repair activities shall be permitted on-site, except for limited services directly related to an auto parts store, including batteries, windshield wiper replacement, diagnostic testing, and light bulb replacement.
2. No land disturbance activity allowed. Current stormwater management was met during the development of the Publix Plaza.
3. No overnight parking of vehicles, trailers, or delivery trucks shall be permitted on-site.
4. There shall be no dismantling of vehicles on the premises to obtain auto parts.
5. No outdoor display of parts, scrap, or junk vehicles.
6. Batteries, used oil, and hazardous materials must be stored indoors and in compliance with state/federal law.
7. All storage, handling, and disposal of motor oil, lubricants, and other hazardous fluids shall comply with all applicable federal, state, and local regulations.
8. The tenant shall provide spill containment measures, including but not limited to oil-resistant flooring, secondary containment for storage areas, and absorbent cleanup materials kept on-site at all times. Any spills shall be cleaned immediately and disposed of in accordance with EPA and Georgia EPD requirements.
9. No discharge of oil, grease, or other automotive fluids shall be permitted into the stormwater system, sanitary sewer, or the ground.
10. The applicant shall comply with all County regulations prior to issuance of a Certificate of Occupancy.
11. If this location will have a waste oil collection tank, ensure that the tank is a double-walled tank.

AN ORDINANCE TO AMEND THE TEXT OF SUBPART B (PLANNING AND DEVELOPMENT) OF THE CODE OF ORDINANCES OF ROCKDALE COUNTY, GEORGIA, AS AMENDED, SO AS TO AMEND TITLE 2 (LAND USE AND ZONING), CHAPTER 218 (USE REGULATIONS), ARTICLE IV (TELECOMMUNICATION FACILITIES), SECTION 218-22(q) (APPLICATION REQUIREMENTS AND STANDARDS); TO PROVIDE FOR REPEAL OF CONFLICTING PROVISIONS; TO PROVIDE FOR AN ADOPTION DATE; AND FOR OTHER PURPOSES.

WHEREAS, Rockdale County comprehensively regulates land uses, permitting, licensing, code compliance, development, and provides numerous other regulatory functions pursuant to its general police powers, planning powers, zoning powers, and other authority derived from applicable local laws, the Constitution of the State of Georgia, state and federal statutory authority, and other sources; and

WHEREAS, it is the desire of the Board of Commissioners to update the fee requirements associated with Section 218-22 (q) – Application requirements and standards, as recommended by the planning staff; and

WHEREAS, the following amendments will implement these changes in furtherance of the public health, safety and welfare;

WHEREAS, public hearings as required by law have to be conducted by the Rockdale County Planning Commission and the Board of Commissioners.

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

Section I

That Section 218-22(q) Application requirements and standards (Subpart B – Planning and Development, Title 2 – Land Use and Zoning, Chapter 218 – Use Regulations, Article IV – Telecommunication Facilities) of the Code of Rockdale County, Georgia, is hereby amended to delete the language that currently reads as follows:

In order to cover the actual cost to Rockdale County of reviewing these applications and obtaining expert opinion and studies, the following fees are hereby established. For those telecommunications facility applications requiring administrative approval, a fee of \$500.00 shall be paid at the time of application. For telecommunication facility applications requiring a special use permit, a fee of \$1,000.00 shall be paid at the time of application. If the actual cost to Rockdale County is greater than this fee, the applicant shall be billed for the difference and payment shall be made prior to the hearing before the board. In no case shall the maximum total charge exceed \$3,000.00.

And Replace with the following language.

In order to cover the actual cost to Rockdale County of reviewing these applications and obtaining expert opinion and studies, the following fees are hereby established. For those telecommunications facility applications requiring administrative approval, a fee of **\$1,250.00** shall be paid at the time of application. For telecommunication facility applications requiring a special use permit, a fee of **\$1,750.00** shall be paid at the time of application. If the actual cost to Rockdale County is greater than this fee, the applicant shall be billed for the difference and payment shall be made prior to the hearing before the board. In no case shall the maximum total charge exceed \$3,000.00.

Section II

That all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section III

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 specifically declared to be invalid or unconstitutional.

This Ordinance shall become effective upon adoption.

This _____ day of _____, 2025.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

By: _____
JaNice Van Ness, Chair & CEO

By: _____
Tuwanya C. Smith, Post I

By: _____
Dr. Doreen Williams, Post II

Attest:

By: _____
Jennifer Rutledge, County Clerk

Approved as to form:

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

First reading: _____

Second reading: _____

AN ORDINANCE TO AMEND SUBPART A – GENERAL ORDINANCES OF THE CODE OF ROCKDALE COUNTY, GEORGIA, AS AMENDED, to AMEND CHAPTER 10 ALCOHOLIC BEVERAGES, ARTICLE II, DIVISION 1, SECTION 10-33(d)–LICENSE REQUIRED: TIME LIMIT FOR COMMENCEMENT OF OPERATION; SECTION 10-38–PRELIMINARY APPROVAL REQUIRED OPERATION; SECTION 10-39(B)–DENIAL OF LICENSE APPLICATION: GRANTING; SECTION 10-41–MORAL CHARACTER OF LICENSEE:GRANTING; SECTION 10-51(D)–TRANSFER OF LICENSES PROHIBITED: CHANGE OF LOCATION; SECTION 10-51(G)–TRANSFER OF LICENSES PROHIBITED: CHANGE OF LOCATION; SECTION 10-52(D)–SPECIAL PROVISIONS ON REVOCATION OR SUSPENSION; SECTION 10-63(A)–CONSIDERATIONS FOR GRANTING APPLICATIONS FOR ALCOHOLIC BEVERAGE HANDLING PERMITS; SECTION 10-63(B)–CONSIDERATIONS FOR GRANTING APPLICATIONS FOR ALCOHOLIC BEVERAGE HANDLING PERMITS; SECTION 10-66(B)–CONSIDERATIONS FOR GRANTING APPLICATIONS FOR ALCOHOLIC BEVERAGE HANDLING PERMITS; SECTION 10-68(E)–OFF-PREMISES SALE OF ALCOHOLIC BEVERAGES FOR CATERED FUNCTIONS; TO PROVIDE FOR REPEAL OF CONFLICTING PROVISIONS; TO PROVIDE FOR AN ADOPTION DATE; AND FOR OTHER PURPOSES.

WHEREAS, Rockdale County comprehensively regulates fees pursuant to its general police powers, and other authority derived from applicable local laws, the Constitution of the State of Georgia, state and federal statutory authority, and other sources; and

WHEREAS, Chapter 10, Sections 10-33(d), 10-38, 10-39(b), 10-51(d), 10-51(g), 10-52(d), 10-63(a), 10-63(b), 10-68(e) of the Code of Rockdale County, Georgia regulate the issuance of licensing of alcohol sales; and

WHEREAS, the Board of Commissioners desires to proactively address the time it takes to issue an alcohol license; and

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 10-33(d) License required: time limit for commencement of operation; (Subpart A - General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia, as amended by adding ‘the chair of’ and ‘or their designee’ in two (2) locations, and replacing ‘its’ with ‘their’ in one location of the text “All licenses issued under this article must, within 90-days after the issuance of a county license, open for business. Failure to open for business shall constitute a forfeiture and cancellation of the issued license, and no refund of license fees or business taxes shall be made. Any applicant unable to comply with the time limit of this section may make written request to the chair of the board of commissioners or their designee for an extension of time for good cause not to exceed 90-days, and the chair of the Board of Commissioners or their designee at their discretion may grant or deny the request.”

Section II

That Section 10-38 – Preliminary approval required operation; (Subpart A - General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the chair of’ and ‘or their designee’ in one (1) location of the text “All applications shall be approved or disapproved by the sheriff or his designee as a condition to action thereon and issuance of a license by the chair of the board of commissioners or their designee. Before the sheriff approves or disapproves an application, he shall make or cause to be made a complete and exhaustive investigation of the police record and character and reputation of the applicant. If the sheriff determines that the applicant has no record that is in violation of this article and is of good character and reputation, he shall approve the application.

Section III

That Section 10-39(b) – Denial of license application: granting; (Subpart A - General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the chair of’ and ‘or their designee’ in one (1) location of the text “Otherwise, the director of the department of planning and development may issue any county license provided for in this article after a motion to that effect is approved by the chair of the board of commissioners or their designee.”

Section IV

That Section 10-41 – Moral character of licensee: granting; (Subpart A - General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the chair of’ and ‘or their designee’ in one (1) location of the text “No person, partnership or corporation shall be granted a license under this article unless it shall appear to the satisfaction of the chair of the board of commissioners or their designee that the person applying, the partner applying on behalf of the partnership, or the agent applying on behalf of the corporation, shall be of good moral character. If an applicant, inclusive of the partner applying on behalf of the partnership or the agent applying on behalf of the corporation, has been convicted, pled guilty, or entered a plea of nolo contendere to a crime involving moral turpitude or an offense involving the sale of narcotics or the sale of alcohol to a minor within a period of two years prior to the filing of the application, the application for a license under this article may be denied.”

Section V

That Section 10-51(d) – Transfer of licenses prohibited: change of location; (Subpart A General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the chair of’ and ‘or their designee’ in one (1) location of the text “In case of death of any person owning a license, or any interest therein, the license may, with the approval of the chair of the board of commissioners or their designee, and subject to the terms of this article, be transferred to the administrator, executor or personal representative of the deceased person, or to the heirs at law of the deceased person, if such heirs meet all of the other qualifications contained in this article. The license of the deceased person shall be held by the administrator, executor, or personal representative of the deceased person

only for time necessary to complete administration of his estate and to dispose of the license or the interest therein, but in no event to exceed 12 months.”

Section VI

That Section 10-51(g) – Transfer of licenses prohibited: change of location; (Subpart A General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the chair of’ and ‘or their designee’ in one (1) location of the text “A licensee may take in partners or additional stockholders; however, any additional partners or new stockholders must be approved by the chair of the board of commissioners or their designee as provided under this article.”

Section VII

That Section 10-52(d) – Special provisions on revocation or suspension; (Subpart A General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the chair of’ and ‘or their designee’ in one (1) location of the text “If **the chair of** the board of commissioners **or their designee** revokes or suspends any license for the sale of alcohol granted under this article, no new license under this article shall be granted by the county for the sale of malt beverages, wine and/or distilled spirits for the period of six months after the date of revocation or suspension to that licensee.”

Section VIII

That Section 10-63(a) – Considerations for granting applications for alcoholic beverage handling permits; (Subpart A General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the Chair of’ and replacing ‘or his/her designee’ with ‘or their designee’ in two (2) locations of the text “The chair of the board of commissioners or their designee shall have the discretion to grant or refuse to grant any application for an alcoholic beverage handling permit hereunder; however, the chair of the board of commissioners or their designee shall consider the following matters in connection with each application for an alcoholic beverage handling permit, which said considerations are deemed to be in the public interest and welfare, as follows:”

Section IX

That Section 10-63(b) – Considerations for granting applications for alcoholic beverage handling permits; (Subpart A General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the Chair of’ and replacing ‘or his/her designee’ with ‘or their designee’ in two (2) locations of the text “The chair of the board of commissioners or their designee has the discretionary authority to consider any other objective criteria that is rationally related to the application, including any extenuating circumstances which may reflect favorably or unfavorably on the applicant, when making a decision to approve or deny an alcoholic beverage handling permit. If, in the judgment of the chair of the board of commissioners or their designee, circumstances are such that granting the alcoholic beverage handling permit would not be in the best interest of the general health, safety, and public welfare, such circumstances shall be grounds for denying the application.”

Section X

That Section 10-66(b) – Considerations for granting applications for alcoholic beverage handling permits; (Subpart A General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the chair of’ and replacing ‘or his/her designee’ with ‘or their designee’ in one (1) location of the text “Any alcoholic beverage handling permit issued hereunder shall expire one year from the date of issuance, unless earlier rescinded by the board of commissioners. All persons holding alcoholic beverage handling permits and seeking to renew such permits shall submit an application to renew their permits in advance of the expiration date on forms prescribed by the department of planning and development. Upon receipt of the background check information, the county shall have 30 calendar days to review such completed renewal application. Handling alcohol without a valid permit is expressly prohibited. In the event that the county does not issue a decision on the completed renewal application within this time period, then the application fee shall be refunded to the applicant and shall be waived with respect to the present renewal application only.

Section XI

That Section 10-68(e) – Off-premises sale of alcoholic beverages for catered functions; (Subpart A General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the chair of’ and replace ‘or his/her designee’ with ‘or their designee’ in one (1) location of the text “The sheriff’s office and the department of planning and development or their designees shall review the applicant’s application and supporting documentation. Based upon the requirements set forth in this section, the chair of the board of commissioners or their designee shall either approve or deny, in writing, said alcoholic beverage special event application.”

Section XII

That all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section XIII

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 specifically declared to be invalid or unconstitutional.

This Ordinance shall become effective upon adoption.

This _____ day of _____, 2025.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

By: _____
JaNice Van Ness, Chair & CEO

By: _____
Tuwanya C. Smith, Post I

By: _____
Dr. Doreen Williams, Post II

Attest:

By: _____
Jennifer Rutledge, County Clerk

Approved as to form:

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

First Reading: _____

Second Reading: _____

AN ORDINANCE TO AMEND SUBPART B – PLANNING AND DEVELOPMENT OF THE CODE OF ROCKDALE COUNTY, GEORGIA, AS AMENDED, to AMEND TITLE 2 – LAND USE AND ZONING, CHAPTER 206 – BASE ZONING DISTRICTS, SECTION 206-10 O/I OFFICE-INSTITUTIONAL DISTRICT AND CHAPTER 214-STANDARDS APPLYING TO ALL DISTRICTS, SECTION 214-1 DIMENSIONAL STANDARDS OF ZONING DISTRICTS, TABLE 2: DEVELOPMENT STANDARDS FOR NON-RESIDENTIAL ZONING DISTRICTS; TO PROVIDE FOR REPEAL OF CONFLICTING PROVISIONS; TO PROVIDE FOR AN ADOPTION DATE; AND FOR OTHER PURPOSES.

WHEREAS, Rockdale County comprehensively regulates land uses pursuant to its general police powers, planning powers, zoning powers, and other authority derived from applicable local laws, the Constitution of the State of Georgia, state and federal statutory, and other sources; and

WHEREAS, Rockdale County comprehensively regulates land use to substantially advance public health, safety, morals, and general welfare; and

WHEREAS, the Board of Commissioners desires to proactively address increased workforce creation through increasing the density of non-residential zoning districts throughout the County; and

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 206-10 O/I Office – Institutional District (Subpart B – Planning and Development, Title 2 – Land Use and Zoning, Chapter 206 – Base Zoning Districts) of the Code of Rockdale County, Georgia, as amended by adding *(e) Maximum building height: 85 feet, excluding rooftop mechanical equipment.* for the zoning district in question.

Section II

That Section 214-1 Dimensional standards of zoning districts; Table 2: Development Standards for Non-Residential Zoning Districts, (Subpart B – Planning and Development, Title 2 – Land Use and Zoning, Chapter 214 – Standards Applying to All Districts) of the Code of Rockdale County, Georgia, as amended by increasing the Max Height Column of O/I from 50 ft. to 85 ft. The referenced table is shown as Exhibit “A” and attached hereto and made a part hereto by reference.

Section III

That all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed

Section IV

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 specifically declared to be invalid or unconstitutional.

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

EXHIBIT A

Sec. 214-1. Dimensional standards of zoning districts.

Dimensional standards for zoning districts are summarized in Tables 1, 2 and 3. See chapter 206 for additional standards. Should a standard in Table 1, 2, or 3 conflict with a standard in chapter 206, the standard of Chapter 206 standard shall apply.

Table 2: Development Standards for Non-Residential Zoning Districts

Zoning District	Minimum Lot Size	Maximum Gross Density Sq. Ft./Acre	Max. Height	Min. Lot Width	Min.; Front Setback ¹	Min. Side Setback ^{1,2}	Min. Back Setback ¹	Max. % Imperv.	Min. % Open Space
CID ³	.75 Acres	15,000	60 ft ⁴	100 ft.	40 ft.	10/15 ft.	40 ft.	75	10
<i>O-I</i>	<i>10,000 sq. ft.</i>	<i>25,000</i>	<i>85 ft.</i>	<i>50 ft.</i>	<i>25 ft.</i>	<i>10/25 ft.</i>	<i>35 ft.</i>	<i>75</i>	<i>0</i>
NC ³	1 Acre	12,000	50 ft ⁴	100 ft.	40 ft.	10/15 ft.	40 ft.	75	0
C-1	10,000 sq. ft.	10,000	50 ft.	75 ft.	15 ft.	0/15 ft.	35 ft.	75	0
C-2	15,000 sq. ft.	15,000	50 ft.	100 ft.	25 ft.	10/25 ft.	35 ft.	75	0
MxD ³	1 Acre	20,000	75 ft. ⁴	100 ft.	See 206-14			75	15
OBP	5 Acres	15,000	50 ft.	100 ft.	25 ft.	15/25 ft.	40 ft.	75	0
M-1	1 Acre	15,000	50 ft.	100 ft.	40 ft.	25/50 ft.	50 ft.	75	0
M-2	10 Acres	20,000	60 ft.	200 ft.	50 ft.	25/50 ft.	50 ft.	75	0

Notes for Table 2:

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. Zoning district is only applicable within the Salem Road Corridor Overlay District.
4. Buildings over 35 feet in height shall be a minimum of 75 feet from property lines of adjacent single-family residential property.

This Ordinance shall become effective upon adoption.

This _____ day of _____, 2025.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

By: _____
JaNice Van Ness, Chair & CEO

By: _____
Tuwanya C. Smith, Post I

By: _____
Dr. Doreen Williams, Post II

Attest:

By: _____
Jennifer Rutledge, County Clerk

Approved as to form:

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

First Reading: _____

Second Reading: _____